

~~(H) may include an order that the defendant:~~

~~[(i)] 1. pay a fine or monetary penalty to the State or make restitution; or~~

~~[(ii)] 2. participate in a rehabilitation program, the parks program, or a voluntary hospital program.~~

~~(3) Before the court orders a fine, monetary penalty, or restitution, the defendant is entitled to notice and a hearing to determine the amount of the fine, monetary penalty, or restitution, what payment will be required, and how payment will be made.~~

~~(4) Any LENGTH OF SENTENCE, fine, or monetary penalty imposed as a condition of probation shall be within the MAXIMUM SENTENCE OR amount set by law for a violation resulting in conviction.~~

~~(5) As a condition of probation, the court may order a person to a term of custodial confinement.~~

~~(6) IF A COURT IMPOSES A SENTENCE OF IMPRISONMENT AS A CONDITION OF PROBATION UNDER THIS SECTION, THE COURT SHALL IMPOSE THE SENTENCE OF IMPRISONMENT AND ANY OTHER CONDITIONS OF PROBATION IN THE SAME PROCEEDING.~~

~~(e) (1) When the crime for which the judgment is being stayed is for a violation of § 21-902 of the Transportation Article, the court shall impose a period of probation and, as a condition of the probation:~~

~~(i) shall require the defendant to participate in an alcohol treatment or education program approved by the Department of Health and Mental Hygiene, unless the court finds and states on the record that the interests of the defendant and the public do not require the imposition of this condition; and~~

~~(ii) may prohibit the defendant from operating a motor vehicle unless the motor vehicle is equipped with an ignition interlock system under § 27-107 of the Transportation Article.~~

~~(2) When the crime for which the judgment is being stayed is for a violation of any provision of Title 5 of the Criminal Law Article, the court shall impose a period of probation and, as a condition of probation, require the defendant to participate in a drug treatment or education program approved by the Department of Health and Mental Hygiene, unless the court finds and states on the record that the interests of the defendant and the public do not require the imposition of this condition.~~

~~(d) Notwithstanding subsections (b) and (c) of this section, a court may not stay the entering of judgment and place a defendant on probation for:~~

~~(1) a violation of § 21-902 of the Transportation Article or § 2-503, § 2-504, § 2-505, § 2-506, or § 3-211 of the Criminal Law Article, if within the preceding 5 years the defendant has been convicted under § 21-902 of the~~