

PURPOSE OF THIS SUBSECTION, A SECOND OR SUBSEQUENT VIOLATION IS ONE WHICH HAS OCCURRED WITHIN TWO YEARS OF ANY PRIOR VIOLATION OF THIS TITLE.

(C) 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]] ADOPTED BY ANY UNIT WITHIN THE DEPARTMENT PURSUANT TO THE PROVISIONS OF THIS TITLE IS A MISDEMEANOR AND IS PUNISHABLE AS PROVIDED IN SUBSECTIONS (A) AND (B).

REVISOR'S NOTE: Subsections (a), (b), and (c) 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 4-731(d).

The second sentence of subsection (b) is added by action of the Legislative Council. While the provisions of subsection (b) were approved, it was felt that prior violations of these statutes - most of which involve minor offenses - should not burden someone in perpetuity in terms of the operation of the subsection.

It is intended every fine and cost shall be collected in accordance with Article 38, section 4 of the Code.

#### 4-1202. COLLECTION OF FINES.

(A) FINES COLLECTED BY DISTRICT COURT. - IF ANY FINE IS IMPOSED BY THE DISTRICT COURT FOR A VIOLATION OF ANY PROVISION OF THIS TITLE, THE FINE SHALL BE