

(ii) The victim suffered actual medical expenses, direct out-of-pocket losses, or loss of earnings as a direct result of the crime;

(iii) The victim incurred medical expenses that were paid by the Department of Health and Mental Hygiene or any other governmental entity; [or]

(iv) A governmental entity incurred expenses in the removal, towing, transporting, preserving, storage, sale, or destruction of an abandoned vehicle; OR

(V) THE CRIMINAL INJURIES COMPENSATION BOARD PAID BENEFITS TO A VICTIM OF THE CRIME.

(2) ON CONVICTION OF A CRIME, ACCEPTANCE OF A PLEA OF NOLO CONTENDERE, OR IMPOSITION OF PROBATION BEFORE JUDGMENT UNDER § 292 OR § 641 OF THIS ARTICLE, THE COURT MAY ORDER THE DEFENDANT TO MAKE RESTITUTION IN ADDITION TO ANY OTHER PENALTY FOR THE COMMISSION OF THE CRIME IF:

(I) THE VICTIM OR THE STATE ON BEHALF OF THE VICTIM REQUESTS RESTITUTION; AND

(II) THE COURT IS PRESENTED WITH COMPETENT EVIDENCE OF ANY OF ITEMS (I) THROUGH (V) OF PARAGRAPH (1) OF THIS SUBSECTION.

[(2)] (3) The court may order that restitution be made to:

(i) The victim;

(ii) The Department of Health and Mental Hygiene, THE CRIMINAL INJURIES COMPENSATION BOARD, or ANY other governmental entity; or

(iii) A third-party payor, including an insurer, which has made payment to the victim to compensate the victim for a property loss [under paragraph (1)(i) of this subsection,] or pecuniary loss under [paragraph (1)(ii) of] this subsection.

[(3)] (4) If the victim has been fully compensated for the victim's loss by a third-party payor, the court may order restitution to the third-party payor. Otherwise, payment of restitution to the victim has priority over payment of restitution to the third-party payor.

[(4)] (5) Payment of restitution to the victim under this subsection has priority over payment of restitution to the Department of Health and Mental Hygiene or other governmental entity.

(6) IF RESTITUTION IS REQUESTED UNDER THIS SUBSECTION AND THE COURT DOES NOT ORDER RESTITUTION, THE COURT SHALL STATE, ON THE RECORD, THE COURT'S REASONS FOR NOT ORDERING RESTITUTION.

(c) When an order of restitution has been entered pursuant to subsection (b)