

TITLE 2: NATURAL RESOURCES
DIVISION 2: PORTS

§ 2145. Rules and Regulations: Penalties.

Any person who violates any provisions of this chapter, or any valid rule or regulation promulgated thereunder, or who refuses or neglects to comply with any lawful order given by the executive director or his delegate concerning the operation of the ports under the control of the authority, is punishable by a fine not to exceed \$1,000, or by imprisonment not to exceed three months, or both.

(a) Any person who violates any provision of this chapter, or any rule, regulation, or order issued thereunder, or any term, condition, or limitation of any permit, certificate, or operating authority issued by the authority shall be subject to a civil penalty not to exceed \$1,000 for each violation. If the violation is a continuing one, each day the violation continues is a separate offense.

(b) Any civil penalty may be compromised by the executive director, with the concurrence of the board. The amount of the penalty when finally determined or agreed upon may be deducted from any sums owed by the authority to the person or persons charged.

(c) If an aircraft or seacraft is involved in a violation and the violation is by the owner or person in command of the aircraft or seacraft, then liability for the penalty shall devolve upon the person who has assumed responsibility for the aircraft or seacraft while it is at any port operated by the authority.

(d) Any person assessed a civil penalty may contest it. If, for any reason, the person assessed fails to pay upon demand of the executive director, the civil penalty may be collected by the authority through proceedings against the person in the courts in the Commonwealth brought by the Attorney General, or the attorney for the authority if delegated by the Attorney General.

Source: PL 2-48, § 16.