
By: **Chairman, Judiciary Committee and Delegate Grosfeld**

Introduced and read first time: January 18, 2002

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law - Criminal Penalties - Wharves and Transfer Tickets**

3 FOR the purpose of correcting certain matters identified during statutory revision;
4 repealing minimum fines and setting a maximum fine for violations of the
5 prohibition against giving or receiving certain unauthorized passenger transfer
6 tickets; altering the criminal penalties that may be imposed for interfering with
7 or damaging the usefulness of a public landing or for damaging a public wharf;
8 and generally relating to certain criminal penalties.

9 BY repealing and reenacting, with amendments,
10 Article - Criminal Law
11 Section 8-803
12 Annotated Code of Maryland
13 (As enacted by Chapter _____ (H.B. 11) of the Acts of the General Assembly of
14 2002)

15 BY repealing and reenacting, with amendments,
16 Article - Natural Resources
17 Section 8-724.1
18 Annotated Code of Maryland
19 (2000 Replacement Volume and 2001 Supplement)
20 (As enacted by Chapter _____ (H.B. 11) of the Acts of the General Assembly of
21 2002)

22 BY repealing and reenacting, without amendments,
23 Article - Natural Resources
24 Section 8-2001
25 Annotated Code of Maryland
26 (2000 Replacement Volume and 2001 Supplement)

27 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
28 MARYLAND, That the Laws of Maryland read as follows:

Article - Criminal Law

8-803.

(a) (1) A person may not intentionally issue, sell, or give to an unauthorized person a ticket or instrument for the transfer from a conveyance on one passenger line or route to a conveyance on another line or route of the same or a different carrier.

(2) Unless authorized to do so, a person may not intentionally receive a ticket or instrument for the transfer from a conveyance on one passenger line or route to a conveyance on another line or route of the same or a different carrier.

(b) A person who violates this section is guilty of a misdemeanor and on conviction is subject to:

(1) for the first violation, a fine [not less than \$10 and] not exceeding \$100; and

(2) for each subsequent violation, imprisonment not exceeding 6 months or a fine not [less than \$100] EXCEEDING \$1,000 or both.

Article - Natural Resources

8-724.1.

[(a)] A person may not:

(1) Interfere with the use of a public landing;

(2) Do anything to destroy the usefulness of the public landing; or

(3) Damage a wharf or structure erected on the wharf by the State, a county, or a person under a written agreement with a State unit or a county for public benefit.

[(b)] A person who violates this section is guilty of a misdemeanor and on conviction is subject to a fine of not less than \$25.]

8-2001.

(a) Any person who violates any provision of this title is guilty of a misdemeanor. Upon conviction in a court of competent jurisdiction, unless another penalty is specifically provided elsewhere in this title, the person is subject to a fine not exceeding \$500, with costs imposed in the discretion of the court. Every fine and cost shall be paid in accordance with Article 38, § 4 of the Code.

(b) Any person found guilty of a second or subsequent violation of any provision of this title in a court of competent jurisdiction, unless another penalty is specifically provided elsewhere in this title, is subject to a fine not exceeding \$1,000, or imprisonment not exceeding 1 year, or both with costs imposed in the discretion of

1 the court. For the purpose of this subsection, a second or subsequent violation is a
2 violation which has occurred within 2 years of any prior violation of this title.

3 (c) In addition to any administrative penalty provided in this title, violation of
4 any regulation or restriction adopted by any unit within the Department of Natural
5 Resources pursuant to the provisions of this title is a misdemeanor and is punishable
6 as provided in subsections (a) and (b) of this section.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2002.