

of this title or a prescription drug crime under Subtitle 7 of this title, the General Assembly may wish to consider narrowing the scope of this section or further altering the defined term.

In subsection (b)(1)(i) of this section, the former reference to "time of" sentencing is deleted as surplusage in light of subsection (c) of this section.

In subsection (b)(2)(i) of this section, the reference to "a determination of" the individual's ability to perform tasks is added to explicitly state what was implicit in the former law. Similarly, in subsection (b)(2)(ii), (iii), and (iv) of this section, the references to "a finding of" whether the public will be protected, "a finding of" whether the nature and circumstances of the controlled dangerous substance crime warrant referral, and "a finding of" any other relevant facts are added.

In subsection (c) of this section, the reference to "administrative orders" adopted by the Chief Judge of the Court of Appeals is substituted for the former erroneous reference to "regulations" adopted by the Chief Judge. The Chief Judge has the authority only to adopt administrative orders, not regulations.

Former Art. 27, § 298A(b) and (d)(1), which limited the application of former Art. 28, § 298A to convictions for drug crimes committed on or after January 1, 1991 and to individuals with no prior drug crime conviction or probation before judgment for a drug crime committed on or after January 1, 1991, are deleted as redundant in light of former Art. 27, § 298A(e) — now subsection (c) of this section.

Defined term: "Controlled dangerous substance" § 5-101

SUBTITLE 9. CRIMINAL AND CIVIL LIABILITY.

5-901. VIOLATIONS OF TITLE CONSIDERED FELONIES.

NOTWITHSTANDING ANY OTHER LAW, A VIOLATION OF THIS TITLE SHALL BE TREATED AS IF IT WERE A FELONY FOR PURPOSES OF ARREST, SEARCH, AND SEIZURE, WHETHER OR NOT A DEFENDANT IS SUBSEQUENTLY CHARGED WITH OR CONVICTED OF A VIOLATION THAT IS A MISDEMEANOR.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 298(c).

The former phrase "to the contrary" is deleted as implicit in the phrase "[n]otwithstanding any other law".

5-902. PROHIBITED ACTS.

(A) IN GENERAL.

EXCEPT AS OTHERWISE AUTHORIZED BY THIS TITLE, A PERSON MAY NOT:

(1) OMIT, REMOVE, ALTER, OR OBLITERATE A SYMBOL REQUIRED BY FEDERAL LAW FOR A SUBSTANCE GOVERNED BY THIS TITLE;