

[(3)] (III) The equipment for administering the test of breath is not available; OR

[(4)] (IV) THE DEFENDANT IS REQUIRED TO SUBMIT TO A TEST OF ONE SPECIMEN OF BLOOD UNDER § 16-205.1(C)(1)(II) OF THE TRANSPORTATION ARTICLE; OR

(2) BOTH A TEST OF THE PERSON'S BREATH AND A TEST OF ONE SPECIMEN OF THE PERSON'S BLOOD IF THE DEFENDANT IS REQUIRED TO SUBMIT TO BOTH A TEST OF THE PERSON'S BREATH AND A TEST OF ONE SPECIMEN OF THE PERSON'S BLOOD UNDER § 16-205.1(C)(1)(III) OF THE TRANSPORTATION ARTICLE.

Article - Transportation

16-205.1.

(a) (1) (i) In this section, the following words have the meanings indicated.

(iv) "Test" means, UNLESS THE CONTEXT REQUIRES OTHERWISE:

1. A test of a person's breath or of 1 specimen of a person's blood to determine alcohol concentration;

2. A test or tests of 1 specimen of a person's blood to determine the drug or controlled dangerous substance content of the person's blood; or

3. Both:

A. A test of a person's breath or a test of 1 specimen of a person's blood, to determine alcohol concentration; and

B. A test or tests of 1 specimen of a person's blood to determine the drug or controlled dangerous substance content of the person's blood.

(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 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 under the influence of alcohol, while impaired by alcohol, while so far impaired by 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 impaired by 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, TO A TEST OF:

~~(i) THE POLICE OFFICER SHALL DIRECT THAT THE PERSON SUBMIT TO BOTH:~~

~~1. A TEST OF THE PERSON'S BREATH OR A TEST OF 1 SPECIMEN OF THE PERSON'S BLOOD, TO DETERMINE ALCOHOL CONCENTRATION; AND~~