

TO BE COLLECTED IN A CIVIL ACTION IN THE CIRCUIT COURT OF FOR ANY COUNTY. EACH DAY A VIOLATION CONTINUES IS A SEPARATE VIOLATION UNDER THIS SECTION.

(B) COMPROMISE.

IF THE ATTORNEY GENERAL CONCURS, THE SECRETARY MAY COMPROMISE AND SETTLE ANY CLAIM FOR A CIVIL PENALTY UNDER THIS SECTION.

(C) REMISSION OF PENALTY.

IF, WITHIN 1 YEAR AFTER A CIVIL PENALTY IS COMPROMISED AND SETTLED UNDER SUBSECTION (B) OF THIS SECTION, THE PERSON AGAINST WHOM THE PENALTY IS IMPOSED SATISFIES THE SECRETARY THAT THE VIOLATION HAS BEEN ELIMINATED OR THE ORDER HAS BEEN SATISFIED, THE SECRETARY, WITH THE CONCURRENCE OF THE ATTORNEY GENERAL, MAY RETURN TO THE PERSON NOT MORE THAN 75 PERCENT OF THE AMOUNT OF THE PENALTY PAID.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, § 703(c) and the first and third sentences of (b).

In light of the recent change in the civil jurisdiction of the District Court -- i.e., increasing the jurisdictional amount from \$5,000 to \$10,000 -- the General Assembly may wish to consider deleting the reference to the circuit court in subsection (a) of this section.

2-611. PLAN FOR COMPLIANCE.

(A) SUBMISSION AND EFFECT.

A PERSON IS NOT SUBJECT TO ACTION FOR A VIOLATION OF THIS TITLE OR ANY RULE OR REGULATION ADOPTED UNDER THIS TITLE SO LONG AS THE PERSON ACTS IN ACCORDANCE WITH A PLAN FOR COMPLIANCE THAT:

(1) THE PERSON HAS SUBMITTED TO THE SECRETARY;  
AND

(2) THE SECRETARY HAS APPROVED, WITH OR WITHOUT AMENDMENTS, ON THE RECOMMENDATION OF THE AIR MANAGEMENT ADMINISTRATION.

(B) DUTY OF SECRETARY TO ACT.

THE SECRETARY SHALL ACT ON ANY PLAN FOR COMPLIANCE WITHIN 90 DAYS AFTER THE PLAN FOR COMPLIANCE IS SUBMITTED TO THE SECRETARY.