

(ii) The licensee did not refuse to take a test;

[(iii)] (II) The licensee has not been convicted under § 21-902 of this article; and

[(iv)] (III) The license is required for the purpose of attending:

1. A noncollegiate educational institution as defined in § 2-206(a) of the Education Article; or

2. A regular program at an institution of postsecondary education.

(3) If the licensee refused to take a test, the Administration may not modify a suspension under this section or issue a restrictive license.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1998.

Approved May 12, 1998.

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**CHAPTER 449**

**(House Bill 152)**

AN ACT concerning

**Creation of a State Debt - Montgomery County - Flower Theater Avenue/Long Branch Revitalization**

FOR the purpose of authorizing the creation of a State Debt not to exceed ~~\$250,000~~ \$200,000, the proceeds to be used as a grant to the ~~Board of Directors of Entertainment Unlimited, Inc.~~ County Executive and County Council of Montgomery County for certain acquisition, development, or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; and providing generally for the issuance and sale of bonds evidencing the loan.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Montgomery County - Flower Theater Avenue/Long Branch Revitalization Loan of 1998 in a total principal amount equal to the lesser of (i) ~~\$250,000~~ \$200,000 or (ii) the amount of the matching fund provided in accordance with Section 1(5) below. This loan shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8-117 through 8-124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.