

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Courts and Judicial Proceedings

10-309.

(a) (1) (i) Except as provided in § 16-205.1(c) of the Transportation Article, a person may not be compelled to submit to a test or tests provided for in this subtitle.

(ii) Evidence of a test or analysis provided for in this subtitle is not admissible in a prosecution for a violation of § 16-113 or § 21-902 of the Transportation Article, § 8-738 of the Natural Resources Article, or Article 27, § 388, § 388A, or § 388B of the Code if obtained contrary to the provisions of this subtitle.

(2) [(i) No inference or presumption concerning either guilt or innocence arises because of refusal to submit.

(ii)] The fact of refusal to submit is admissible in evidence at the trial.

(b) This section does not limit the provisions of the vehicle laws regarding the consequences of refusal to submit to a test or tests.

(c) Nothing in this section precludes or limits the admissibility of evidence of a test or analysis to determine the alcohol concentration of a person's blood or breath in any prosecution other than for a violation of § 16-113 or § 21-902 of the Transportation Article, § 8-738 of the Natural Resources Article, or Article 27, § 388, § 388A, or § 388B of the Code.

(d) Nothing in this section precludes or limits admissibility of evidence of a test or analysis to determine the alcohol concentration of a person's blood or breath which is obtained as provided in § 16-205.1(c) of the Transportation Article.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2001.

Approved April 10, 2001.

CHAPTER 3

(House Bill 337)

AN ACT concerning

Drunk Driving - Ignition Interlock System Program Participants

FOR the purpose of authorizing the Motor Vehicle Administration to modify a suspension or issue a restrictive license to a licensee convicted of certain alcohol-related driving offenses if the licensee is a participant in the Ignition Interlock System Program; and generally relating to license suspension