

(2) DAMAGE OR ALTERATION TO A METER SO AS TO PREVENT THE ACTION OF THE METER.

(D) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 6 MONTHS OR A FINE NOT EXCEEDING \$250 OR BOTH.

REVISOR'S NOTE: This section formerly was Art. 27, § 192.

In subsection (c) of this section, the reference to the person who would "directly benefit from the use of the gas passing through the meter" is substituted for the former reference to the person who would "receive the direct benefits from the use of the gas without it being measured or registered on a meter" for clarity and consistency within this subtitle.

In subsections (b)(2)(i) and (ii) and (c)(1) of this section, the former references to "measur[ing]" gas are deleted as included in the references to "register[ing]" gas.

The only other changes are in style.

The Criminal Law Article Review Committee notes, for the consideration of the General Assembly, that unlike §§ 6-303 and 6-305 of this subtitle, this section has no exception for activities incident to local or other governmental regulation of public utility service. It is unclear how much such regulation existed in 1886 when this provision was first enacted. The General Assembly may wish to consider adding an exemption to this section patterned after the exemptions in §§ 6-303(b)(2) and 6-305(b)(2) of this subtitle.

Defined term: "Person" § 1-101

6-305. SAME — WATER EQUIPMENT.

(A) "WATER EQUIPMENT" DEFINED.

IN THIS SECTION, "WATER EQUIPMENT" INCLUDES A CANAL, SPRING, RESERVOIR, TUNNEL, MOUND, DAM, PLUG, MAIN, PIPE, CONDUIT, CONNECTION, TAP, VALVE, ENGINE, OR MACHINERY.

(B) SCOPE OF SECTION.

THIS SECTION DOES NOT APPLY TO:

(1) A PERSON WHO IS AUTHORIZED BY THE COMPANY, MUNICIPAL CORPORATION, COUNTY, OR UNIT OF STATE OR LOCAL GOVERNMENT THAT USES OR SUPPLIES WATER FOR DOMESTIC, AGRICULTURAL, OR MANUFACTURING PURPOSES OR AN AUTHORIZED EMPLOYEE OF THE COMPANY, MUNICIPAL CORPORATION, COUNTY, OR UNIT OF STATE OR LOCAL GOVERNMENT; OR

(2) GOVERNMENTAL REGULATION OF: