

value for these services. Any person violating any of the provisions of this section shall, upon conviction, be punished by a fine of not more than \$1,000 or by imprisonment for not more than two years or by both fine and imprisonment in the discretion of the court.

DRAFTER'S NOTE:

Error: Omitted a comma in Article 2B, § 110.

Occurred: Ch. 725, Acts of 1972.

118.

(a) A licensee under the provisions of this article, or any of his employees, may not sell or furnish any alcoholic beverages at any time to a person under 21 YEARS OF AGE, [and in the case of beer and light wine, to a person not designated under § 2(t)(2) of this article] either for his own use or for the use of any other person, or to any person who, at the time of the sale, or delivery, is visibly under the influence of any alcoholic beverage. Any licensee or any of his employees who is charged with a violation of this subsection shall receive a summons for his appearance in court on a certain day to answer the charges placed against him. The person charged may not be required to post bail bond pending trial in any court of this State. A licensee violating any of the provisions of this subsection is guilty of a misdemeanor and upon conviction, suffers the penalties provided by § 200 of this article. However, a licensee charged with selling or furnishing any alcoholic beverages to a person under 21[, and in the case of beer and light wine to a person not designated under § 2(t)(2) of this article] YEARS OF AGE may not be found guilty of a violation of this subsection, if the person establishes to the satisfaction of the jury or the court sitting as a jury, that he used due caution to establish that the person under 21 YEARS OF AGE[, or a person not designated under § 2(t)(2) of this article where beer or light wine is sold or furnished] was not, in fact, a person under 21 YEARS OF AGE if a nonresident of the State [or a person not designated under § 2(t)(2) of this article where beer or light wine is furnished]. If, in either case, the person is a resident of the State of Maryland, the licensee may accept, as proof of a person's age, the display of the person's driver's license or identification card as provided for in the Maryland Vehicle Law. If any licensee shall be found not guilty, or placed on probation without a verdict, of any alleged violation of this subsection, this finding operates as a complete bar to any proceeding by any alcoholic beverage law-enforcement or licensing authorities on account of the alleged violation, provided that the person inducing the sale in question has been found guilty by a court under one of the sections of Article 27 of the Annotated Code of Maryland numbered 400 to 403, both inclusive.