

"REPOSSESSED," OR "REBRANDED AND USED," AS THE CASE MAY BE.

REVISOR'S NOTE: This subsection combines without substantive change the first two sentences of Art. 27, §214A(a).

The words "announcement of any kind" are deleted as unnecessary in light of the broad term "advertisement."

14-803. PENALTY; PRESUMPTION.

(A) PENALTY.

ANY PERSON WHO, WITH THE INTENT TO DECEIVE A PURCHASER, VIOLATES ANY PROVISION OF THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$1,000.

(B) PRESUMPTION.

A PERSON IS PRESUMED TO HAVE THE REQUISITE INTENT TO DECEIVE IF HE FAILS TO COMPLY WITH ANY PROVISION OF THIS SUBTITLE.

REVISOR'S NOTE: This subsection is new language derived without substantive change from Art. 27, §214A(b) and (c).

In subsection (a) of this section, the words "who has offered such merchandise for sale to the public" are deleted as unnecessary since only that class of persons has a duty under the provisions of this subtitle.

In subsection (b) of this section, the words "agent, employee or sales representative thereof" are deleted as unnecessary in light of the reference to these persons in §14-802. Reference to a "prospective" purchaser is deleted as unnecessary since the words "potential purchaser" express the same meaning.

The alternate minimum penalty of a \$100 fine presently contained in Art. 27, §214(b) is deleted to conform to the statement of legislative policy contained in Art. 27, §643, as repealed and re-enacted by Ch. 181, Acts of 1972. That section sets forth the general rule that, notwithstanding a prescribed minimum penalty, the Court may nevertheless impose a lesser penalty of the same character.