

TRANSPORTATION DIVISION

CRIMINAL GUIDELINES

(FOR GUIDANCE AND INTERNAL USE BY PSC TRANSPORTATION DIVISION)

FOR GUIDANCE AND INTERNAL USE BY PSC TRANSPORTATION DIVISION

Offense	Source	Felony or Misdemeanor	Restriction Period
Abuse and Other Offensive Conduct Child, with death; physical; sexual. Vulnerable adult, by custodian – sexual, or resulting in serious injury or death.	CR, §3-601(c)(2); CR, §3-601(b); CR, §3-602(b) CR, §3-603(b)	Felony	Indefinite
Abuse and Other Offensive Conduct Vulnerable adult, by custodian. Child – sell, barter, trade, etc. for money or property, etc. Contributing to certain conditions of a child; in need of assistance; being delinquent; or in need of supervision. Desertion. Interfering with rights of mentally retarded individual.	CR, §3-604(b) CR, §3-602 CJ, §3-831(a); CJ, §3-828; CJ, §3-8A-30 FL, §10-203 HG, §7-1102	Misdemeanor	1 st Offense – 10 years 2 nd Offense – Indefinite
Arson and Burning Structure; personal property of another, \$1000 or more.	CR, §6-102(a); CR, §6-103(a) CR, §6-104(b)	Felony	Indefinite
Arson and Burning Threat; with intent to defraud; personal property of another less than \$1000; trash bin.	CR, §6-107(a); CR, §6-106(a); CR, §6-105(b); CR, §6-108(a)	Misdemeanor	1 st Offense - 10 years 2 nd Offense – Indefinite
Assault and Other Bodily Woundings Poisoning – attempted; contaminating. Assault, 1 st degree. Female genital mutilation	CR, §3-213; CR, §3-214 CR, §3-202 HG, §20-603	Felony	Indefinite
Assault and Other Bodily Woundings Assault on jail inmate or employee 1 st degree or 2 nd degree; Assault 2 nd degree. Willfully expose to infectious disease; knowingly transfer/attempt to transfer HIV virus. Reckless endangerment. By motor vehicle or boat while under the influence of or impaired by alcohol or drugs.	CR, §3-205(a); CR, §3-203 HG, §18-601, .1 CR, §3-204(a) CR, §3-211(c); (d); e);(f)	Misdemeanor	1 st Offense - 10 years 2 nd Offense – Indefinite
Assault Pistols Assault pistol; more than 20 rounds, in the commission of a felony 1 st offense. Assault pistol; more than 20 rounds in the commission of a felony, subsequent.	CR, §4-306(b)(2) CR, §4-306(b)(3)	Misdemeanor	Indefinite
Assault Pistols Assault pistol; more than 20 rounds of ammo.	CR, §4-303(a) CR, §4-305(b)	Misdemeanor	1 st Offense – 5 years 2 nd Offense – Indefinite
Bad Check Bad Check, greater than \$500.	CR, §8-103	Felony	1 st Offense – 10 years 2 nd Offense – 15 years 3 rd Offense - Indefinite
Bad Checks Bad Check, less than \$500.	CR, §8-103	Misdemeanor	1 st Offense – 1 year 2 nd Offense – 3 years 3 rd Offense – 5 years

