

(II) FOR EACH SUBSEQUENT VIOLATION, IMPRISONMENT NOT EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$4,000 OR BOTH, WITH COSTS IMPOSED AT THE DISCRETION OF THE COURT.

(2) FOR THE PURPOSE OF THIS SUBSECTION, A SUBSEQUENT VIOLATION IS A VIOLATION WHICH:

(I) OCCURS WITHIN 2 YEARS AFTER ANY PRIOR VIOLATION OF THIS SECTION; AND

(II) ARISES OUT OF A SEPARATE SET OF CIRCUMSTANCES.

(3) IN ADDITION TO THE PENALTIES IN PARAGRAPH (1)(II) OF THIS SUBSECTION, THE COURT MAY ORDER THE LICENSE UNDER WHICH THE PERSON OPERATED IN THE COMMISSION OF THE VIOLATION TO BE SUSPENDED FOR 12 MONTHS FROM THE DATE OF THE SUBSEQUENT CONVICTION.

(F) (1) THE COMMISSION MAY ADOPT RULES AND REGULATIONS NECESSARY FOR THE ADMINISTRATION AND ENFORCEMENT OF THIS SECTION.

(2) VIOLATION OF ANY REGULATION ADOPTED BY THE COMMISSION UNDER THIS SUBSECTION IS A MISDEMEANOR AND IS PUNISHABLE AS PROVIDED IN SUBSECTION (E) OF THIS SECTION.

(G) (1) THE CHIEF JUDGE OF THE DISTRICT COURT OF MARYLAND MAY ESTABLISH, BY ADMINISTRATIVE REGULATION UNDER THE PROVISIONS OF § 1-605 OF THE COURTS ARTICLE, A SCHEDULE OF PREPAYABLE FINES FOR A FIRST OFFENSE MISDEMEANOR VIOLATION OF THIS SECTION AND REGULATIONS ADOPTED UNDER THIS SECTION. THE AMOUNT OF A PREPAYABLE FINE MAY BE NO MORE THAN THE MAXIMUM AND NO LESS THAN THE MINIMUM CRIMINAL PENALTY ESTABLISHED BY THE GENERAL ASSEMBLY IN THIS SECTION.

(2) BY PAYING A FINE SET UNDER THIS SECTION INSTEAD OF APPEARING FOR TRIAL IN DISTRICT COURT, A PERSON IS VOLUNTARILY ACCEPTING A CONVICTION FOR THE OFFENSE CHARGED.

(H) IF THE DISTRICT COURT OR CIRCUIT COURT IMPOSES A FINE FOR A VIOLATION OF THIS SECTION, THE COURT SHALL COLLECT THE FINE AND FORWARD IT TO THE COMMISSION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2002.

Approved April 9, 2002.