

- (2) THE PERSON IS NOT A PARTY TO THE MOTOR VEHICLE AGREEMENT;
- (3) THE PERSON:

- (I) TRANSFERS OR ASSIGNS, OR PURPORTS TO TRANSFER OR ASSIGN, A RIGHT OR INTEREST IN THE MOTOR VEHICLE OR UNDER A MOTOR VEHICLE AGREEMENT TO A PERSON WHO IS NOT A PARTY TO THE MOTOR VEHICLE AGREEMENT; OR

- (II) ASSISTS, CAUSES, NEGOTIATES, ATTEMPTS TO NEGOTIATE, OR ARRANGES AN ACTUAL OR PURPORTED TRANSFER OF A RIGHT OR INTEREST IN THE MOTOR VEHICLE OR UNDER A MOTOR VEHICLE AGREEMENT FROM A PERSON, OTHER THAN THE LESSOR OR SECURED PARTY, WHO IS A PARTY TO THE MOTOR VEHICLE AGREEMENT;

- (4) NEITHER THE PERSON NOR THE PARTY TO THE MOTOR VEHICLE AGREEMENT OBTAINS WRITTEN CONSENT TO THE TRANSFER OR ASSIGNMENT FROM THE LESSOR OR SECURED PARTY BEFORE CONDUCTING THE ACTS DESCRIBED IN ITEM (3) OF THIS SUBSECTION; AND

- (5) THE PERSON RECEIVES OR INTENDS TO RECEIVE A COMMISSION, COMPENSATION, OR OTHER CONSIDERATION FOR ENGAGING IN THE ACTS DESCRIBED IN ITEM (3) OF THIS SUBSECTION.

(C) DEFENSE.

- (1) IT IS NOT AN ACT OF UNLAWFUL SUBLEASING OF A MOTOR VEHICLE UNDER THIS SECTION IF THE ACTS UNDER SUBSECTION (B)(3) OF THIS SECTION ARE ENGAGED IN BY A PERSON WHO IS:

- (I) A PARTY TO THE MOTOR VEHICLE AGREEMENT; OR

- (II) A DEALER OR VEHICLE SALESMAN LICENSED UNDER TITLE 15 OF THE TRANSPORTATION ARTICLE AND ENGAGED IN VEHICLE SALES WHO ASSISTS, CAUSES, OR ARRANGES A TRANSFER OR ASSIGNMENT UNDER THE TERMS OF AN AGREEMENT FOR THE PURCHASE OR LEASE OF ANOTHER MOTOR VEHICLE.

- (2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT AFFECT THE ENFORCEABILITY OF A PROVISION OF A MOTOR VEHICLE AGREEMENT BY A PARTY TO THE AGREEMENT.

- (3) A PARTY TO A MOTOR VEHICLE AGREEMENT MAY NOT BE PROSECUTED UNDER THIS SECTION AS AN ACCESSORY TO THE ACT OF UNLAWFUL SUBLEASING OF THE MOTOR VEHICLE THAT IS SUBJECT TO THE MOTOR VEHICLE AGREEMENT.

(D) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 3 YEARS OR A FINE NOT EXCEEDING \$5,000 OR BOTH.