

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 10 DAYS OR A FINE NOT EXCEEDING \$1,000 OR BOTH.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 38A, § 13(a), except as it related to violations of regulations.

In subsection (b) of this section, the reference to a person who violates this section being guilty "of a misdemeanor" is added to state expressly that which was only implied in the former law. In this State, any crime that was not a felony at common law and has not been declared a felony by statute is considered to be a misdemeanor. See *State v. Canova*, 278 Md. 483, 490 (1976); *Bowser v. State*, 136 Md. 342, 345 (1920); *Dutton v. State*, 123 Md. 373, 378 (1914); and *Williams v. State*, 4 Md. App. 342, 347 (1968).

Also in subsection (b) of this section, the reference to a person "on conviction" being subject to certain penalties is added to state expressly that which was only implied in the former law, and for consistency with other penalty provisions in this and other revised articles of the Code.

Defined term: "Person" § 1-101

SUBTITLE 3. FAST RESPONSE RESIDENTIAL FIRE SPRINKLER SYSTEMS.

9-301. SCOPE OF SUBTITLE.

(A) EFFECT ON FIRE SAFETY LAWS.

THIS SUBTITLE:

- (1) IS IN ADDITION TO ANY EXISTING FIRE SAFETY LAWS; AND
- (2) DOES NOT LIMIT THE AUTHORITY OF THE STATE FIRE PREVENTION COMMISSION OR STATE FIRE MARSHAL TO ACT UNDER EXISTING FIRE SAFETY LAWS.

(B) EXCEPTIONS TO SUBTITLE.

IF THERE IS CLEAR EVIDENCE THAT EQUIVALENT PROTECTION OF HUMAN LIFE WILL BE PROVIDED AS REQUIRED BY THIS SUBTITLE, EXCEPTIONS TO THIS SUBTITLE MAY BE MADE BY:

- (1) THE STATE FIRE PREVENTION COMMISSION;
- (2) THE STATE FIRE MARSHAL;
- (3) A COUNTY FIRE CHIEF;
- (4) A FIRE ADMINISTRATOR WITH RESPONSIBILITY FOR CODE ENFORCEMENT; AND
- (5) IN BALTIMORE CITY, THE BOARD OF FIRE COMMISSIONERS OR THE CHIEF OF THE FIRE DEPARTMENT.