

(5) To keep or maintain any common nuisance which means any dwelling house, apartment, building, vehicle, vessel, aircraft, or any place whatever which is resorted to by drug abusers for purposes of illegally administering controlled dangerous substances or which is used for the illegal manufacture, distribution, dispensing, storage or concealment of controlled dangerous substances or controlled paraphernalia, as defined in [subsection (d) of § 287] § 287(D) of this subheading.

## DRAFTER'S NOTE:

Error: In Article 27, § 286(a), omitted commas in item (4) and stylistic error in item (5).

Occurred: Ch. 403, Acts of 1970.

(c) (3) This subsection does not prevent, prohibit, or make ineligible a convicted defendant from participating in the rehabilitation program under [Title 9] TITLE 8, Subtitle 6 of the Health - General Article, because of the length of sentence, if imposed under subsection (b)(1) of this section.

## DRAFTER'S NOTE:

Error: Obsolete cross-reference in Article 27, § 286(c)(3).

Occurred: As a result of Ch. 758, Acts of 1988, which transferred provisions of Title 9, Subtitle 6 of the Health-General Article to Title 8, Subtitle 6.

(d) (1) Any person who has been convicted on 2 separate occasions under subsection (b)(1) or subsection (b)(2) of this section or a combination of either, where the convictions do not arise from a single incident, and who has served at least 1 term of confinement of at least 180 days in a correctional institution as a result of a conviction of a previous violation of [§ 286] THIS SECTION or § 286A of this article, shall be sentenced, on being convicted a third time under subsection (b)(1) or subsection (b)(2) of this section or a combination of either, to imprisonment for the term allowed by law, but, in any event, not less than 25 years.

## DRAFTER'S NOTE:

Error: Stylistic error in Article 27, § 286(d)(1).

Occurred: Ch. 439, Acts of 1988.

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(j) (2) (ii) If, however, the court determines that the forfeited motor vehicle is subject to a bona fide recorded