

Md. 1 (1979), cert. denied 444 U.S. 686 (1980). Rather than use the term "person", this section uses the terms "owner", "lessee", and "user". Case law also indicates that an enactment does not apply to the State unless the enactment specifically mentions the State or shows a clear intent that the enactment apply to the State. Mayor and City Council of Baltimore v. State of Maryland, 281 Md. 217 (1977). While this would seem to indicate that this section does not apply to a governmental unit, the General Assembly may wish to clarify its intention.

The Committee also notes that in subsection (c) of this section, the reference to an owner, lessee, or user of certain equipment acquainting "its" employees with the law is substituted for the former reference to acquainting "their" employees with the law. This substitution is based on the Committee's understanding of former Art. 89, § 61(c)(1) as requiring an owner, lessee, or user of certain equipment to acquaint only its own employees with the law and not the employees of any other entity.

The Committee also notes that subsections (c) and (d) of this section do not apply to a "lessor" who does not own the equipment.

Defined term: "High voltage line" § 6-101

#### 6-110. PENALTIES.

A PERSON WHO FAILS TO COMPLY WITH OR VIOLATES ANY PROVISION OF THIS TITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$1,000 OR IMPRISONMENT NOT EXCEEDING 1 YEAR OR BOTH.

REVISOR'S NOTE: This section formerly appeared as Art. 89, § 62(b).

The former words "firm" and "corporation" are deleted as unnecessary in light of the definition of "person".

The former minimum penalty of \$25 is deleted, to conform to the statement of legislative policy in Art. 27, § 643 of the Code, which sets forth the general rule that, notwithstanding a statutory minimum penalty, a court may impose a lesser penalty of the same character. The District Court has exclusive original jurisdiction over criminal offenses for which the penalty is less than \$2,500. In 1972, the power conferred under Art. 27, § 643 was extended to the District Court with respect to crimes that existed at that time, including former Art. 89, § 62(b), which was enacted by Ch. 759, Acts of 1968.

The former phrases "in the discretion of the court" are deleted as unnecessary in light of the prerogatives of courts.

Defined term: "Person" § 1-101