

(2) Are not admissible in a prosecution other than a prosecution for a violation of § 21-902 of the Transportation Article, § 8-738 of the Natural Resources Article, or [Article 27, § 388, § 388A, or § 388B of the Code] TITLE 2, SUBTITLE 5, § 2-209, OR § 3-211 OF THE CRIMINAL LAW ARTICLE.

10-309.

(a) (1) (ii) Evidence of a test or analysis provided for in this subtitle is not admissible in a prosecution for a violation of § 16-113 or § 21-902 of the Transportation Article, § 8-738 of the Natural Resources Article, or [Article 27, § 388, § 388A, or § 388B of the Code] TITLE 2, SUBTITLE 5, § 2-209, OR § 3-211 OF THE CRIMINAL LAW ARTICLE if obtained contrary to the provisions of this subtitle.

(c) Nothing in this section precludes or limits the admissibility of evidence of a test or analysis to determine the alcohol concentration of a person's blood or breath in any prosecution other than for a violation of § 16-113 or § 21-902 of the Transportation Article, § 8-738 of the Natural Resources Article, or [Article 27, § 388, § 388A, or § 388B of the Code] TITLE 2, SUBTITLE 5, § 2-209, OR § 3-211 OF THE CRIMINAL LAW ARTICLE.

10-402.

(c) (2) (I) THIS PARAGRAPH APPLIES TO AN INTERCEPTION IN WHICH:

1. THE INVESTIGATIVE OR LAW ENFORCEMENT OFFICER OR OTHER PERSON IS A PARTY TO THE COMMUNICATION; OR

2. ONE OF THE PARTIES TO THE COMMUNICATION HAS GIVEN PRIOR CONSENT TO THE INTERCEPTION.

(II) It is lawful under this subtitle for an investigative or law enforcement officer acting in a criminal investigation or any other person acting at the prior direction and under the supervision of an investigative or law enforcement officer to intercept a wire, oral, or electronic communication in order to provide evidence:

(4) 1. [of] OF the commission of:

4. A. [the offenses of murder, kidnapping, rape, a sexual offense in the first or second degree, child abuse, child pornography, as defined under Article 27, §§ 419A and 419B of the Code, gambling, robbery under Article 27, § 486 or § 487 of the Code, any felony punishable under the "Arson and Burning" subheading of Article 27, bribery, extortion, or dealing in controlled dangerous substances, including violations of Article 27, § 286B or § 287A, fraudulent] MURDER;

2. B. KIDNAPPING;

2. C. RAPE;

4. D. A SEXUAL OFFENSE IN THE FIRST OR SECOND DEGREE;

5. E. CHILD ABUSE;