

(D) THIS SECTION DOES NOT APPLY TO A PERSON WHO WITHOUT PRURIENT INTENT:

(1) CONDUCTS FILMING BY OR FOR THE PRINT OR BROADCAST MEDIA;

(2) CONDUCTS OR PROCURES A PERSON TO CONDUCT VISUAL SURVEILLANCE OF ANOTHER PERSON FOR PURPOSES OF PROTECTION OF PROPERTY, PUBLIC SAFETY, OR CRIME PREVENTION; OR

(3) CONDUCTS VISUAL SURVEILLANCE AND WHO IS LICENSED UNDER TITLE 13 OR TITLE 19 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE AND IS ACTING WITHIN THE SCOPE OF THE PERSON'S OCCUPATION.

(E) A PERSON WHO VIOLATES THE PROVISIONS OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE OF NOT MORE THAN \$1,000 OR IMPRISONMENT FOR NOT MORE THAN ~~30 DAYS~~ 6 MONTHS OR BOTH.

(F) A PERSON WHO WAS SUBJECT TO VISUAL SURVEILLANCE IN VIOLATION OF THIS SECTION HAS A CIVIL CAUSE OF ACTION AGAINST ANY PERSON WHO CONDUCTED OR PROCURED ANOTHER TO CONDUCT THE VISUAL SURVEILLANCE. IN AN ACTION UNDER THIS SUBSECTION, THE COURT MAY AWARD ACTUAL DAMAGES AND REASONABLE ATTORNEYS' FEES.

(G) THIS SECTION DOES NOT ABROGATE OR LIMIT ANY LEGAL OR EQUITABLE RIGHT OR REMEDY OTHERWISE AVAILABLE BY COMMON LAW OR STATUTE.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall be construed only prospectively to offenses occurring and causes of action arising on or after the effective date of this Act and may not be applied or interpreted to have any effect on or application to offenses occurring and causes of action arising before the effective date of this Act.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1999.

May 27, 1999

The Honorable Casper R. Taylor, Jr.
Speaker of the House
State House
Annapolis MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed House Bill 132.

This bill modifies provisions of the Maryland Vehicle Law pertaining to special registration tags and parking placards available to individuals with qualifying disabilities. Among other reforms, the bill specifies that a licensed physician, chiropractor, optometrist, or podiatrist must certify that an individual suffers from