

(5) THE PERSON RECEIVES OR INTENDS TO RECEIVE A COMMISSION, COMPENSATION, OR OTHER CONSIDERATION FOR ENGAGING IN THE ACTS DESCRIBED IN ITEM (1) OF THIS SUBSECTION.

(C) (1) IT IS NOT AN ACT OF UNLAWFUL SUBLEASING OF A MOTOR VEHICLE IF THE ACTS UNDER SUBSECTION (B)(1) OF THIS SECTION ARE ENGAGED IN BY AN INDIVIDUAL WHO:

(I) IS A PARTY TO THE MOTOR VEHICLE AGREEMENT; OR

(II) IS A DEALER OR VEHICLE SALESMAN LICENSED UNDER TITLE 15 OF THE TRANSPORTATION ARTICLE AND ENGAGED IN VEHICLE SALES WHO ASSISTS, CAUSES, OR ARRANGES A TRANSFER OR ASSIGNMENT PURSUANT TO THE TERMS OF A BONA FIDE AGREEMENT FOR THE PURCHASE OR LEASE OF ANOTHER MOTOR VEHICLE.

(2) THIS SUBSECTION MAY NOT AFFECT THE ENFORCEABILITY OF ANY PROVISION OF A MOTOR VEHICLE AGREEMENT BY ANY PARTY TO THE AGREEMENT.

(D) ANY PERSON WHO ENGAGES IN AN ACT OF UNLAWFUL SUBLEASING OF A MOTOR VEHICLE UNDER THIS SECTION SHALL BE GUILTY OF A MISDEMEANOR AND ON CONVICTION SHALL BE SUBJECT TO A FINE OF NOT MORE THAN \$5,000 OR IMPRISONMENT FOR NOT MORE THAN 3 YEARS OR BOTH.

(E) A PARTY TO A MOTOR VEHICLE AGREEMENT MAY NOT BE PROSECUTED UNDER THIS SECTION AS AN ACCESSORY TO THE ACT OF UNLAWFUL SUBLEASING OF THE MOTOR VEHICLE THAT IS SUBJECT TO THE MOTOR VEHICLE AGREEMENT.

SECTION 2. AND BE IT FURTHER ENACTED, That if any provision of this Act or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Act which can be given effect without the invalid provision or application, and for this purpose the provisions of this Act are declared severable.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1990.

Approved May 29, 1990.

CHAPTER 498

(Senate Bill 726)

AN ACT concerning

Vehicle Laws – Driver Improvement and Alcohol Education Programs