

(vii) Promise performance which the offender does not intend to perform or knows will not be performed. The defendant's intention or knowledge that a promise would not be performed shall not be established by or inferred from the fact alone that the promise was not performed; or

(viii) Misrepresent the value of a motor vehicle offered for sale by tampering with, interfering with, resetting or altering the odometer of any motor vehicle with the intent to change the number of miles indicated.

(2) "Deception" does not include puffing or false statements of immaterial facts and exaggerated representations unlikely to deceive ordinary persons.

(c) "Deprive" means to withhold property of another:

(1) Permanently; or

(2) For such a period as to appropriate a portion of its value; or

(3) With the purpose to restore it only upon payment of reward or other compensation; or

(4) To dispose of the property and use or deal with the property so as to make it unlikely that the owner will recover it.

(d) "Exerts control" includes but is not limited to the taking, carrying away, appropriating to one's own use or sale, conveyance, transfer of title to, interest in, or possession of property. The term "exerts control" does not include trespassing on the land of another or occupying without authorization the land of another.

(e) "Knowingly" - A person acts knowingly with respect to conduct or to a circumstance described by a statute defining an offense when he is aware of his conduct or that the circumstance exists. A person acts knowingly with respect to the result of conduct described by a statute defining an offense when he is practically certain that the result will be caused by his conduct. When knowledge of the existence of a particular fact is an element of an offense, that knowledge is established if a person is practically certain of its existence. Equivalent terms such as "knowing" or "with knowledge" have the same meaning.

(f) "MOTOR VEHICLE" HAS THE MEANING STATED IN § 11-135 OF THE TRANSPORTATION ARTICLE.

(G) "Obtain" means:

(1) In relation to property, to bring about a transfer of interest or possession, whether to the offender or to another; and

(2) In relation to services, to secure the performance thereof.

[(g)](H) "Owner" means a person, other than the offender, who has possession of or any other interest in the property involved, even though that interest or possession is unlawful, and without whose consent the offender has no authority to exert control over the property.