

(i) For a first offense, a fine of not more than \$1,000, or imprisonment for not more than 1 year, or both; and

(ii) For any subsequent offense, a fine of not more than \$1,000, or imprisonment for not more than 2 years, or both.

(2) Any person who is convicted of a violation of [§ 21-904(b) or (e)] § 21-904(D)(1) of this article [that results in bodily injury to another person] is subject to a fine of not more than \$5,000, or imprisonment for not more than 3 years, or both.

(3) Any person who is convicted of a violation of [§ 21-904(b) or (e)] § 21-904(D)(2) of this article [that results in a death of another person] is subject to a fine of not more than \$5,000, or imprisonment for not more than 10 years, or both.

(q) (1) Any person who is convicted of a violation of [§ 21-902(a) or (d)] § 21-902(E)(1) of this article [and who, at the time of the offense, was transporting a minor] is subject to:

(i) For a first offense, a fine of not more than \$2,000 or imprisonment for not more than 2 years or both;

(ii) For a second offense, a fine of not more than \$3,000 or imprisonment for not more than 3 years or both; and

(iii) For a third or subsequent offense, a fine of not more than \$4,000 or imprisonment for not more than 4 years or both.

(2) Any person who is convicted of a violation of [§ 21-902(b) or (c)] § 21-902(E)(2) of this article [and who, at the time of the offense, was transporting a minor] is subject to:

(i) For a first offense, a fine of not more than \$1,000 or imprisonment for not more than 6 months or both; and

(ii) For a second or subsequent offense, a fine of not more than \$2,000 or imprisonment for not more than 1 year or both.

(3) For the purpose of determining second or subsequent offender penalties provided under this subsection, a prior conviction of any provision of § 21-902 of this article that subjected a person to the penalties under this subsection shall be considered a prior conviction.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2005.

May 26, 2005

The Honorable Michael E. Busch
Speaker of the House
State House
Annapolis, MD 21401

Dear Mr. Speaker: