
By: **Delegates M. Burns, Perry, Love, Conroy, Cadden, Schade, Menes,
O'Donnell, Bissett, Rzepkowski, Jacobs, Leopold, Petzold, Pitkin, and
Comeau**

Introduced and read first time: February 9, 1998
Assigned to: Judiciary

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 25, 1998

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws - Accident Resulting in Bodily Injury or Death - Penalties and**
3 **Limitations**

4 FOR the purpose of ~~increasing~~ altering the penalties that may be imposed ~~for a first~~
5 ~~or second violation~~ under certain circumstances for certain violations of the
6 requirements that a driver of a vehicle involved in an accident that results in
7 bodily injury or death stop at the scene of the accident under certain
8 circumstances, or return to and remain at the scene of the accident under
9 certain circumstances; ~~increasing the penalties that may be imposed for~~
10 ~~violations of the requirements that a driver of a vehicle involved in an accident~~
11 ~~that results in death stop at the scene of the accident under certain~~
12 ~~circumstances, or return to and remain at the scene of the accident under~~
13 ~~certain circumstances~~; altering the period of limitation for prosecution of certain
14 offenses concerning accidents that result in bodily injury or death; clarifying
15 language; and generally relating to the criminal offenses of the failure of a
16 driver involved in an accident that results in bodily injury or death to stop at the
17 scene of the accident under certain circumstances, or return to and remain at
18 the scene of the accident under certain circumstances.

19 BY repealing and reenacting, with amendments,
20 Article - Transportation
21 Section 20-102, ~~20-104(d)~~, and 27-101(o)
22 Annotated Code of Maryland
23 (1992 Replacement Volume and 1997 Supplement)

24 ~~BY adding to~~

1 ~~Article - Transportation~~
 2 ~~Section 20-102.1~~
 3 ~~Annotated Code of Maryland~~
 4 ~~(1992 Replacement Volume and 1997 Supplement)~~

5 BY repealing and reenacting, without amendments,

6 Article - Transportation
 7 Section 20-104(d)
 8 Annotated Code of Maryland
 9 (1992 Replacement Volume and 1997 Supplement)

10 BY repealing and reenacting, with amendments,

11 Article - Courts and Judicial Proceedings
 12 Section 5-106(p)
 13 Annotated Code of Maryland
 14 (1995 Replacement Volume and 1997 Supplement)

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

17 **Article - Transportation**

18 20-102.

19 (a) The driver of each vehicle involved in an accident that results in bodily
 20 injury to ~~for death of~~ ~~any~~ ANOTHER person immediately shall stop the vehicle as
 21 close as possible to the scene of the accident, without obstructing traffic more than
 22 necessary.

23 (b) The driver of each vehicle involved in an accident that results in bodily
 24 injury to ~~for death of~~ ~~any~~ ANOTHER person immediately shall return to and remain
 25 at the scene of the accident until [he] THE DRIVER has complied with § 20-104 of this
 26 title.

27 ~~20-102.1.~~

28 ~~(A) THE DRIVER OF EACH VEHICLE INVOLVED IN AN ACCIDENT THAT~~
 29 ~~RESULTS IN THE DEATH OF ANY PERSON IMMEDIATELY SHALL STOP THE VEHICLE~~
 30 ~~AS CLOSE AS POSSIBLE TO THE SCENE OF THE ACCIDENT, WITHOUT OBSTRUCTING~~
 31 ~~TRAFFIC MORE THAN NECESSARY.~~

32 ~~(B) THE DRIVER OF EACH VEHICLE INVOLVED IN AN ACCIDENT THAT~~
 33 ~~RESULTS IN THE DEATH OF ANY PERSON IMMEDIATELY SHALL RETURN TO AND~~
 34 ~~REMAIN AT THE SCENE OF THE ACCIDENT UNTIL THE DRIVER HAS COMPLIED WITH~~
 35 ~~§ 20-104 OF THIS TITLE.~~

1 20-104.

2 (d) If a police officer is not present and none of the specified persons is in
3 condition to receive the information to which the person otherwise would be entitled
4 under this section, the driver, after fulfilling to the extent possible every other
5 requirement of § 20-102 ~~OR § 20-102.1~~ of this title and subsection (a) of this section,
6 immediately shall report the accident to the nearest office of an authorized police
7 authority and give the information specified in subsection (b) of this section.

8 27-101.

9 (o) (1) Any person who is convicted of a violation of § 20-102 of this article
10 ("Driver to remain at scene -- ~~{Accidents}~~ ~~ACCIDENT~~ resulting in bodily injury ~~{or~~
11 death") is subject to[:

12 (1) For a first offense, a fine of not more than \$1,000 or imprisonment for
13 not more than 1 year or both;

14 (2) For a second offense, a fine of not more than \$2,000 or imprisonment
15 for not more than 2 years or both; and

16 (3) For a third or subsequent offense, IF THE ACCIDENT RESULTED IN
17 BODILY INJURY TO ANOTHER PERSON, a fine of not more than \$3,000 or
18 imprisonment for not more than ~~3-years~~ 1 YEAR or both.

19 (2) ANY PERSON WHO IS CONVICTED OF A VIOLATION OF ~~§ 20-102.1~~ §
20 20-102 OF THIS ARTICLE ("DRIVER TO REMAIN AT SCENE - ~~ACCIDENT~~ ACCIDENTS
21 RESULTING IN BODILY INJURY OR DEATH") IS SUBJECT TO, IF THE ACCIDENT
22 RESULTED IN THE DEATH OF ANOTHER PERSON, A FINE OF NOT MORE THAN \$5,000
23 OR IMPRISONMENT FOR NOT MORE THAN 5 YEARS OR BOTH.

24 **Article - Courts and Judicial Proceedings**

25 5-106.

26 (p) A prosecution for an offense under Article 27, § 388 or § 388A of the Code
27 ~~OR § 20-102.1~~ § 20-102 OF THE TRANSPORTATION ARTICLE shall be instituted within 3
28 years after the offense was committed.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 October 1, 1998.

