

(I) THE MAKE, MODEL, SERIAL NUMBER, CALIBER, TYPE, BARREL LENGTH, FINISH, AND COUNTRY OF ORIGIN OF THE MACHINE GUN;

(II) THE NAME, ADDRESS, RACE, GENDER, DATE OF BIRTH, MARYLAND DRIVER'S LICENSE NUMBER, AND OCCUPATION OF THE PERSON IN POSSESSION OF THE MACHINE GUN; AND

(III) THE NAME OF THE PERSON FROM WHOM THE MACHINE GUN WAS ACQUIREDED AND THE PURPOSE FOR ACQUIRING THE MACHINE GUN.

(4) EACH APPLICATION FOR REGISTRATION FILED WITH THE SECRETARY OF THE STATE POLICE SHALL BE ACCOMPANIED BY A NONREFUNDABLE REGISTRATION FEE OF \$10.

(5) REGISTRATION DATA PROVIDED UNDER THIS SECTION IS NOT OPEN TO PUBLIC INSPECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, §§ 378 and 379.

In subsections (a)(3) and (b)(2) of this section, the references to being "guilty of a misdemeanor and on conviction" being subject to a fine are added to state expressly that which only was 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).

In subsection (c)(3)(ii) of this section, the reference to "gender" is substituted for the former reference to "sex" for clarity.

The sixth sentence of former Art. 27, § 379(a), which established a presumption that a person possessing an unregistered machine gun did so for an offensive or aggressive purpose, is deleted as redundant of § 4-405 (a)(1)(iii) of this subtitle.

Defined terms: "Machine gun" § 4-401
"Person" § 1-101

4-404. USE OF MACHINE GUN IN CRIME OF VIOLENCE.

(A) PROHIBITED.

A PERSON MAY NOT USE OR POSSESS A MACHINE GUN IN THE COMMISSION OR ATTEMPTED COMMISSION OF A CRIME OF VIOLENCE.

(B) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 20 YEARS.