

shown by analysis as provided in this subtitle is admissible in evidence and has the effect set forth in subsections (b) through [(e)] (G) of this section.

(2) Alcohol concentration as used in this section shall be measured by:

- (i) Grams of alcohol per 100 milliliters of blood; or
- (ii) Grams of alcohol per 210 liters of breath.

(3) If the amount of alcohol in the person's blood shown by analysis as provided in this subtitle is measured by milligrams of alcohol per deciliters of blood or milligrams of alcohol per 100 milliliters of blood, a court or an administrative law judge, as the case may be, shall convert the measurement into grams of alcohol per 100 milliliters of blood by dividing the measurement by 1000.

(b) If at the time of testing a person has an alcohol concentration of 0.05 or less, as determined by an analysis of the person's blood or breath, it shall be presumed that the [defendant] PERSON was not ~~intoxicated OR INTOXICATED PER SE UNDER THE INFLUENCE OF ALCOHOL~~ and that the [defendant] PERSON was not driving while ~~under the influence of~~ IMPAIRED BY alcohol.

(c) If at the time of testing a person has an alcohol concentration of more than 0.05 but less than 0.07, as determined by an analysis of the person's blood or breath, this fact may not give rise to any presumption that the [defendant] PERSON was or was not ~~intoxicated OR INTOXICATED PER SE UNDER THE INFLUENCE OF ALCOHOL~~ or that the [defendant] PERSON was or was not driving while ~~under the influence of~~ IMPAIRED BY alcohol, but this fact may be considered with other competent evidence in determining ~~the guilt or innocence of the [defendant] PERSON DRIVING WHETHER THE PERSON WAS OR WAS NOT DRIVING WHILE UNDER THE INFLUENCE OF ALCOHOL OR DRIVING WHILE IMPAIRED BY ALCOHOL.~~

(d) If at the time of testing a person has an alcohol concentration of at least 0.07 but less than [0.10] 0.08, as determined by an analysis of the person's blood or breath, it shall be prima facie evidence that the [defendant] PERSON was driving while ~~under the influence of~~ IMPAIRED BY alcohol.

(e) If at the time of testing a person has an alcohol concentration of 0.02 or more, as determined by an analysis of the person's blood or breath, it shall be prima facie evidence that the [defendant] PERSON was driving with alcohol in the [defendant's] PERSON'S blood.

(f) If at the time of testing a person has an alcohol concentration of 0.02 or more, as determined by an analysis of the person's blood or breath, it shall be prima facie evidence that ~~a~~ THE [defendant] PERSON was driving in violation of an alcohol restriction under § 16-113 of the Transportation Article.

§ (G) IF AT THE TIME OF TESTING A PERSON HAS AN ALCOHOL CONCENTRATION OF 0.08 OR MORE, AS DETERMINED BY AN ANALYSIS OF THE PERSON'S BLOOD OR BREATH, THE PERSON SHALL BE CONSIDERED INTOXICATED UNDER THE INFLUENCE OF ALCOHOL PER SE AS DEFINED IN § 11-127.1 OF THE TRANSPORTATION ARTICLE.