

~~that the person could not drive a vehicle safely, while impaired by a controlled dangerous substance, in violation of an alcohol restriction, or in violation of § 16-813 of this title;~~

~~2. There was evidence of the use by the person of alcohol, any drug, any combination of drugs, a combination of one or more drugs and alcohol, or a controlled dangerous substance;~~

~~3. The police officer requested a test after the person was fully advised of the administrative sanctions that shall be imposed, including:~~

~~A. [the] THE fact that a person who refuses to take the test is ineligible for modification of a suspension or issuance of a restrictive license under subsection (n)(1) and (2) of this section;~~

~~B. THE FACT THAT A PERSON WHOSE TEST RESULT INDICATES AN ALCOHOL CONCENTRATION OF 0.15 OR MORE AT THE TIME OF TESTING IS REQUIRED TO PARTICIPATE IN THE IGNITION INTERLOCK SYSTEM PROGRAM FOR NOT LESS THAN 3 YEARS FOLLOWING THE PERIOD OF SUSPENSION REQUIRED UNDER THIS SECTION; AND~~

~~C. THE FACT THAT A PERSON WHOSE TEST RESULT INDICATES AN ALCOHOL CONCENTRATION OF 0.15 OR MORE AT THE TIME OF TESTING IS INELIGIBLE FOR MODIFICATION OF A SUSPENSION OR ISSUANCE OF A RESTRICTIVE LICENSE UNDER THIS SECTION UNLESS THE PERSON PARTICIPATES IN THE IGNITION INTERLOCK SYSTEM PROGRAM FOR THE PERIOD OF SUSPENSION REQUIRED UNDER THIS SECTION; and~~

~~4. A. The person refused to take the test; or~~

~~B. A test to determine alcohol concentration was taken and the test result indicated an alcohol concentration of 0.08 or more at the time of testing.~~

~~(X) FOR A TEST RESULT INDICATING AN ALCOHOL CONCENTRATION OF 0.15 OR MORE AT THE TIME OF TESTING, THE ADMINISTRATION SHALL REQUIRE A PERSON CHARGED UNDER SUBSECTION (B) OR (C) OF THIS SECTION TO PARTICIPATE IN THE IGNITION INTERLOCK SYSTEM PROGRAM FOR NOT LESS THAN 3 YEARS FOLLOWING THE PERIOD OF SUSPENSION REQUIRED UNDER THIS SECTION.~~

~~(n) (5) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, THE ADMINISTRATION MAY NOT MODIFY A SUSPENSION OR ISSUE A RESTRICTIVE LICENSE TO A PERSON WHOSE TEST RESULT INDICATED AN ALCOHOL CONCENTRATION OF 0.15 OR MORE AT THE TIME OF TESTING UNLESS THE PERSON PARTICIPATES IN THE IGNITION INTERLOCK SYSTEM PROGRAM FOR THE PERIOD OF SUSPENSION REQUIRED UNDER THIS SECTION.~~

(b) (1) Except as provided in subsection (c) of this section, a person may not be compelled to take a test. However, the detaining officer shall advise the person that, on receipt of a sworn statement from the officer that the person was so charged