

(2) § 3-605 ("SALE--OR INSTALLATION OF UNAPPROVED FIXTURES"); AND

(3) § 3-606 ("REQUIRED FIXTURES AND DEVICES IN BUILDINGS").

(C) \$1,000 OR 6 MONTHS.

ANY PERSON WHO KNOWINGLY AND WILLFULLY VIOLATES ANY PROVISION OF § 3-501(A) ("INSURANCE") OF THIS TITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$1,000 OR IMPRISONMENT NOT EXCEEDING 6 MONTHS OR BOTH.

COMMITTEE COMMENT: Subsection (a)(1) of this section is new language that combines references, in the second and third sentences of former Art. 56, § 446, to the "superintendent, manager, agent, or other officer of any corporation" engaged or not engaged "in the plumbing business in this State" and, in the second sentence of § 448, to "officers or agents of such firm or corporation", for clarity and brevity.

Subsection (a)(2) of this section is new language derived from the second and third sentences of former Art. 56, § 446 and the second sentence of § 448.

Subsection (b)(1) of this section is new language derived from former Art. 56, § 447.

Subsection (b)(2) and (3) of this section is new language substituted for former Art. 56, § 445(g), which provided for a fine of "not less than \$25 nor more than \$500 for each violation" and specified that each violation be considered a separate offense. As revised, § 3-605 of this title prohibits the installation, rather than the sale, of unapproved fixtures. Accordingly, subsection (b)(2) of this section would apply to persons installing unapproved fixtures rather than sellers.

Subsection (c) of this section is new language derived from former Art. 56, § 462C(h).

In subsections (a)(2) and (b)(1) of this section, the former minimum penalties are deleted to conform to the statement of legislative policy contained in Art. 27, § 643 of the Code, which sets forth the general rule that, notwithstanding a prescribed minimum penalty, the court nevertheless may impose a lesser penalty of the same character.

Defined terms: "Person" § 1-101
 "Provide plumbing services" § 3-101