

defined in § 10-202 of the State Government Article, may take an appeal as allowed in §§ 10-222 and 10-223 of the State Government Article.

13-505.

(a) A person who violates any provision of this title or of any [rule or] regulation adopted under this title is guilty of a misdemeanor and on conviction is subject:

(1) To a fine not exceeding \$500 or imprisonment not exceeding 3 months, or both; or

(2) To a fine not exceeding \$1,000 or imprisonment not exceeding 1 year, or both, for any subsequent violation of this title that occurs within 2 years of an earlier violation of this title.

(b) Each day that a person practices well drilling without a license constitutes a separate offense.

13-506.

~~(A) A PERSON WHO PRACTICES WELL DRILLING WITHOUT A LICENSE IS SUBJECT TO A CIVIL PENALTY TO BE LEVIED BY THE BOARD NOT EXCEEDING:~~

~~(1) \$500 PER DAY, UP TO A MAXIMUM OF \$10,000 FOR A FIRST VIOLATION ARISING OUT OF A SINGLE COURSE OF CONDUCT; AND~~

~~(2) \$1,000 PER DAY FOR A SECOND OR SUBSEQUENT VIOLATION.~~

~~(B) THE BOARD SHALL CONDUCT A PROCEEDING UNDER THIS SECTION TO LEVY A CIVIL PENALTY IN ACCORDANCE WITH NOTICE AND HEARING REQUIREMENTS OF THE ADMINISTRATIVE PROCEDURE ACT.~~

~~(C) PENALTIES COLLECTED BY THE BOARD UNDER THIS SECTION SHALL BE PAID INTO THE GENERAL FUND OF THE STATE.~~

(A) INSTEAD OF OR IN ADDITION TO ANY OTHER PENALTIES UNDER THIS TITLE, THE BOARD MAY IMPOSE A CIVIL PENALTY ON A PERSON WHO VIOLATES § 13-501 OR § 13-502 OF THIS SUBTITLE IN AN AMOUNT NOT EXCEEDING \$1,000 PER DAY FOR ALL VIOLATIONS CITED ON A SINGLE DAY.

(B) IN SETTING THE AMOUNT OF THE CIVIL PENALTY, THE BOARD SHALL CONSIDER:

(1) THE SERIOUSNESS OF THE VIOLATION;

(2) THE HARM CAUSED BY THE VIOLATION;

(3) THE GOOD FAITH OF THE VIOLATOR;

(4) HISTORY OF PREVIOUS VIOLATIONS BY THE VIOLATOR; AND

(5) OTHER RELEVANT FACTORS.