

~~{1}--FOR--THE--FIRST--OFFENSE, A WARNING THAT PROVIDES THAT IF THE LICENSEE FAILS TO COMPLETE THE PROGRAM WITHIN 1--YEAR FROM--THE--DATE--OF--THE--ISSUANCE--OF--THE--WARNING--THE--LICENSEE--IS SUBJECT--TO--A--FINE--NOT--TO--EXCEED--\$100,--AND~~

(1) FOR THE FIRST OFFENSE, A \$100 FINE; AND

(2) FOR EACH SUBSEQUENT OFFENSE, A FINE NOT TO EXCEED \$500 OR A SUSPENSION OR REVOCATION OF THE LICENSE OR BOTH.

(E) (1) THE STATE COMPTROLLER SHALL APPROVE AND CERTIFY EACH ALCOHOL AWARENESS PROGRAM THAT IS IN COMPLIANCE WITH THIS SECTION.

(2) THE ALCOHOLIC BEVERAGES LICENSE ISSUING AUTHORITY IN EACH COUNTY AND BALTIMORE CITY IS RESPONSIBLE FOR ENFORCING THIS SECTION, INCLUDING THE PENALTY PROVISION.

(3) (I) A CERTIFICATE OF COMPLETION MAY SHALL BE ISSUED FOR COMPLETION OF A CERTIFIED PROGRAM.

(II) A CERTIFICATE SHALL BE PRESENTED TO THE PROPER AUTHORITY UPON REQUEST.

(F) (1) THIS SECTION MAY NOT BE CONSTRUED TO CREATE OR ENLARGE ANY CIVIL CAUSE OF ACTION OR CRIMINAL PROCEEDING AGAINST A LICENSEE.

(2) EVIDENCE OF A VIOLATION OF THIS SECTION MAY NOT BE INTRODUCED IN ANY CIVIL OR CRIMINAL PROCEEDING, BUT MAY ONLY BE USED AS EVIDENCE BEFORE THE ALCOHOLIC BEVERAGES LICENSE ISSUING AUTHORITY IN ACTIONS BROUGHT BEFORE THE LICENSE ISSUING AUTHORITY FOR VIOLATIONS OF THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That the State Comptroller may begin certifying programs under this Act on July 1, 1989.

~~SECTION--3.--AND--BE--IT--FURTHER--ENACTED,--That--the--penalty provisions--of--this--Act--may--not--be--enforced--in--a--county--or Baltimore--City--until--there--are--enough--approved--alcohol--awareness programs--to--accommodate--the--number--of--licensees--in--the--respective jurisdiction--and--amply--time--has--elapsed--to--allow--a--licensee--to complete--the--program.~~

SECTION 3. AND BE IT FURTHER ENACTED, That the Comptroller shall approve and certify an alcohol awareness program by September 1, 1989.