FOR GUIDANCE AND INTERNAL USE BY PSC TRANSPORTATION DIVISION

<p>Bribery Bribery to or by public officer.</p>	<p>Common law; CR, §9-201</p>	<p>Felony</p>	<p>1st Offense – 3 years 2nd Offense – 5 years 3rd Offense – 10 years</p>
<p>Bribery Acceptance of bribe by juror; bribery in athletic contest; athletic contestant accepts bribe.</p>	<p>CR, §9-202; CR, §9-204; CR, §9-205</p>	<p>Misdemeanor</p>	<p>1st Offense – 1 year 2nd Offense – 3 years 3rd Offense – 5 years</p>
<p>Burglary and Related Crimes 1st degree; with explosives. 2nd degree; steal or take firearm. 3rd degree. Breaking and entering research facility.</p>	<p>CR, §6-202(a); CR, §6-207(a) CR, §6-203(a); CR, §6-203(b) CR, §6-204(a) CR, §6-208(b)</p>	<p>Felony</p>	<p>Indefinite</p>
<p>Burglary and Related Crimes Breaking and entering motor vehicle; 4th degree.</p>	<p>CR, §6-206(b); CR, §6-205(a),(b),(c)</p>	<p>Misdemeanor</p>	<p>1st Offense – 5 years 2nd Offense – Indefinite</p>
<p>CDS and Paraphernalia Importation/manufacture/distribution/registration. Proceeds derived from CDS offense.</p>	<p>CR, §5-613; CR, §5-614(a); CR, §5-628(a); CR, §5-608(a), (b), (c), (d), CR, §5-609(a) (b), (c), (d); CR, §5-612(a); CR, §5-627; CR, §5-628(a)(1); CR, §5-614(b); CR, §5-617; CR, §5-607(a), (b); CR, §5-904(a); CR, §5-903(a) CR, §5-623(b)</p>	<p>Felony</p>	<p>Indefinite</p>
<p>CDS and Paraphernalia Possession/manufacture/distribution/registration – CDS.</p>	<p>CR, §5-619(e)(4); CR, §5-709(b),(c); CR, §5-601(a); CR, §5-619(d)(2), (e)(2),(f)(2); CR, §5-601(c)(2); CR, §5-703; CR, §5-618(a); CR, §5-902(a) (b)</p>	<p>Misdemeanor</p>	<p>1st Offense – 5 years 2nd Offense – 10 years 3rd Offense - Indefinite</p>
<p>Commercial Fraud, Other Bank, trust company, etc.; mortgage lending business; insurance acts; sales of property; sale of business; sale of franchise.</p>	<p>FI, §5-803(b); FI, §11-523(c); IN, §27-408(a)(1); RP, §10-305(a); RP, §10-507(b)(2); BR, §14-127(b); BR, §14-228(b); BR, §14-229(b); BR, §14-230(b); BR, §14-231(b); BR, §14-232(b)</p>	<p>Felony</p>	<p>1st Offense – 5 years 2nd Offense – 10 years 3rd Offense – 15 years</p>
<p>Commercial Fraud, Other Breach of trust; property of partner; by corporate officer; false advertising; pyramid, promotional scheme; insurance acts; other conduct ; subleasing of motor vehicle.</p>	<p>CR, §8-406(a); CR, §8-401(a); CR, §8-402(a); CL, §14-2903; CR, §8-404(b); IN, §27-408(a)(2); RP, §10-507(b)(3); CR, §8-408(b)</p>	<p>Misdemeanor</p>	<p>1st Offense – 3 years 2nd Offense – 5 years 3rd Offense – 10 years</p>

FOR GUIDANCE AND INTERNAL USE BY PSC TRANSPORTATION DIVISION

Consumer Protection Laws Violation of Title 14.	CR, §8-216	Felony	1 st Offense – 3 years 2 nd Offense – 5 years 3 rd Offense – 10 years
Counterfeiting Forgery; counterfeiting; uttering.	Common Law; CR, §8-601(a); CR, §8-605(a); CR, §8-609(b); CR, §8-611(c); CR, §8-602(a)	Felony	1 st Offense – 3 years 2 nd Offense – 5 years 3 rd Offense – 10 years
Counterfeiting Public seal; Comptroller stamp.; public records; trademark; U.S. currency; motor vehicle title; tickets, coupons, etc., without authority of issuer.	CR, §8-607(b); CR, §8-608(a); CR, §8-606(b); CR, §8-611(d); CR, §8-604(a); CR, §8-603(a); CR, §8-612(b)	Misdemeanor	1 st Offense – 1 year 2 nd Offense – 3 years 3 rd Offense – 5 years
Credit Card Crimes Value in excess of \$500.	CR, §8-207(b)(1) CR, §8-215	Felony	1 st Offense – 10 years 2 nd Offense – 15 years 3 rd Offense - Indefinite
Credit Card Crimes Value of less than \$500.	CR, §8-207(b)(2) CR, §8-210(b)	Misdemeanor	1 st Offense – 1 year 2 nd Offense – 3 years 3 rd Offense – 5 years
Crimes Against the Person, Generally Administer CDS before committing crime of violence.	CR, §5-624(b)	Misdemeanor	1 year
Destructive Devices Manufacture/sale/transport/possess explosives; without license; on aircraft.; with intent to create a destructive device; phony destructive devices.	38A, §§31, 34B; 38A, §§27A, 34A TR, §5-1008; CR, §4-503(a)(1), (2); CR, §9-505(a)	Felony	Indefinite
Destructive Devices Manufacture/deal/possess explosives without a license.	38A, §29, 38A, §27	Misdemeanor	1 st Offense – 5 years 2 nd Offense – 10 years 3 rd Offense - Indefinite
Disturbing the Peace, Disorderly Conduct, and Related Crimes Rioting.	Common law	Misdemeanor	Indefinite
Disturbing the Peace, Disorderly Conduct, and Related Crimes Deface flag; violate emergency order by Governor; fail to comply with order of investigation of communicable disease.	CR, 10-704(a); 16A, §12A(b) HG, §18-907(a)	Misdemeanor	3 rd Offense – 1 year 4 th Offense – 3 years 5 th Offense – 5 years
Estates, Crimes Against Embezzling, destroy, conceal will or codicil.	CR, §8-702(a)	Misdemeanor	1 st Offense – 5 years 2 nd Offense – 10 years 3 rd Offense - Indefinite
Extortion and Other Threats State or local officer; threatening letter; verbally.	CR, §3-701(c); CR, §3-702(b); CR, §3-706(b); CR, §3-705(a); CR, §3-703(a)	Felony	1 st Offense – 3 years 2 nd Offense – 5 years 3 rd Offense – 10 years

FOR GUIDANCE AND INTERNAL USE BY PSC TRANSPORTATION DIVISION

<p>Extortion and Other Threats Against State official; false accusation.</p>	<p>CR, §3-708(b),(c); CR, §3-704(a) ; CR, §3-701(d) ; CR, §3-702(c)</p>	<p>Misdemeanor</p>	<p>1st Offense – 1 year 2nd Offense – 3 years 3rd Offense – 5 years</p>
<p>False Statements, Other Rumor as to bomb; failure to file/withhold income tax return; prepare false income tax return.</p>	<p>CR, §9-504(b); TG, §13-1001(c); TG, §13-1007(b); TG, §13-1004</p>	<p>Felony</p>	<p>1st Offense – 3 years 2nd Offense – 5 years 3rd Offense – 10 years</p>
<p>False Statements, Other Intent to evade taxes; application for funds for Md. Higher Ed. Commission. False statement- to State official or of police officers.</p>	<p>TG, §13-1024(a); CR, §9-506(a); CR, §9-503(a); CR, §9-501(a), CR, §9-502(a)</p>	<p>Misdemeanor</p>	<p>1st Offense – 1 year 2nd Offense – 3 years 3rd Offense – 5 years</p>
<p>Fraud, Miscellaneous Sale/transport alcohol or tobacco products. Telecom devices theft; misuse by lawyer..</p>	<p>2B, §16-506.1(b); TG, §13-1015 CR, §7-315; BO, §10-306; 606</p>	<p>Felony</p>	<p>1st Offense – 3 years 2nd Offense – 5 years 3rd Offense – 10 years</p>
<p>Fraud, Miscellaneous Prescriptions, receipts, cable TV, misrepresentation; false advertising; manufacturing drugs; home improvements; tobacco products.;</p> <p>Telecom devices and telecom theft.</p>	<p>CR, §8-610(a), (b); CR, §7-116(b); CR, §7-303(c); BO, §10-602; CL, §14-2902(a); CR, §8-802(b); BR, §8- 601; TG, §13-1014(a)(3) CR, §7-315</p>	<p>Misdemeanor</p>	<p>1st Offense – 1 year 2nd Offense – 3 years 3rd Offense – 5 years</p>
<p>Gambling—General Rent/keep gaming tables, slot machines or place; fix horse racing; betting horses, etc.; off shore gambling.</p>	<p>CR, §12-104(a); CR, §12-109(a); CR, §12-102(a); BR, § 11-1002; CR, §12-103(a); CR, §12-105(b); CR, §12-302(a)</p>	<p>Misdemeanor</p>	<p>1st Offense – 1 year 2nd Offense – 3 years 3rd Offense – 5 years</p>
<p>Handguns—In General Use in commission of felony or crime of violence.</p>	<p>CR, §4-204(b)(1), (2)</p>	<p>Misdemeanor</p>	<p>Indefinite</p>
<p>Handguns—In General Wearing/carrying/sale/possession/ etc.</p> <p>Obliterating, etc., identification. Fail to return handgun permit. Firearm demonstration public place.</p>	<p>CR, §4-203(c)(3)(i)1;2 CR, CR, §4- 203(c)(4)(i)2A;B; §445(b), (d) 27, §446; 27, §481C(b); 27, §442C(c) CR, §4-203(a); CR, 203(c)(2)(ii);CR, §4-207(a)</p> <p>27, §444 27, §36E(f) CR, §4-208(b)</p>	<p>Misdemeanor</p>	<p>1st Offense – 5 years 2nd Offense – Indefinite</p>
<p>Harboring, Escape, and Contraband Deliver, possess, conceal, receive weapon; effect an escape; escape. Escape, 1st degree.</p>	<p>CR, §9-414(a); CR, §9-413(a); CR, §9-404(a)</p>	<p>Felony</p>	<p>1st Offense – 5 years 2nd Offense – 10 years 3rd Offense – Indefinite</p>

FOR GUIDANCE AND INTERNAL USE BY PSC TRANSPORTATION DIVISION

Harboring, Escape, and Contraband Escape, 2 nd degree; resist arrest; delivery; possession, intent to deliver to person in confinement; harbor felon/fugitive/ prison escapee; violate Home Detention Program.	CR, §9-405(a);Common law; CR, §9-412(a); CR, §9-415(b) ; CR, §9-416(a) ; CR, §9-402 ; CR, §9-403(a) CS, §3-409	Misdemeanor	1 st Offense –1 year 2 nd Offense – 3 years 3 rd Offense – 5 years
Hate Crimes Against property, etc. because of race/ religious belief – resulting in death.	CR, §10-305(1)(ii)	Felony	Indefinite
Hate Crimes Against property, etc., because of race/religious belief-involving felony or misdemeanor.	CR, §10-305(1)(i); CR, §10-305(2)	Misdemeanor	1 st Offense - 5 years 2 nd Offense – 10 years 3 rd Offense - Indefinite
Identity Fraud Possess, obtain, manufacture, distribute, or dispense personally identifying information.	CR, §8-301(d)(1) CR, §8-301(d)(3)	Felony	1 st Offense –10 years 2 nd Offense – Indefinite
Identity Fraud Possess, obtain, sell, etc. personally identifying information or false ID.	CR, §8-301(d)(2) CR, §8-302(b)	Misdemeanor	1 st Offense –1 year 2 nd Offense – 3 years 3 rd Offense – 5 years
Influencing or Intimidating Judicial Process Failure to appear.	27, §12B	Felony	1 st Offense –1 year 2 nd Offense – 3 years 3 rd Offense – 5 years
Influencing or Intimidating Judicial Process Induce false testimony; Intimidate or corrupt jurors; obstructing justice; retaliation for testimony; contempt, criminal; failure to appear.	CR, §9-302(a); CR, §9-305(a); Common law; CR, §9-306(a);CR, §9-303(a); 27, §12B	Misdemeanor	1 st Offense –1 year 2 nd Offense – 3 years 3 rd Offense – 5 years
Interference with or Misuse of Government Operations- Misconduct in office; false alarms or interference with police officer or emergency services personnel.	Common law; CR, §9-604(a); 27, §11D	Misdemeanor	1 st Offense –1 year 2 nd Offense – 3 years 3 rd Offense – 5 years
Kidnapping and Related Crimes Kidnapping; kidnapping child younger than 16 years old. False imprisonment by inmate. Abduction – child younger than 12 years old; child younger than 16 years old by relative outside State 30 days or less; child younger than 16 years old outside of State more than 30 days; international parental kidnapping.	CR, §3-503(a)(1), (2); CR, §3-502(a) CS, §8-801(b); FL, §9-305(a), (b); FL, § 9-307(b), (c);(d)	Felony	Indefinite
Kidnapping and Related Crimes False imprisonment; child younger than 16 years old by relative in State.	Common law; FL, §§9-304, 9-307(a)	Misdemeanor	1 st Offense – 10 years 2 nd Offense – 15 years 3 rd Offense - Indefinite
Lotteries Subsequent; importing/possession of ticket/records/money; keeping places for selling; owner permitting use of house for; sale/drawings; devices to evade proscription.	CR, §12-210; CR, §12-203(a); CR, §12-205(b); CR, §12-204(a)	Misdemeanor	1 st Offense –1 year 2 nd Offense – 3 years 3 rd Offense – 5 years
Machine Guns Possession or use.	CR, §4-404(a)	Felony	Indefinite

