

(d) A person may not drive or attempt to drive any vehicle while he is under the influence of any controlled dangerous substance, as that term is defined in Article 27, § 279 of the Code, if the person is not entitled to use the controlled dangerous substance under the laws of this State.

27-101.

(a) It is a misdemeanor for any person to violate any of the provisions of the Maryland Vehicle Law unless the violation is declared to be a felony by the Maryland Vehicle Law or by any other law of this State.

(c) Any person who is convicted of a violation of any of the provisions of the following sections of this article is subject to a fine of not more than \$500 or imprisonment for not more than 2 months or both:

(22) § 21-902(b) ("Driving while under the influence of alcohol");

(23) § 21-902(c) ("Driving while under influence of drugs or drugs and alcohol");

(24) § 21-902(d) ("Driving while under influence of controlled dangerous substance"); or

(f) (1) Any person who is convicted of a violation of any of the provisions of § 14-103 of this article ("Possession of motor vehicle master key"), or of a second or subsequent violation of any of the provisions of § 16-101 of this article ("Drivers must be licensed") or § 21-902(b) of this article ("Driving while under the influence of alcohol") is subject to a fine of not more than \$500 or imprisonment for not more than 1 year or both.

(2) For the purpose of second or subsequent offender penalties for a violation of § 21-902(b) of this article provided under this subsection, a prior conviction of § 21-902(a) of this article ("Driving while intoxicated") shall be considered a conviction of § 21-902(b) of this article.

(j) (1) In this subsection, "imprisonment" includes confinement in an inpatient rehabilitation or treatment center.

(2) A person who is convicted of a violation of § 21-902(a) of this article within 3 years after a prior conviction under that subsection is subject to a mandatory minimum penalty of:

(i) Imprisonment for not less than 48 consecutive hours; or

(ii) Community service for not less than 80 hours.

(3) The penalties provided by this subsection are mandatory and are not subject to suspension or probation.

(k) (1) Any person who is convicted of a violation of any of the provisions of § 21-902(a) of this article ("Driving while intoxicated");