

(e) (1) In determining the amount of an award, the Board members shall determine whether, because of his conduct, the victim of such crime contributed to the infliction of his injury, and the Board members shall reduce the amount of the award or reject the claim altogether, in accordance with such determination; provided, however, that the Board members may disregard for this purpose the responsibility of the victim for his own injury where the record shows that such responsibility was attributable to efforts by the victim to prevent a crime or an attempted crime from occurring in his presence or to apprehend a person who had committed a crime in his presence or had, in fact, committed a felony.

(2) Claimants filing for injuries incurred as the occupants of a motor vehicle or dependents of an occupant of a motor vehicle operated by a person in violation of the provisions of § 21-902(a), (b), (c), or (d) of the Transportation Article may not recover unless the claimant can prove that the occupant did not or could not have known of the condition of the operator of the vehicle.

(3) A person is not eligible for all or a portion of an award if the person initiated, consented to, provoked, or unreasonably failed to avoid a physical confrontation with the offender, or the victim was participating in a criminal offense at the time the injury was inflicted.

(f) (1) If the Board [members find] FINDS that the claimant will not suffer serious financial hardship, as a result of the loss of earnings or support and the out-of-pocket expenses incurred as a result of the injury, if not granted financial assistance pursuant to this article to meet the loss of earnings, support, or out-of-pocket expenses, the Board [members] shall deny an award. In determining the serious financial hardship, the Board [members] shall consider all of the financial resources of the claimant. Unless total dependency is established, a family is considered to be partially dependent on a ~~mother~~ PARENT with whom they reside without regard to actual earnings.

(2) The conditions of paragraph (1) of this subsection shall not apply in determining an award under § 5(a)(4), (5), and (6) of this article.

17.

(a) (1) In this section the following words have the meanings indicated.

(2) "Crime" means an act committed by a person in the State that is:

(i) A crime under Article 27 of the Code;

(ii) A violation of the Transportation Article which is punishable by imprisonment; or

(iii) A crime at common law.

(3) "Offense" means an act committed by a person in the State that is a violation of the Transportation Article and is not punishable by imprisonment.

(b) In addition to any other costs required by law, a circuit court shall impose on a defendant convicted of a crime an additional cost of \$40 in the case.