



# Montgomery County

## Office of Intergovernmental Relations

---

ROCKVILLE: 240-777-6550

ANNAPOLIS: 240-777-8270

---

HB 1186

DATE: March 4, 2020

SPONSOR: Delegate Szeliga, *et al.*

ASSIGNED TO: Judiciary

CONTACT PERSON: Sara Morningstar (Sara.Morningstar@montgomerycountymd.gov)

POSITION: SUPPORT (Montgomery County Department of Police)

---

### Reckless and Negligent Driving – Death of Another – Must-Appear Violation

House Bill 1186 seeks to strengthen Maryland's vehicle laws surrounding reckless and negligent driving that results in the death of another person. Montgomery County Department of Police supports this legislation.

Reckless driving is a crime in Maryland that is classified as a misdemeanor – subject to points and a “scheduled” fine of \$510. Negligent driving is considered a “lesser included offense” of reckless driving that is also classified as a misdemeanor and subject to points, but violators receive a lesser “scheduled” fine of \$140 or a maximum fine of \$500. The difference between the two offenses is primarily based on a driver's “wanton or willful disregard” for the safety of other persons or property. For both charges, an offender can opt to pay the fine without ever going to court.

This legislation proposes that there should be a different penalty – a stronger penalty – under State law that distinguishes between deliberate driving that damages property versus deliberate driving that contributes to a fatality of another person. For drivers whose actions have contributed to the death of another person, offenders will no longer have the option of prepaying a scheduled fine and will instead be required to appear in court to account for their actions.

Montgomery County Department of Police supports HB 1186 and urges the Committee to adopt a favorable report.