

## 6-206. BREAKING AND ENTERING MOTOR VEHICLE — ROGUE AND VAGABOND.

## (A) PROHIBITED — POSSESSION OF BURGLAR'S TOOL.

A PERSON MAY NOT POSSESS A BURGLAR'S TOOL WITH THE INTENT TO USE OR ALLOW THE USE OF THE BURGLAR'S TOOL IN THE COMMISSION OF A CRIME INVOLVING THE BREAKING AND ENTERING OF A MOTOR VEHICLE.

## (B) SAME — PRESENCE IN ANOTHER'S VEHICLE.

A PERSON MAY NOT BE IN OR ON THE MOTOR VEHICLE OF ANOTHER WITH THE INTENT TO COMMIT THEFT OF THE MOTOR VEHICLE OR PROPERTY THAT IS IN THE MOTOR VEHICLE.

## (C) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR, SHALL BE CONSIDERED A ROGUE AND VAGABOND, AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 3 YEARS.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 35.

Defined terms: "Break" § 6-201

"Burglar's tool" § 6-201

"Enter" § 6-201

"Person" § 1-101

## 6-207. BURGLARY WITH EXPLOSIVES.

## (A) PROHIBITED.

A PERSON MAY NOT OPEN OR ATTEMPT TO OPEN A VAULT, SAFE, OR OTHER SECURE REPOSITORY BY THE USE OF A DESTRUCTIVE DEVICE, AS DEFINED IN § 4-501 OF THIS ARTICLE, WHILE COMMITTING BURGLARY IN THE FIRST, SECOND, OR THIRD DEGREE.

## (B) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF THE FELONY OF BURGLARY WITH EXPLOSIVES AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 20 YEARS.

## (C) SENTENCE.

A SENTENCE IMPOSED FOR A VIOLATION OF THIS SECTION MAY BE SEPARATE FROM AND CONSECUTIVE TO OR CONCURRENT WITH A SENTENCE FOR ANOTHER CRIME BASED ON THE ACT ESTABLISHING THE VIOLATION OF THIS SECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 33.

In subsection (c) of this section, the reference to establishing the violation "of this section" is added for clarity and consistency within this title.