

## SUBMIT TO TAKE A CHEMICAL TEST FOR ALCOHOL.

## (C) DUTY OF POLICE OFFICER ON STOPPING OR DETAINING SUSPECTED PERSON.

IF A POLICE OFFICER STOPS OR DETAINS ANY INDIVIDUAL WHO THE POLICE OFFICER HAS REASONABLE GROUNDS TO BELIEVE IS OR HAS BEEN DRIVING OR ATTEMPTING TO DRIVE A MOTOR VEHICLE WHILE INTOXICATED OR WHILE HIS DRIVING ABILITY IS IMPAIRED BY THE CONSUMPTION OF ALCOHOL, THE POLICE OFFICER SHALL:

(1) DETAIN THE INDIVIDUAL;

(2) REQUEST THAT THE INDIVIDUAL PERMIT A CHEMICAL TEST TO BE TAKEN OF HIS BLOOD, BREATH, OR URINE TO DETERMINE THE ALCOHOLIC CONTENT OF HIS BLOOD OR URINE;

(3) ADVISE THE INDIVIDUAL OF THE ADMINISTRATIVE PENALTIES THAT MAY BE IMPOSED FOR REFUSAL TO TAKE THE TEST;

(4) IF THE INDIVIDUAL IS LICENSED UNDER THIS TITLE, FURNISH HIM WITH A COPY OF THE STATEMENT SET FORTH IN SUBSECTION (A) OF THIS SECTION AND INFORM THE HIM INDIVIDUAL THAT HE SIGNED THIS STATEMENT WHEN APPLYING FOR A LICENSE; AND

(5) IF THE INDIVIDUAL REFUSES TO TAKE THE TEST, FILE WITH THE ADMINISTRATION, WITHIN 48 HOURS AFTER DETENTION, A SWORN REPORT THAT:

(I) THE OFFICER HAD REASONABLE GROUNDS TO BELIEVE THAT THE INDIVIDUAL HAD BEEN DRIVING OR ATTEMPTING TO DRIVE A MOTOR VEHICLE ON A HIGHWAY IN THIS STATE WHILE INTOXICATED OR WHILE HIS DRIVING ABILITY WAS IMPAIRED BY THE CONSUMPTION OF ALCOHOL; AND

(II) THE INDIVIDUAL REFUSED TO TAKE THE CHEMICAL TEST FOR ALCOHOL WHEN REQUESTED BY THE POLICE OFFICER AND AFTER BEING INFORMED OF THE ADMINISTRATIVE PENALTIES THAT MAY BE IMPOSED FOR REFUSAL.

## (D) ADMINISTRATION OF TESTS.

(1) THE CHEMICAL TESTS FOR ALCOHOL MAY BE ADMINISTERED BY AN INDIVIDUAL WHO HAS BEEN EXAMINED AND IS CERTIFIED BY THE MARYLAND STATE POLICE AS SUFFICIENTLY EQUIPPED AND TRAINED TO ADMINISTER THE TESTS.

(2) THE MARYLAND STATE POLICE MAY ADOPT RULES AND REGULATIONS FOR THE EXAMINATION AND CERTIFICATION OF INDIVIDUALS TRAINED TO ADMINISTER CHEMICAL TESTS FOR ALCOHOL.

(E) NOTICE AND HEARING ON REFUSAL TO TAKE TEST; SUSPENSION OF LICENSE OR PRIVILEGE TO DRIVE.