FOR GUIDANCE AND INTERNAL USE BY PSC TRANSPORTATION DIVISION

Machine Guns Use for aggressive purpose.	CR, §4-405(6)	Misdemeanor	1 st Offense – 10 years 2 nd Offense – Indefinite
Malicious Destruction and Related Crimes Throw objects into occupied vehicles; destruction of property; removing serial numbers.	CR, §6-302(a); CR, §6-301(b), (c); CR, §6-306(a)	Misdemeanor	1 st Offense – 1 year 2 nd Offense – 3 years 3 rd Offense – 5 years
Manslaughter and Related Crimes By automobile, vessel, etc.; involuntary; homicide by motor vehicle or vessel while under the influence or impaired.	CR, §2-209(b); Common law; CR, §2-207; CR, §2-503(a); CR, §2- 505(a)	Felony	Indefinite
Murder 1 st degree generally; perpetration of arson; burning barn, tobacco warehouse; attempted ; solicitation. 2 nd degree; attempted.	Common law; CR, §2-201(a) ; CR, §2-205 Common law; CR, §2-204(a); CR, §2-206	Felony	Indefinite
Nudity and Related Sexual Displays Indecent exposure Indecent exposure of an inmate to a correctional officer.	Common law; CR, §11-107 CS, § 8-803	Misdemeanor	1 st Offense – 5 years 2 nd Offense – 10 years 3 rd Offense – Indefinite
Obscene Matter Child pornography 1 st offense; subsequent.	CR, §11-207(b)(1)(2)	Felony	Indefinite
Obscene Matter Sale, distribution, visual representation, performance, advertising.	CR, §11-202(b)(2); CR, §11- 204(c)(2); Criminal Law; 11- 203(d)(2); CR, §11-208(b)(2); CR, §11-206(b)(2); CR, §11-209(a); CR, §11-202(b)(1); CR, §11-204(c)(1); CR, §11-202(d)(1); CR, §11- 208(b)(1); CR, §11-206(b)(1); CR, §11-205(b)(1), (2)	Misdemeanor	1 st Offense – 5 years 2 nd Offense – 10 years 3 rd Offense - Indefinite
Perjury False income tax returns.	TG, §13-1002(b)	Felony	1 st Offense – 5 years 2 nd Offense – 10 years 3 rd Offense – Indefinite
Perjury Subornation; perjury; two contradictory statements.	CR, §9-102(a); CR, §9-101(a) ; CR, §9-101(c)	Misdemeanor	1 st Offense – 3 years 2 nd Offense – 5 years 3 rd Offense – 10 years
Prescription Drugs and Other Substances Obtain, possess, distribute, sell; inhale harmful substance.	CR, §5-709; CR, §5-708(b); CR, §5- 702; CR, §5-701(d)	Misdemeanor	1 st Offense – 3 years 2 nd Offense – 5 years 3 rd Offense – 10 years
Prostitution and Related Crimes Abduction – individual younger than 16 years old.	CR, §11-305(a)	Misdemeanor	Indefinite

FOR GUIDANCE AND INTERNAL USE BY PSC TRANSPORTATION DIVISION

<p>Prostitution and Related Crimes Receive money for; solicitation; detain another for.</p>	<p>CR, §11-304(a); CR, §11-306(a); CR, §11-303(a)</p>	<p>Misdemeanor</p>	<p>1st Offense – 5 years 2nd Offense – 10 years 3rd Offense – Indefinite</p>
<p>Public Fraud Perjury; use of facsimile seal or signature; violation of Architectural and Engineering subtitle; procurement contract; Minority Business Participation; State Health Plan.</p>	<p>CR, §8-504(b); SF, §2-305(b); SF, §13-322; SF, §11-205.1(c); SF, §14-308(a)(2); CR, §8-509 CR, §8-511; CR, §8-512; CR, §8-513; CR, §8-514; CR, §8-515</p>	<p>Felony</p>	<p>Indefinite</p>
<p>Public Fraud Public Assistance, except Medicaid; obtain Public Defender; housing assistance; Food Stamps.</p>	<p>CR, §8-503(b); CR, §8-521(b); CR, §8-523(b); 88A, §89(c)(2)</p>	<p>Misdemeanor</p>	<p>1st Offense – 1 year 2nd Offense – 3 years 3rd Offense – 5 years</p>
<p>Public Health and Safety, Crimes Against Endangering others; hazardous substances.</p>	<p>EN, §7-265 (d); EN, §7-265 (a) (1), (2), (3), (4)</p>	<p>Felony</p>	<p>1st Offense – 5 years 2nd Offense – 10 years 3rd Offense – Indefinite</p>
<p>Public Health and Safety, Crimes Against Litter greater than 100 lbs or 27 cubic feet; hazardous substance; pollutants in state waters.</p>	<p>CR, §10-110(f)(2)(ii), (iii); EN, §7-265(b) EN §9-322; EN §9-343(b)</p>	<p>Misdemeanor</p>	<p>1st Offense – 1 year 2nd Offense – 3 years 3rd Offense – 5 years</p>
<p>Railroads, Crimes Involving Obstruct or damage with intent to throw railroad vehicle from tracks.</p>	<p>CR, §6-502(b)</p>	<p>Felony</p>	<p>1st Offense – 3 years 2nd Offense – 5 years 3rd Offense – 10 years</p>
<p>Railroads, Crimes Involving Shoot or throw at railroad vehicle.</p>	<p>CR, §6-505(b)</p>	<p>Misdemeanor</p>	<p>1st Offense – 1 year 2nd Offense – 3 years 3rd Offense – 5 years</p>
<p>Robbery Carjacking – armed; unarmed. With weapon, by force/violence or threat of force/violence. By force/violence or threat of force/violence.</p>	<p>CR, §3-405(b), (c) CR, §3-403(a) CR, §3-402(a)</p>	<p>Felony</p>	<p>Indefinite</p>
<p>Sabotage and Related Crimes Defense related – defective workmanship. Defense related – injury or interference with property.</p>	<p>CR, §9-702(a) CR, §9-703(a)</p>	<p>Felony</p>	<p>1st Offense – 10 years 2nd Offense – 15 years 3rd Offense – Indefinite</p>
<p>Sexual Crimes Rape; sexual offense; incest; sodomy.</p>	<p>CR, §3-303(a) ; CR, §3-303(b)(2) CR, §3-304(a); CR, §3-305(a); CR, §3-309(a); CR, §3-310(a); CR, §3-311(a); CR, §3-305(b)(2); CR, §3-312(a); CR, §3-306(a); CR, §3-307(a) Common law; CR, §3-321(a); CR, §3-319(a); CR, §3-314(a)</p>	<p>Felony</p>	<p>Indefinite</p>

