

CHAPTER 207

(Senate Bill 1046)

AN ACT to repeal and re-enact, with amendments, Section 17-101 of Article 66 1/2 of the Annotated Code of Maryland (1970 Replacement Volume and 1972 Supplement), title "Vehicle Laws," subtitle "Subtitle 17. Penalties and Disposition of Fines and Forfeitures," and to add new Section 17-102 to the same article, title and subtitle to eliminate imprisonment as a punishment for violation of certain provisions of the motor vehicle laws of this State and relating generally to penalties for violating said motor vehicle laws.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section 17-101 of Article 66 1/2 of the Annotated Code of Maryland (1970 Replacement Volume and 1972 Supplement), title "Vehicle Laws," subtitle "Subtitle 17. Penalties and Disposition of Fines and Forfeitures," be and it is hereby repealed and re-enacted, with amendments, and that Section 17-102 be and it is hereby added to the said article, title and subtitle to read as follows:

17-101.

(a) It is a misdemeanor for any person to violate any of the provisions of this article unless the violation is by this article or other law of this State declared to be a felony.

(b) [Every person convicted of a misdemeanor for a violation of any of the provisions of Subtitles 10, 11, 12, 13 or 14 for which another penalty is not provided shall be punished by a fine of not more than five hundred dollars (\$500.00) or by imprisonment for not more than 2 months or by both fine and imprisonment] **EVERY PERSON CONVICTED OF A MISDEMEANOR FOR THE VIOLATION OF ANY PROVISION OF THIS ARTICLE SHALL BE PUNISHED BY A FINE OF NOT MORE THAN \$500,** except that:

(i) Every person who is convicted of violation of § 6-303, SECTION 11-904 or of subsection (a) of § 11-902 shall be punished by imprisonment for not more than one (1) year or by fine of not more than one thousand dollars (\$1,000.00) or both fine and imprisonment.

On a second or subsequent conviction he may be punished by imprisonment for not more than two (2) years, and in the discretion of the court, a fine of not more than one thousand dollars (\$1,000.00).

(ii) Every person who is convicted of a SECOND OR SUBSEQUENT violation of subsection (b) of § 11-902 [shall be punished by a fine of not more than five hundred dollars (\$500.00).

On a second or subsequent conviction he] may be punished by imprisonment for not more than one (1) year, and in the discretion of the court, a fine of not more than five hundred dollars (\$500.00).

(III) EVERY PERSON WHO IS CONVICTED OF A VIOLATION OF ANY OF THE PROVISIONS OF § 4-102, § 4-103, § 4-104, § 4-107, § 4-110, § 5-401, § 6-301, §6-301.1, § 10-102, § 10-108, OR § 11-206 OR SECTION 11-902 OF THIS ARTICLE SHALL BE PUNISHED BY A FINE OF NOT MORE THAN FIVE HUNDRED DOLLARS (\$500.00) OR BY IMPRISONMENT FOR NOT MORE THAN 2 MONTHS OR BY BOTH FINE AND IMPRISONMENT.