

26-405.

If a person is charged with a violation of § 21-901.1 of this article ("Reckless and negligent driving") or § 21-902 of this article ("Driving while [intoxicated] UNDER THE INFLUENCE OF ALCOHOL, while [intoxicated] UNDER THE INFLUENCE OF ALCOHOL per se, [under the influence of] WHILE IMPAIRED BY alcohol, or [under the influence of] WHILE IMPAIRED BY a drug, A COMBINATION OF DRUGS, a combination of [alcohol and a drug] ONE OR MORE DRUGS AND ALCOHOL, or WHILE IMPAIRED BY a controlled dangerous substance"); the court may find [him] THE PERSON guilty of any lesser included offense under any subsection of the respective section.

27-101.

(c) Any person who is convicted of a violation of any of the provisions of the following sections of this article is subject to a fine of not more than \$500 or imprisonment for not more than 2 months or both:

(23) Except as provided in subsections (f) and (q) of this section, § 21-902(b) ("Driving while [under the influence of] IMPAIRED BY alcohol");

(24) Except as provided in subsections (f) and (q) of this section, § 21-902(c) ("Driving while [under influence of] IMPAIRED BY drugs or drugs and alcohol");

(25) Except as provided in subsections (f) and (q) of this section, § 21-902(d) "Driving while [under influence of] IMPAIRED BY controlled dangerous substance"); or

(f) (1) A person is subject to a fine not exceeding \$500 or imprisonment not exceeding 1 year or both, if the person is convicted of:

(ii) A second or subsequent violation of:

2. Except as provided in subsection (q) of this section:

A. § 21-902(b) of this article ("Driving while [under the influence of] IMPAIRED BY alcohol");

B. § 21-902(c) of this article ("Driving while [under the influence of] IMPAIRED BY drugs or drugs and alcohol"); or

C. § 21-902(d) of this article ("Driving while [under the influence of] IMPAIRED BY a controlled dangerous substance").

(k) (1) Except as provided in subsection (q) of this section, any person who is convicted of a violation of any of the provisions of § 21-902(a) of this article ("Driving while [intoxicated or intoxicated] UNDER THE INFLUENCE OF ALCOHOL OR UNDER THE INFLUENCE OF ALCOHOL per se");

(i) For a first offense, shall be subject to a fine of not more than \$1,000, or imprisonment for not more than 1 year, or both;