

(5) "Crime" means an act committed by any person in the State [of Maryland] which would constitute a crime as defined in this article or at common law, or a violation under § 25-202 of the Transportation Article. However, an act involving the operation of a motor vehicle which results in injury does not constitute a crime for the purpose of this [article] SECTION unless the injuries were intentionally inflicted through the use of a vehicle.

(6) "Defendant" means any person who has been found guilty of a crime or any person whose plea of nolo contendere to a crime has been accepted by the court.

(7) "Division" means Division of Parole and Probation.

(8) "Judge" means a judge of a court.

(9) "Order of restitution" means either a direct order for payment of restitution or an order for payment of restitution that is a condition of probation in an order of probation.

(10) "Property" means both real and personal property.

(11) "Victim":

(i) Means a person who suffers personal injury, death, or property loss as a direct result of crime; and

(ii) Includes, in the event of the death of a victim, the victim's estate.

(b) (1) On conviction of a crime, acceptance of a plea of nolo contendere, or imposition of probation before judgment under § 641 of this article, the court may issue an order of restitution directing the defendant to make restitution in addition to any other penalty for the commission of the crime, if:

(i) Property of the victim was stolen, converted, unlawfully obtained, or its value substantially decreased as a direct result of the crime;

(ii) The victim suffered actual medical expenses, direct out-of-pocket losses, or loss of earnings as a direct result of the crime;

(iii) The victim incurred medical expenses that were paid by the Department of Health and Mental Hygiene or any other governmental entity;

(iv) A governmental entity incurred expenses in the removal, towing, transporting, preserving, storage, sale, or destruction of an abandoned vehicle;

(v) The Criminal Injuries Compensation Board paid benefits to a victim of the crime; or

(vi) The Department of Health and Mental Hygiene or other governmental entity paid expenses incurred under [§ 765 of this article] § 855 OF THIS SUBTITLE.

(2) A victim is presumed to have a right to restitution under paragraph (1) of this subsection if: