

person could not drive a vehicle safely, while ~~under the influence of~~ 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 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; 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 [0.10] 0.08 or more at the time of testing.

(ii) After a hearing, the Administration shall disqualify the person from driving a commercial motor vehicle if:

1. The person was detained while operating a commercial motor vehicle;

2. The police officer who stopped or detained the person had reasonable grounds to believe that the person was driving or attempting to drive while [intoxicated] UNDER THE INFLUENCE OF ALCOHOL, while [under the influence of] IMPAIRED BY alcohol, while so far [under the influence of] IMPAIRED BY 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] IMPAIRED BY a controlled dangerous substance, in violation of an alcohol restriction, or in violation of § 16-813 of this title;

3. 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;

4. The police officer requested a test after the person was fully advised of the administrative sanctions that shall be imposed; and

5. The person refused to take the test.

(iii) If the person is licensed to drive a commercial motor vehicle, the Administration shall disqualify the person in accordance with subparagraph (ii) of this paragraph, but may not impose a suspension under subparagraph (i) of this paragraph, if:

1. The person was detained while operating a commercial motor vehicle;

2. The police officer had reasonable grounds to believe the person was in violation of an alcohol restriction or in violation of § 16-813 of this title;