

that any person sentenced to pay a fine [or costs or both,] shall pay said fine [and/or costs] in installments of such amounts, at such times, and upon such conditions as the court may fix. Any of said terms may at any time be revised.

SEC. 4. *And be it further enacted*, That Section 39 of Article 5 of the Annotated Code of Maryland (1968 Replacement Volume ~~and 1968 Supplement~~), title "Appeals," subtitle "Appeals to Circuit Courts for Counties and Superior Court of Baltimore City," is hereby repealed and re-enacted, with amendments, to read as follows:

39.

Where any judgment of a justice of the peace, imposing any fine or penalty for the violation of any law or ordinance, shall be affirmed upon appeal, the court to which such appeal is taken shall have the power to commit the defendant or appellant in case of nonpayment of such fine or penalty, *in accordance with Article 38, Section 4*, [and costs; provided, that no person shall be imprisoned under this section for a longer period than thirty days for any one offense].

SEC. 5. *And be it further enacted*, That Section 340 of Article 66½ of the Annotated Code of Maryland (1967 Replacement Volume ~~and 1968 Supplement~~), title "Motor Vehicles," subtitle "Offenses and Prosecutions," is hereby repealed and re-enacted, with amendments, to read as follows:

340.

In default of the payment of any fines imposed for violations of any of the provisions of this Article, the offender [shall] *may* be committed to jail in accordance with the provisions of Section 4 of Article 38; provided that any offender who shall have been found guilty of the violation of any provision of this Article and made to pay a fine or suffer imprisonment therefor, and who shall be convicted at any time thereafter of a second or additional offense under the same provision, may for each second or additional offense be fined in double the amount herein prescribed for the first offense, or may be sentenced to imprisonment for the period prescribed for the first offense.

This section is not to apply to those cases as to which penalties in excess of the above have been specially provided for in this Article.

SEC. 6. *And be it further enacted*, That on and after the effective date of this Act, any person under commitment in default of payment of costs imposed upon a conviction, whether the offense resulting in conviction was committed prior to or after the effective date of this Act, shall be discharged forthwith from commitment in default of payment of costs upon application to the court imposing commitment by order thereon or upon general order of the court, and no person shall be committed in default of costs on or after the effective date of this Act. Any person committed to serve a period in default of payment of a fine prior to the effective date of this Act, or committed thereafter for offenses committed prior to the effective date, may apply to the court committing him for redetermination of commitment and the provisions of this Act shall control