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§13–410.

(a) A merchant who engages in a violation of this title is subject to a fine not exceeding $10,000 for each violation.

(b) A merchant who has been found to have engaged in a violation of this title and who subsequently repeats the same violation is subject to a fine not exceeding $25,000 for each subsequent violation.

(c) The fines provided for in subsections (a) and (b) of this section are civil penalties and are recoverable by the State in a civil action or an administrative cease and desist action under § 13–403(a) and (b) of this subtitle or after an administrative hearing has been held under § 13–403(d)(3) and (4) of this subtitle.

(d) The Consumer Protection Division shall consider the following in setting the amount of the penalty imposed in an administrative proceeding:

(1) The severity of the violation for which the penalty is assessed;

(2) The good faith of the violator;

(3) Any history of prior violations;

(4) Whether the amount of the penalty will achieve the desired deterrent purpose; and

(5) Whether the issuance of a cease and desist order, including restitution, is insufficient for the protection of consumers.

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