

THIS TITLE, IS SUBJECT TO A FINE NOT EXCEEDING \$1,000, OR IMPRISONMENT NOT EXCEEDING ONE YEAR, OR BOTH, WITH COSTS IMPOSED IN THE DISCRETION OF THE COURT. IN ADDITION, THE LICENSE UNDER WHICH HE OPERATED IN THE COMMISSION OF THE VIOLATION SHALL BE SUSPENDED FOR 12 MONTHS FROM THE DATE OF THE SECOND CONVICTION. FOR THE PURPOSE OF THIS SUBSECTION, A SECOND OR SUBSEQUENT VIOLATION IS ONE WHICH HAS OCCURRED WITHIN TWO YEARS OF ANY PRIOR VIOLATION OF THIS TITLE AND WHICH ARISES OUT OF A SEPARATE SET OF CIRCUMSTANCES.

(D) VIOLATION OF RULE OR REGULATION[[, OR RESTRICTION]]. - IN ADDITION TO ANY ADMINISTRATIVE PENALTY PROVIDED IN THIS TITLE, VIOLATION OF ANY RULE OR REGULATION[[, OR RESTRICTION]] PROMULGATED BY ANY UNIT WITHIN THE DEPARTMENT PURSUANT TO THE PROVISIONS OF THIS TITLE IS A MISDEMEANOR AND IS PUNISHABLE AS PROVIDED IN SUBSECTIONS (B) AND (C).

REVISOR'S NOTE: Subsection (a) is new language derived from Article 66C, sections 148, 152, 174, 177(d), 185, as amended by Chapter 181, Acts of 1972 and set forth here because it has particular applicability to wildlife.

Subsections (b), (c), and (d) are new language and are patterned after the penalty provision, section 17-101, of Article 66 1/2 of the Code. Similar uniform penalty provisions appear in other titles of this Article. The Commission decided, generally, to state only the maximum penalty for an offense covered under this uniform penalty provision. It believes that within this ceiling, the matter should be left to judicial discretion to weigh the facts and circumstances of each case.

However, the Commission decided that where, for policy reasons, another penalty is specifically provided, that penalty should be retained intact notwithstanding the fact that it might set forth both minimum and maximum terms. For example, see section 10-415(d).

Language derived from Article 66C, section 199, as amended by Chapter 181, Acts of 1972, is added to subsection (b) to include