

resulting in ~~the transportation of another person by emergency vehicle to a medical facility~~ a life threatening injury to another person to submit, under certain circumstances, to a test to determine alcohol concentration of the person's blood or breath; and generally relating to compulsory alcohol concentration tests of persons involved in certain motor vehicle accidents.

BY repealing and reenacting, with amendments,

Article - Transportation

Section 16-205.1(c)

Annotated Code of Maryland

(1992 Replacement Volume and 1993 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

**Article - Transportation**

16-205.1.

(c) (1) If a person is involved in a motor vehicle accident that results in the death of, ~~OR A LIFE THREATENING INJURY TO,~~ another person ~~OR THE TRANSPORTATION OF ANOTHER PERSON BY EMERGENCY VEHICLE TO A MEDICAL FACILITY~~ and the person is detained by a police officer who has reasonable grounds to believe that the person has been driving or attempting to drive while intoxicated, while under the influence of alcohol, while so far under the influence of any drug, any combination of drugs, or a combination of one or more drugs and alcohol that the person could not drive a vehicle safely, while under the influence of a controlled dangerous substance, or in violation of § 16-813 of this title, the person shall be required to submit to a test, as directed by the officer.

(2) If a police officer directs that a person be tested, then the provisions of § 10-304 of the Courts and Judicial Proceedings Article shall apply.

(3) Any medical personnel who perform any test required by this section are not liable for any civil damages as the result of any act or omission related to such test, not amounting to gross negligence.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1994.

Approved May 2, 1994.