

SENATE BILL 499

E4

8lr1082

By: **Senators Simonaire, Brochin, Cassilly, Hough, Muse, Norman, Ready, and Smith**

Introduced and read first time: January 29, 2018

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 16, 2018

CHAPTER _____

1 AN ACT concerning

2 **Public Safety – Hit and Run Suspects – Yellow Alert Program**

3 FOR the purpose of ~~requiring the Department of State Police to provide certain annual~~
4 ~~training to State and local law enforcement agencies in certain fiscal years; requiring~~
5 ~~the Department to provide certain assistance to State law enforcement agencies;~~
6 requiring the Department to recruit certain persons on an ongoing basis to assist in
7 updating and improving the Yellow Alert Program; correcting a cross-reference;
8 altering a certain definition; making a technical change; and generally relating to
9 the Yellow Alert Program.

10 BY repealing and reenacting, with amendments,
11 Article – Public Safety
12 Section 3–606
13 Annotated Code of Maryland
14 (2011 Replacement Volume and 2017 Supplement)

15 BY repealing and reenacting, without amendments,
16 Article – Transportation
17 Section 20–102
18 Annotated Code of Maryland
19 (2012 Replacement Volume and 2017 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



Article – Public Safety

3–606.

(a) (1) In this section the following words have the meanings indicated.

(2) “Law enforcement agency” means a State, county, or municipal police department or agency, or a sheriff’s department.

(3) “Missing suspect” means an individual:

(i) whose whereabouts are unknown;

(ii) who is suspected of violating [§ 27–113] § 20–102 of the Transportation Article; and

(iii) whose vehicle the reporting law enforcement agency is able to describe[, including any information about the vehicle’s registration plate].

(b) (1) The Department of State Police shall establish a Yellow Alert Program to provide a system for rapid dissemination of information to assist in locating and apprehending a missing suspect.

(2) The Department of State Police shall:

(i) adopt guidelines and develop procedures for issuing a Yellow Alert for a missing suspect;

(ii) ~~IN FISCAL YEARS 2020, 2021, AND 2022,~~ provide ~~ANNUAL~~ training to ~~STATE AND~~ local law enforcement agencies on the guidelines and procedures to be used to make and handle a report of a missing suspect;

(iii) provide assistance to ~~the~~ ~~STATE AND~~ local law enforcement ~~agency~~ ~~AGENCIES~~, as necessary, to assist in the location and apprehension of a missing suspect;

(iv) recruit public and commercial television and radio broadcasters, local volunteer groups, **SOCIAL MEDIA EXPERTS**, and other members of the public **ON AN ONGOING BASIS** to assist in [developing and implementing a] **UPDATING AND IMPROVING THE** Yellow Alert **PROGRAM**; and

(v) consult with the State Highway Administration to establish a plan for providing information relating to a Yellow Alert to the public through the dynamic message sign system located across the State.

1 (c) A law enforcement officer or agency that apprehends a missing suspect who is
2 the subject of a Yellow Alert immediately shall notify the Department of State Police and
3 the law enforcement agency that filed the report resulting in the Yellow Alert that the
4 missing suspect has been apprehended.

5 Article – Transportation

6 20–102.

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

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

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

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

19 (c) (1) In this subsection, “serious bodily injury” means an injury that:

20 (i) Creates a substantial risk of death;

21 (ii) Causes serious permanent or serious protracted disfigurement;

22 (iii) Causes serious permanent or serious protracted loss of the
23 function of any body part, organ, or mental faculty; or

24 (iv) Causes serious permanent or serious protracted impairment of
25 the function of any body part or organ.

26 (2) (i) Except as provided in paragraph (3) of this subsection, a person
27 convicted of a violation of subsection (a) of this section is subject to imprisonment not
28 exceeding 1 year or a fine not exceeding \$3,000 or both.

29 (ii) Except as provided in paragraph (3) of this subsection, a person
30 convicted of a violation of subsection (b) of this section is subject to imprisonment not
31 exceeding 5 years or a fine not exceeding \$5,000 or both.

32 (3) (i) A person who violates this section and who knew or reasonably
33 should have known that the accident might result in serious bodily injury to another person

1 and serious bodily injury actually occurred to another person, is guilty of a felony and on
2 conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding \$5,000
3 or both.

4 (ii) A person who violates this section and who knew or reasonably
5 should have known that the accident might result in the death of another person and death
6 actually occurred to another person, is guilty of a felony and on conviction is subject to
7 imprisonment not exceeding 10 years or a fine not exceeding \$10,000 or both.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2018.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.