

(I) A VIOLATION OF § 14-103 OF THIS ARTICLE ("POSSESSION OF MOTOR VEHICLE MASTER KEY"); OR

(II) A SECOND OR SUBSEQUENT VIOLATION OF:

1. § 16-101 OF THIS ARTICLE ("DRIVERS MUST BE LICENSED");
OR

2. EXCEPT AS PROVIDED IN SUBSECTION (Q) OF THIS SECTION:

A. § 21-902(B) OF THIS ARTICLE ("DRIVING WHILE UNDER THE INFLUENCE OF ALCOHOL");

B. § 21-902(C) OF THIS ARTICLE ("DRIVING WHILE UNDER THE INFLUENCE OF DRUGS OR DRUGS AND ALCOHOL"); OR

C. § 21-902(D) OF THIS ARTICLE ("DRIVING WHILE UNDER THE INFLUENCE OF CONTROLLED DANGEROUS SUBSTANCE").

(2) Except as provided in subsection (q) of this section, for the purpose of second or subsequent offender penalties for a violation of § 21-902(b) of this article provided under PARAGRAPH (1) OF this subsection, a prior conviction of § 21-902(a) [of this article ("Driving while intoxicated")], § 21-902(C), OR § 21-902(D) OF THIS ARTICLE shall be considered a conviction of § 21-902(b) of this article.

(3) EXCEPT AS PROVIDED IN SUBSECTION (Q) OF THIS SECTION, FOR THE PURPOSE OF SECOND OR SUBSEQUENT OFFENDER PENALTIES FOR A VIOLATION OF § 21-902(C) OF THIS ARTICLE PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION, A PRIOR CONVICTION OF § 21-902(A), § 21-902(B), OR § 21-902(D) OF THIS ARTICLE SHALL BE CONSIDERED A CONVICTION OF § 21-902(C) OF THIS ARTICLE.

(4) EXCEPT AS PROVIDED IN SUBSECTION (Q) OF THIS SECTION, FOR THE PURPOSE OF SECOND OR SUBSEQUENT OFFENDER PENALTIES FOR A VIOLATION OF § 21-902(D) OF THIS ARTICLE PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION, A PRIOR CONVICTION OF § 21-902(A), § 21-902(B), OR § 21-902(C) OF THIS ARTICLE SHALL BE CONSIDERED A CONVICTION OF § 21-902(D) OF THIS ARTICLE.

(q) (1) Any person who is convicted of a violation of § 21-902(a) of this article and who, at the time of the offense, was transporting a minor is subject to:

(i) For a first offense, a fine of not more than \$2,000 or imprisonment for not more than 2 years or both;

(ii) For a second offense, a fine of not more than \$3,000 or imprisonment for not more than 3 years or both; and

(iii) For a third or subsequent offense, a fine of not more than \$4,000 or imprisonment for not more than 4 years or both.