

(C) JUDICIAL ENFORCEMENT.

IF A PERSON FAILS TO PAY A NONCOMPLIANCE PENALTY OR NONPAYMENT PENALTY IMPOSED UNDER THIS SECTION, THE DEPARTMENT MAY BRING AN ACTION TO COLLECT THE PENALTY IN THE SAME MANNER AS A CIVIL PENALTY IS COLLECTED UNDER § 2-610 OF THIS SUBTITLE.

(D) ACTION NOT EXCLUSIVE.

AN ACTION UNDER THIS SECTION TO COLLECT A NONCOMPLIANCE PENALTY IS IN ADDITION TO AND NOT INSTEAD OF:

- (1) AN ACTION UNDER § 2-609 OF THIS SUBTITLE; OR
- (2) ANY OTHER RELIEF UNDER THIS SUBTITLE.

(E) DISPOSITION OF FUNDS.

THE DEPARTMENT SHALL PAY ALL FUNDS COLLECTED UNDER THIS SECTION INTO THE GENERAL FUND OF THIS STATE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, § 706A.

For the federal provisions that apply to a noncompliance penalty, see 42 U.S.C. § 7420.

2-613. CONDITIONS NOT VIOLATIONS.

A CONDITION THAT IS CAUSED BY AN ACT OF GOD, A STRIKE, A RIOT, A CATASTROPHE, OR A CAUSE OVER WHICH AN ALLEGED VIOLATOR HAS NO CONTROL IS NOT A VIOLATION OF THIS TITLE OR ANY STANDARD SET OR RULE OR REGULATION ADOPTED UNDER THIS TITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, § 703(e).

GENERAL REVISOR'S NOTE:

Former Article 43, § 701, which provided that the Attorney General shall enforce this title and prosecute violations of this title, is deleted as unnecessary in light of other, independent provisions of law. See, e.g., Article V, § 3 of the Constitution of Maryland and § 2-107 of the Health-General Article.

Former Article 43, § 704, which provided that the provisions of this title are supplemental and additional to other powers of the Department, is deleted as unnecessary.

TITLE 3. NOISE CONTROL.