

Chapter 434

(House Bill 1334)

AN ACT concerning

Life-Threatening Injury by Motor Vehicle or Vessel While Impaired by a Controlled Dangerous Substance – Penalty

(Ava's Law)

FOR the purpose of altering the penalty for causing life-threatening injury as a result of negligently driving, operating, or controlling a motor vehicle or vessel while impaired by a controlled dangerous substance; and generally relating to controlled dangerous substance offenses.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 3–211(f)

Annotated Code of Maryland

(2002 Volume and 2011 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Criminal Law

3–211.

(f) (1) This subsection does not apply to a person who is entitled to use the controlled dangerous substance under the laws of the State.

(2) A person may not cause a life-threatening injury to another as a result of the person's negligently driving, operating, or controlling a motor vehicle or vessel while the person is impaired by a controlled dangerous substance as defined in § 5–101 of this article.

(3) A violation of this subsection is life-threatening injury by motor vehicle or vessel while impaired by a controlled dangerous substance.

(4) A person who violates this subsection is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding [2] **3** years or a fine not exceeding [\$3,000] **\$5,000** or both.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2012.

Approved by the Governor, May 2, 2012.