

# HOUSE BILL 688

E1  
HB 324/08 – JUD

3lr1758

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By: **Delegates Stukes, Boteler, Mitchell, Oaks, B. Robinson, and Walker**  
Introduced and read first time: February 4, 2013  
Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Assault Against a Transit Vehicle Operator**

3 FOR the purpose of establishing the crime of assault against a person operating a  
4 certain transit vehicle as the felony of assault in the second degree; prohibiting  
5 a person from intentionally causing physical injury to another if the other is  
6 operating a certain transit vehicle; defining a certain term; and generally  
7 relating to assault against a person operating a transit vehicle.

8 BY repealing and reenacting, without amendments,  
9 Article – Criminal Law  
10 Section 3–201(a)  
11 Annotated Code of Maryland  
12 (2012 Replacement Volume and 2012 Supplement)

13 BY adding to  
14 Article – Criminal Law  
15 Section 3–201(e)  
16 Annotated Code of Maryland  
17 (2012 Replacement Volume and 2012 Supplement)

18 BY repealing and reenacting, with amendments,  
19 Article – Criminal Law  
20 Section 3–203  
21 Annotated Code of Maryland  
22 (2012 Replacement Volume and 2012 Supplement)

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

25 **Article – Criminal Law**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from existing law.



1 3-201.

2 (a) In this subtitle the following words have the meanings indicated.

3 (E) **“TRANSIT VEHICLE” HAS THE MEANING STATED IN § 7-101 OF THE**  
4 **TRANSPORTATION ARTICLE.**

5 3-203.

6 (a) A person may not commit an assault.

7 (b) Except as provided in subsection (c) of this section, a person who violates  
8 subsection (a) of this section is guilty of the misdemeanor of assault in the second  
9 degree and on conviction is subject to imprisonment not exceeding 10 years or a fine  
10 not exceeding \$2,500 or both.

11 (c) (1) In this subsection, “physical injury” means any impairment of  
12 physical condition, excluding minor injuries.

13 (2) (I) A person may not intentionally cause physical injury to  
14 another if the person knows or has reason to know that the other is:

15 [(i)] 1. a law enforcement officer engaged in the performance  
16 of the officer’s official duties; or

17 [(ii)] 2. a parole or probation agent engaged in the  
18 performance of the agent’s official duties.

19 (II) **A PERSON MAY NOT INTENTIONALLY CAUSE PHYSICAL**  
20 **INJURY TO ANOTHER IF THE OTHER IS OPERATING A TRANSIT VEHICLE.**

21 (3) A person who violates paragraph (2) of this subsection is guilty of  
22 the felony of assault in the second degree and on conviction is subject to imprisonment  
23 not exceeding 10 years or a fine not exceeding \$5,000 or both.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 October 1, 2013.