

~~DRUGS AND ALCOHOL WHILE SO FAR UNDER THE INFLUENCE OF 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 UNDER THE INFLUENCE OF A CONTROLLED DANGEROUS SUBSTANCE, in violation of an alcohol restriction, in violation of 49 CFR § 392.5, or in violation of § 16-813 of this title, and who is not unconscious or otherwise incapable of refusing to take a test [to determine alcohol concentration], the police officer shall:~~

(i) Detain the person;

(ii) Request that the person permit a test to be taken [of the person's blood or breath to determine alcohol concentration] ; and

(iii) Advise the person of the administrative sanctions that shall be imposed for refusal to take the test and for test results indicating an alcohol concentration of 0.10 or more at the time of testing.

(3) If the person refuses to take the test or takes a test which results in an alcohol concentration of 0.10 or more at the time of testing, the police officer shall:

(i) Confiscate the person's DRIVER'S license issued by this State;

(ii) Acting on behalf of the Administration, personally serve an order of suspension on the person;

(iii) Issue a temporary license to drive;

(iv) Inform the person that the temporary license allows the person to continue driving for 45 days if the person is licensed under this title;

~~(v) Inform the person that the person has 10 days in which to request a hearing to show cause why the driver's license should not be suspended concerning the refusal to take the test or for test results indicating an alcohol concentration of 0.10 or more at the time of testing;~~

(V) INFORM THE PERSON THAT:

1. THE PERSON HAS A RIGHT TO REQUEST, AT THAT TIME OR WITHIN 10 DAYS, A HEARING TO SHOW CAUSE WHY THE DRIVER'S LICENSE SHOULD NOT BE SUSPENDED CONCERNING THE REFUSAL TO TAKE THE TEST OR FOR TEST RESULTS INDICATING AN ALCOHOL CONCENTRATION OF .10 OR MORE AT THE TIME OF TESTING, AND THE HEARING WILL BE SCHEDULED WITHIN 45 DAYS; AND

2. IF A HEARING REQUEST IS NOT MADE AT THAT TIME OR WITHIN 10 DAYS, BUT WITHIN 30 DAYS THE PERSON REQUESTS A HEARING, A HEARING TO SHOW CAUSE WHY THE DRIVER'S LICENSE SHOULD NOT BE SUSPENDED CONCERNING THE REFUSAL TO TAKE THE TEST OR FOR TEST RESULTS INDICATING AN ALCOHOL CONCENTRATION OF .10 OR MORE AT THE TIME OF TESTING WILL BE SCHEDULED, BUT A