

(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.

(2) Any person who is convicted of a violation of § 21-902(b), § 21-902(c), or § 21-902(d) 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 \$1,000 or imprisonment for not more than 6 months or both; and

(ii) For a second or subsequent offense, a fine of not more than \$2,000 or imprisonment for not more than 1 year or both.

(3) For the purpose of determining second or subsequent offender penalties provided under this subsection, a prior conviction of any provision of § 21-902 of this article that subjected a person to the penalties under this subsection shall be considered a prior conviction.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2003.

Approved May 13, 2003.

CHAPTER 245

(Senate Bill 387)

AN ACT concerning

~~Maryland Optometry Act - Replacement Contact Lenses - Clarifications and Modifications~~

Department of Health and Mental Hygiene - Selling and Dispensing of Contact Lenses and Replacement Contact Lenses

FOR the purpose of ~~modifying certain prohibitions against selling contact lenses without a valid and unexpired replacement contact lens prescription; requiring the Department of Health and Mental Hygiene to adopt regulations that govern the selling and dispensing of certain contact lenses; prohibiting a person from knowingly selling or dispensing certain contact lenses under certain circumstances; providing that a person who violates a certain provision of law is guilty of a misdemeanor and subject to a certain fine; specifying that certain provisions of law do not limit the right of the State Board of Examiners in Optometry to regulate an optometrist who knowingly sells or dispenses certain contact lenses; providing for the construction of this Act; clarifying a certain~~