

MARY BETH CAROZZA
Legislative District 38
Somerset, Wicomico,
and Worcester Counties

Education, Health, and Environmental Affairs
Committee



Annapolis Office
James Senate Office Building
11 Bladen Street, Room 314
Annapolis, Maryland 21401
410-841-3645 · 301-858-3645
800-492-7122 Ext. 3645
Fax 410-841-3006 · 301-858-3006
MaryBeth.Carozza@senate.state.md.us

THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

SENATE BILL 29: LIFE-THREATENING INJURIES INVOLVING A MOTOR VEHICLE OR
VESSEL CRIMINAL NEGLIGENCE (**WADE'S LAW**)

TESTIMONY BY BILL SPONSOR – SENATOR MARY BETH CAROZZA
JANUARY 14, 2020

Thank you, Chairman Smith and Vice Chairman Waldstreicher and members of the Senate Judicial Proceedings Committee for this opportunity to respectfully urge you to give favorable consideration again to Senate Bill 29, Wade's Law, which simply provides a more just penalty to those convicted of criminally-negligent driving causing life-threatening injuries by a vehicle or a vessel.

I thank the Committee for its favorable report of this same bill (SB 248) last year which passed the Senate by a unanimous vote. As time ran short before its passage in the House of Delegates last session, we are grateful for early consideration this session and remain completely committed to seeing Wade's Law all the way through to final passage.

Once again, my constituent, Wade Pusey has made the effort to travel to Annapolis from Worcester County to share his story with you and is joined this year by another victim, Je'ani Lyles, who suffered both life-threatening and life-sustaining injuries due to a horrific crash in Harford County caused by a criminally-negligent driver.

On February 22, 2016, Worcester County road workers Wade Pusey and Scott Tatterson simply were doing their job along the highway when they were struck by a criminally negligent driver. The violent crash killed Mr. Tatterson and Wade was flown to Maryland Shock Trauma with several life-threatening injuries, some of which he continues to live with today. Wade's story was brought to my attention by the Worcester County State's Attorney's office after it became clear that the only offense that the driver could be charged with causing the life-threatening injury was a motor vehicle citation carrying a maximum penalty of \$500. That's an unjust penalty.

Current law provides that manslaughter by vehicle through criminal negligence is a misdemeanor and subject to a maximum three-year imprisonment and/or a \$5,000 fine. Yet if

the victim is maimed, paralyzed or suffers from other life-threatening injuries, the at-fault driver only faces a fine and no jail time. SB 29 provides a just penalty by allowing a person who is guilty of criminally negligent driving causing a life-threatening injury to be imprisoned up to 18 months or be fined up to \$5,000 or both.

The sense of urgency to pass this legislation this session is heightened by the devastating and extremely painful crash that Je'ani lived through on June 18, 2018. David Daggett with the Maryland State's Attorneys' Association will explain Je'ani's case and how Senate Bill 29 would address the gap in current law when it comes to prosecuting individuals who cause life-threatening injuries by a vehicle in a criminally-negligent manner.

I believe it is significant that SB 29 has the strong endorsement of one of the most effective community highway safety organizations CRASH – County Resident Action for Safer Highways, along with the endorsement of the Maryland Chiefs and Sheriffs Association and the Maryland State's Attorneys' Association.

As we look ahead and know there will be future victims living with life-threatening injuries caused by criminally-negligent driving, let's take action this session for final passage of Senate Bill 29 for a just penalty for those like Wade and Je'nai who have suffered enough in these violent crashes. I urge a favorable report of SB 29 and thank you for your kind consideration.