

Should not the terms "profits" and "fixed fees" be listed in the conjunctive rather than the disjunctive? Clarifying legislation might be appropriate.

2-317. PENALTIES.

ANY PERSON WHO VIOLATES ANY PROVISION OF THIS SUBTITLE IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$20,000 OR IMPRISONMENT NOT EXCEEDING 10 YEARS OR BOTH.

REVISOR'S NOTE: This section is new language derived from Art. 41, §231W(c).

This section is revised to reflect the apparent scope of the present law, but it appears to be unduly broad in its application. Certainly, it was designed to cover violations of §2-314 on contingent fees. However, as worded, it literally would cover all the provisions of this subtitle, including those for which it obviously was never intended (cf., e.g., §2-305). Clarifying legislation would be appropriate.

2-318. SHORT TITLES.

(A) THIS SUBTITLE MAY BE CITED AS THE MARYLAND PROCUREMENT OF ARCHITECTURAL AND ENGINEERING SERVICES ACT - TRANSPORTATION AGENCIES.

(B) THIS SUBTITLE AND THE MARYLAND PROCUREMENT OF ARCHITECTURAL AND ENGINEERING SERVICES ACT - GENERAL USING AUTHORITIES MAY BE CITED JOINTLY AS THE MARYLAND ARCHITECTURAL AND ENGINEERING SERVICES ACT.

REVISOR'S NOTE: Subsection (a) of this section is new language designed to facilitate citations to this subtitle alone, as distinguished from the provisions retained in Art. 41 of the Code on general using authorities. Subsection (b) is new language designed to permit a simple citation to both subtitles, jointly.

As to the division of the present Act, see General Revisor's Note to this subtitle.

GENERAL REVISOR'S NOTE:

As revised by the Commission to Revise the Annotated Code, this subtitle consists of those provisions of present Art. 41, §§231N through 231X, that relate to the Transportation Professional Services Selection Board and the procurement of architectural and engineering services by the Department, its units, and the Maryland Transportation Authority.