

(a) (3) A licensee or employee of the licensee violating any of the provisions of this subsection is guilty of a misdemeanor [and] AND, upon conviction, suffers the penalties provided by § 200 of this article. However, a licensee or employee of the licensee charged with selling or furnishing any alcoholic beverages to a person under 21 years of age may not be found guilty of a violation of this subsection, if the person establishes to the satisfaction of the jury or the court sitting as a jury[,] that he used due caution to establish that the person under 21 years of age was not, in fact, a person under 21 years of age if a nonresident of the State. If the person is a resident of the State of Maryland, the licensee or employee of the licensee may accept, as proof of a person's age, the display of the person's driver's license or identification card as provided for in the Maryland Vehicle Law. If any licensee or employee of the licensee shall be found not guilty, or placed on probation without a verdict, of any alleged violation of this subsection, this finding operates as a complete bar to any proceeding by any alcoholic beverage law enforcement or licensing authorities against the licensee on account of the alleged violation.

DRAFTER'S NOTE:

Error: Omitted and extraneous commas in Article 2B, § 118(a)(3).

Occurred: Prior to the 1957 codification of the Annotated Code of Maryland.

(b) (1) A licensee under the provisions of this article, or any of his employees, in Worcester County, may not sell or furnish any alcoholic beverages [other than beer or light wine of 14 percent alcohol by volume at any time] to a person under 21 years of age, either for his own use or for the use of any other person, or to any person who at the time of the sale, or delivery, is visibly under the influence of alcoholic beverages.

DRAFTER'S NOTE:

Error: Obsolete language in Article 2B, § 118(b)(1).

Occurred: Language became obsolete with the passage of Chs. 90 and 96, Acts of 1982.

(2) Any licensee or employee of a licensee who is charged with a violation of this subsection may be proceeded against in Worcester County either upon a charging document duly issued by the District Court for Worcester County or by an indictment duly returned by the grand jury of that county. Any licensee violating any of the provisions of this subsection is guilty of a misdemeanor and, upon [conviction] CONVICTION, shall suffer the penalties provided by § 200 of this article. However,