

and collectible in any manner provided at law for the collection of debts. If any person liable to pay the penalty neglects or refuses to pay it after demand, the amount, together with interest and any costs that may accrue, shall be a lien in favor of the State upon the property, both real and personal, of the person and shall be recorded in the clerk of court's office for the political subdivision in which the property is located. The moneys shall be placed in a special fund to be used for monitoring and surveillance by the Department to be used to assure and maintain an adequate record of any discharge to the waters of the State.

[8-1417] 4-418.

Any person who violates subsections (a) or (b) of § [8-1410] 4-410 is guilty of a misdemeanor and on conviction is subject to a fine or imprisonment or both for each offense as provided in § [8-1416(b)] 4-417(B) of this title. Any vessel from which oil is discharged in violation of § [8-1410(a)] 4-410(A) is liable for the pecuniary penalty specified in § [8-1416(d)] 4-417(D) of this title. Clearance of a vessel from a port of the State may be withheld until the penalty is paid. The penalty constitutes a lien on the vessel.

SUBTITLE 5. PENALTY AND FINES; PROSECUTION

4-501.

(A) ANY PERSON WHO VIOLATES ANY PROVISION OF THIS TITLE IS GUILTY OF A MISDEMEANOR. UPON CONVICTION IN A COURT OF COMPETENT JURISDICTION, UNLESS ANOTHER PENALTY IS SPECIFICALLY PROVIDED ELSEWHERE IN THIS TITLE, THE PERSON IS SUBJECT TO A FINE NOT EXCEEDING \$500, OR IMPRISONMENT NOT EXCEEDING THREE MONTHS, OR BOTH, WITH COSTS IMPOSED IN THE DISCRETION OF THE COURT. EVERY FINE AND COST SHALL BE PAID IN ACCORDANCE WITH ARTICLE 38, § 4 OF THE CODE.

(B) ANY PERSON FOUND GUILTY OF A SECOND OR SUBSEQUENT VIOLATION OF ANY PROVISION OF THIS TITLE IN A COURT OF COMPETENT JURISDICTION, UNLESS ANOTHER PENALTY IS SPECIFICALLY PROVIDED ELSEWHERE IN THIS TITLE, IS SUBJECT TO A FINE NOT EXCEEDING \$1,000, OR IMPRISONMENT NOT EXCEEDING ONE YEAR, OR BOTH WITH COSTS IMPOSED IN THE DISCRETION OF THE COURT. FOR THE PURPOSE OF THIS SUBSECTION, A SECOND OR SUBSEQUENT VIOLATION IS ONE WHICH HAS OCCURRED WITHIN 2 YEARS OF ANY PRIOR VIOLATION OF THIS TITLE.

(C) IN ADDITION TO ANY ADMINISTRATIVE PENALTY PROVIDED IN THIS TITLE, VIOLATION OF ANY RULE OR REGULATION OR RESTRICTION PROMULGATED BY ANY UNIT WITHIN THE DEPARTMENT OF THE ENVIRONMENT PURSUANT TO THE PROVISIONS OF THIS TITLE IS A MISDEMEANOR AND IS PUNISHABLE AS PROVIDED IN SUBSECTIONS (A) AND (B).

4-502.