

(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 was not intoxicated and that the defendant was not driving while under the influence of 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 was or was not intoxicated or that the defendant was or was not driving while under the influence of alcohol, but this fact may be considered with other competent evidence in determining the guilt or innocence of the defendant.

(d) If at the time of testing a person has an alcohol concentration of at least 0.07 but less than 0.10, as determined by an analysis of the person's blood or breath, it shall be prima facie evidence that the defendant was driving while under the influence of 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 was driving with alcohol in the defendant'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 defendant was driving in violation of § 16-113(b) of the Transportation Article.

Article - Transportation

11-103.2.

(A) "Alcohol concentration" means:

- (1) The number of grams of alcohol per 100 milliliters of blood; or
- (2) The number of grams of alcohol per 210 liters of breath.

(B) IF THE ALCOHOL CONCENTRATION IS INDICATED IN THE NUMBER OF MILLIGRAMS OF ALCOHOL PER DECILITER OF BLOOD OR THE NUMBER OF 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 THE NUMBER OF GRAMS OF ALCOHOL PER 100 MILLILITERS OF BLOOD BY DIVIDING THE MEASUREMENT BY 1000.