

of this article ("Prohibitions"), § 21-902(a) of this article ("Driving while intoxicated"), or § 21-904 of this article ("Fleeing or eluding police") is subject to:

(1) For a first offense, a fine of not more than \$1,000 or imprisonment for not more than 1 year or both; and

(2) For any subsequent offense, a fine of not more than \$1,000 or imprisonment for not more than 2 years or both.

(J) (1) IN THIS SUBSECTION, "IMPRISONMENT" INCLUDES CONFINEMENT IN AN INPATIENT REHABILITATION OR TREATMENT CENTER.

(2) A PERSON WHO IS CONVICTED OF A VIOLATION OF § 21-902(A) OF THIS ARTICLE WITHIN -5- 3 YEARS AFTER A PRIOR CONVICTION UNDER THAT SUBSECTION IS SUBJECT TO A MANDATORY MINIMUM PENALTY OF:

(I) IMPRISONMENT FOR NOT LESS THAN 48 CONSECUTIVE HOURS; OR

(II) COMMUNITY SERVICE FOR NOT LESS THAN 10 DAYS 80 HOURS.

(3) THE PENALTIES PROVIDED BY THIS SECTION ARE MANDATORY AND ARE NOT SUBJECT TO SUSPENSION OR PROBATION.

[(j)] (K) If a different penalty for the violation of any provision of the Maryland Vehicle Law is provided for in the Maryland Vehicle Law or in any other law of this State, the specific penalty prevails over the penalty provided for in this section.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1985.

Approved May 28, 1985.

CHAPTER 600

(House Bill 257)

AN ACT concerning

Maryland Building Code for the Handicapped -
Penalties for Violations

FOR the purpose of providing certain penalties for violations of the Maryland Building Code for the Handicapped which requires the accessibility and usability of buildings and facilities by handicapped persons; providing certain