

Article - Transportation

27-101.

(i) Any person who is convicted of a violation of any of the provisions of § 16-303 of this article ("Driving while privilege is canceled, suspended, refused, or revoked"), § 17-107 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.

(3) THE PENALTIES PROVIDED BY THIS SUBSECTION 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.

May 28, 1985

The Honorable Melvin A. Steinberg
 President of the Senate
 State House
 Annapolis, Maryland 21404