

## Article - Transportation

16-205.

~~(d) The Administration [may] SHALL suspend for [not more than 120 days] 1 YEAR the license of any person who, within a [3 year] 5 YEAR period, is convicted under § 21-902(b) or (c) of this article of driving or attempting to drive a motor vehicle while impaired by alcohol or while so far impaired by any drug, any combination of drugs, or a combination of one or more drugs and alcohol that the person cannot drive a motor vehicle safely and who was previously convicted of a violation under:~~

~~(1) § 21-902(a) of this article of driving or attempting to drive a motor vehicle while under the influence of alcohol or while under the influence of alcohol per se;~~

~~(2) § 21-902(b) of this article of driving or attempting to drive a motor vehicle while impaired by alcohol;~~

~~(3) § 21-902(c) of this article of driving or attempting to drive a motor vehicle while so far impaired by any drug, any combination of drugs, or a combination of one or more drugs and alcohol that the person cannot drive a motor vehicle safely; or~~

~~(4) § 21-902(d) of this article of driving or attempting to drive a motor vehicle while impaired by a controlled dangerous substance.~~

(E) (1) IN THIS SUBSECTION, "MOTOR VEHICLE" DOES NOT INCLUDE A COMMERCIAL MOTOR VEHICLE.

(2) SUBJECT TO THE PROVISIONS OF THIS SUBSECTION, THE ADMINISTRATION SHALL SUSPEND FOR 1 YEAR THE LICENSE OF A PERSON WHO IS CONVICTED OF A VIOLATION OF § 21-902(A) OF THIS ARTICLE MORE THAN ONCE WITHIN A 5-YEAR PERIOD.

(3) ON RECEIVING A RECORD OF A CONVICTION OF A PERSON FOR A VIOLATION OF § 21-902(A) OF THIS ARTICLE MORE THAN ONCE WITHIN A 5-YEAR PERIOD, THE ADMINISTRATION SHALL ISSUE TO THE PERSON A NOTICE OF SUSPENSION OF THE PERSON'S LICENSE THAT:

(I) STATES THAT THE PERSON'S LICENSE SHALL BE SUSPENDED FOR 1 YEAR; AND

(II) ADVISES THE PERSON OF THE RIGHT TO REQUEST A HEARING UNDER THIS PARAGRAPH.

(4) AFTER NOTICE UNDER PARAGRAPH (3) OF THIS SUBSECTION, THE ADMINISTRATION SHALL SUSPEND A PERSON'S LICENSE UNDER THIS SUBSECTION IF:

(I) THE PERSON DOES NOT REQUEST A HEARING;