

SENATE BILL 273

R5

0lr0847

By: **Senators Brochin, Mooney, and Stone**
Introduced and read first time: January 22, 2010
Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Leaving the Scene of an Accident Resulting in Death –**
3 **Penalty**

4 FOR the purpose of increasing the maximum term of imprisonment for a person who
5 was involved in a vehicular accident that resulted in the death of another
6 person if the person left the scene of the accident in violation of a certain
7 provision of law and knew or should have known that the accident might result
8 in the death of another person; and generally relating to the penalty for leaving
9 the scene of an accident resulting in the death of another person.

10 BY repealing and reenacting, without amendments,
11 Article – Transportation
12 Section 20–102
13 Annotated Code of Maryland
14 (2009 Replacement Volume and 2009 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – Transportation
17 Section 27–113
18 Annotated Code of Maryland
19 (2009 Replacement Volume and 2009 Supplement)

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

22 **Article – Transportation**

23 20–102.

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



1 (a) (1) The driver of each vehicle involved in an accident that results in
2 bodily injury to another person immediately shall stop the vehicle as close as possible
3 to the scene of the accident, without obstructing traffic more than necessary.

4 (2) The driver of each vehicle involved in an accident that results in
5 bodily injury to another person immediately shall return to and remain at the scene of
6 the accident until the driver has complied with § 20–104 of this title.

7 (b) (1) The driver of each vehicle involved in an accident that results in
8 the death of another person immediately shall stop the vehicle as close as possible to
9 the scene of the accident, without obstructing traffic more than necessary.

10 (2) The driver of each vehicle involved in an accident that results in
11 the death of another person immediately shall return to and remain at the scene of the
12 accident until the driver has complied with § 20–104 of this title.

13 27–113.

14 (a) In this section, “serious bodily injury” means an injury that:

15 (1) Creates a substantial risk of death;

16 (2) Causes serious permanent or serious protracted disfigurement;

17 (3) Causes serious permanent or serious protracted loss of the function
18 of any body part, organ, or mental faculty; or

19 (4) Causes serious permanent or serious protracted impairment of the
20 function of any bodily member or organ.

21 (b) A person who violates § 20–102 of this article (“Driver to remain at scene
22 — Accident resulting in bodily injury or death”) and who knew or reasonably should
23 have known that the accident might result in serious bodily injury to another person
24 and serious bodily injury actually occurred to another person, is guilty of a felony and
25 on conviction is subject to imprisonment for not more than 5 years or a fine of not more
26 than \$5,000 or both.

27 (c) A person who violates § 20–102 of this article (“Driver to remain at scene
28 — Accident resulting in bodily injury or death”) and who knew or reasonably should
29 have known that the accident might result in the death of another person and death
30 actually occurred to another person, is guilty of a felony and on conviction is subject to
31 imprisonment for not more than [10] **20** years or a fine of not more than \$10,000 or
32 both.

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
34 October 1, 2010.