FOR GUIDANCE AND INTERNAL USE BY PSC TRANSPORTATION DIVISION

<p>Sexual Crimes Sexual acts committed by Correctional Employee; solicitation for 3rd degree sex offense; sex offender – fail to register; perverted sex practices; sex offense, 4th degree; administered CDS before committing sex offense.</p>	<p>CR, §3-313(b) ; Common law; 27, §792(l); CR, §3-320(a); CR, §3-308(a); CR, §5-624(b)</p>	<p>Misdemeanor</p>	<p>1st Offense -5 years 2nd Offense – Indefinite</p>
<p>Stalking and Harassment Stalking .</p>	<p>CR, §3-802(b)</p>	<p>Misdemeanor</p>	<p>1st Offense –3 years 2nd Offense – 5 years 3rd Offense – 10 years</p>
<p>Telecommunications and Electronics, Crimes Involving Access a computer, etc. to cause malfunction; possess a valid access code greater than \$10,000.</p>	<p>CR, §7-302(d)(2)(i)</p>	<p>Felony</p>	<p>1st Offense -5 years 2nd Offense – 10 years 3rd Offense – Indefinite</p>
<p>Theft, Crimes Involving Greater than \$500; taking motor vehicle; obtain property of vulnerable adult by deception.</p>	<p>CR, §7-104; CR, §7-105(b); CR, §8-801(b)</p>	<p>Felony</p>	<p>1st Offense –10 years 2nd Offense – 15 years 3rd Offense - Indefinite</p>
<p>Theft, Crimes Involving Misuse of funds by fiduciaries/officer collecting revenue due State or County Misdemeanor theft, less than \$500. Obtain property of vulnerable adult by deception, intimidation, undue influence, less than \$500.</p>	<p>CR, §7-113(a); CR, §7-114(b) CR, §7-104 CR, §8-801(b)</p>	<p>Misdemeanor</p>	<p>1st Offense –1 year 2nd Offense – 3 years 3rd Offense – 5 years</p>
<p>Trespass On posted property; on railroad property.</p>	<p>CR, §6-402(a);CR, §6-503</p>	<p>Misdemeanor</p>	<p>1 year</p>
<p>Weapons Crimes—In General Use of, etc. of in a drug offense, 1st offense; possession of a firearm after having been convicted of violence or certain drug crimes; possession of firearms.</p>	<p>CR, §5-621(b);CR, §5-621(d); CR, §4-103(b); 27, §449(e); CR, §5-622(b)</p>	<p>Felony</p>	<p>Indefinite</p>
<p>Weapon Crimes—In General Sale; purchase; possession; wearing; carrying .</p>	<p>27, §449(d) ; 27, §442(b); CR, §4-106(b); 27, §442A; 27, §445(e); 27, §449(b); 27, §443; 27, §481D; 27, §442(c), (d), (j); CR, §4-102(b); CR, §4-101(c); CR, §4-105(a); 27, §445(c)</p>	<p>Misdemeanor</p>	<p>1st Offense – 5 years 2nd Offense – Indefinite</p>
<p>Unlawful Use of Goods Livestock, vehicle, etc.</p>	<p>CR, §7-203(a); CR, §7-205(a)</p>	<p>Misdemeanor</p>	<p>1st Offense –1 year 2nd Offense – 3 years 3rd Offense – 5 years</p>
<p>Accessory after the Fact Accessory after the fact to a felony.</p>	<p>CR, §1-301</p>	<p>Felony</p>	<p>1st Offense –1 year 2nd Offense – 3 years 3rd Offense – 5 years</p>

FOR GUIDANCE AND INTERNAL USE BY PSC TRANSPORTATION DIVISION

Information about an applicant or the circumstances of a crime may lessen the period of restriction. The Transportation Division may consider the following factors in mitigation:

1. The applicant's age at the time of commission of any crime;
2. The circumstances surrounding the crime;
3. The time which may have elapsed since a conviction;
4. The nature of the crime;
5. No or insignificant prior record
6. Documented character references;
7. Documented rehabilitation records;
8. Favorable parole/probation records;
9. Documentation of favorable employment records;
10. Family situation;
11. Restitution;
12. Exemplary conduct since conviction; and
13. Truthfulness in disclosing criminal record.