

EACH FAILURE OR REFUSAL TO ALLOW OR PERFORM AN ACT REQUIRED BY 42 U.S.C. § 5409 OR A REGULATION ADOPTED OR ORDER ISSUED UNDER IT.

(4) A CIVIL PENALTY UNDER THIS SUBSECTION MAY NOT EXCEED \$1,000,000 FOR ANY RELATED SERIES OF VIOLATIONS OCCURRING WITHIN 1 YEAR AFTER THE DATE OF THE FIRST VIOLATION.

(C) SAME — CRIMINAL PENALTY.

(1) AN INDIVIDUAL OR A DIRECTOR, OFFICER, OR AGENT OF A CORPORATION MAY NOT IN THE STATE KNOWINGLY AND WILLFULLY VIOLATE 42 U.S.C. § 5409 IN A MANNER THAT THREATENS THE HEALTH OR SAFETY OF A PURCHASER OF A MANUFACTURED HOME.

(2) A PERSON WHO VIOLATES THIS SUBSECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$1,000 OR BOTH.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 83B, § 6-206(b), (c), and (d).

In subsection (a)(1) of this section, the former reference to a "rule" is deleted as included in the reference to a "regulation". See General Revisor's Note to article.

In subsection (c)(1) of this section, the reference to a purchaser "of a manufactured home" is added for clarity.

In subsection (c)(2) of this section, the reference to 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); *Williams v. State*, 4 Md. App. 342, 347 (1968); and *Dutton v. State*, 123 Md. 373, 378 (1914).

Also in subsection (c)(2) of this section, the reference to a person "on conviction" being subject to a certain penalty is added to state expressly that which only was implied in the former law and for consistency with other penalty provisions in this and other revised articles of the Code.

Defined terms: "Manufactured home" § 12-301  
"Person" § 1-101

SUBTITLE 4. SAFETY GLAZING.

12-401. DEFINITIONS.

(A) IN GENERAL.

IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

REVISOR'S NOTE: This subsection formerly was Art. 83B, § 6-301(a).