

VETOES

(iii) Advise the individual of the administrative penalties that shall be imposed for refusal to take the test; and

(iv) If the individual refuses to take the test, send a sworn report to the Administration within 72 hours after detention, that states:

1. The officer had reasonable grounds to believe that the individual had been driving or attempting to drive a motor vehicle on a highway or on any private property that is used by the public in general in this State while intoxicated, while under the influence of alcohol, [or] in violation of an alcohol restriction, IN VIOLATION OF 49 CFR § 392.5, OR IN VIOLATION OF § 16-813 OF THIS ARTICLE TITLE; and

2. 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 shall be imposed for refusal.

(c) If a person is involved in a motor vehicle accident that results in the death of another person and the person is detained by a police officer who has reasonable grounds to believe that the person has been driving or attempting to drive while intoxicated [or], while under the influence of alcohol, IN VIOLATION OF 49 CFR § 392.5, OR IN VIOLATION OF § 16-813 OF THIS TITLE, the person shall be required to submit to a chemical test, as directed by the officer, of the person's blood or breath to determine the alcohol [content] CONCENTRATION of the person's blood. If a police officer directs that a person's blood or breath be tested for alcohol, then the provisions of § 10-304 of the Courts and Judicial Proceedings Article shall apply. Any medical personnel who perform any test required by this section are not liable for any civil damages as the result of any act or omission related to such test, not amounting to gross negligence.

(d) (1) If a police officer has reasonable grounds to believe an individual has been driving or attempting to drive a motor vehicle while intoxicated [or] while under the influence of alcohol, IN VIOLATION OF 49 CFR § 392.5, OR IN VIOLATION OF § 16-813 OF THIS TITLE, and if the police officer determines the individual is unconscious or otherwise incapable of refusing to take a chemical test for alcohol, the police officer shall:

(i) Obtain prompt medical attention for the individual;

(ii) If necessary, arrange for removal of the individual to a nearby medical facility; and

(iii) If a chemical test for alcohol would not jeopardize the health or well-being of the individual, direct a