



Wes Moore, Governor
Aruna Miller, Lt. Governor
Josh Kurtz, Secretary
David Goshorn, Deputy Secretary

February 9, 2024

BILL NUMBER: Senate Bill 585 - First Reader

SHORT TITLE: Boat Accidents - Duty to Remain at the Scene, Render Assistance, and Provide Information - Penalties

DEPARTMENT'S POSITION: SUPPORT WITH AMENDMENT

EXPLANATION OF DEPARTMENT'S POSITION

The Department supports with amendment Senate Bill 585, which establishes new requirements for vessel operators to stop, provide identification, render aid, and report collisions resulting in serious bodily injury or death of a person. This bill closes gaps in current statutory language that have been identified as impediments to the successful prosecution of individuals who flee the scene of vessel collisions to avoid identification and/or prosecution for violations that may have contributed to the collision. The Department is offering amendments to further refine the obligations of a vessel operator to immediately contact law enforcement and emergency services, as well as remain on the scene until released by a law enforcement officer. The proposed amendments also clarify that a vessel operator is required to report property damage accidents including damage to navigational aid markers, lights, or identifiers to ensure that the Department has this information as we are required to report it to the United States Coast Guard.

The bill also establishes increased penalties for violation of the statute. The Department supports these penalty enhancements, as they may deter prohibited behavior and treat these violations with the same gravity as similar behavior following a motor vehicle crash under the same circumstances.

BACKGROUND INFORMATION

The penalties established in the bill are consistent with those established in Transportation Article §20-102 for motor vehicle crashes. Currently, the maximum penalty for failing to stop and render aid to the victim of a vessel accident is a \$500 fine for the first offense and a \$1000 and/or 1 year of incarceration for the second offense.

BILL EXPLANATION

Senate Bill 585 establishes new requirements for vessel operators to stop, provide identification, render aid, and report collisions resulting in serious bodily injury or death of a person. The bill also establishes increased penalties for violation of the statute.

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BY:

(To be offered in the Judicial Proceedings Committee)

AMENDMENT TO SENATE BILL 585
(First Reading File Bill)

AMENDMENT NO. 1

On page 3, in line 17, strike “AND”; and in line 19, after “damaged” insert:

“(III) MAKE EVERY REASONABLE EFFORT TO ENSURE THAT EMERGENCY MEDICAL SERVICES AND LOCAL LAW ENFORCEMENT ARE IMMEDIATELY CONTACTED FOR THE PURPOSE OF REPORTING THE ACCIDENT AND MAKING A REQUEST FOR ASSISTANCE; AND

(IV) UNLESS IT WOULD OBSTRUCT NAVIGATION OF OTHER VESSELS OR ENDANGER PERSONS OR PROPERTY, REMAIN AT THE SCENE OF THE COLLISION, ACCIDENT, OR OTHER CASUALTY UNTIL A LAW ENFORCEMENT OFFICER COMPLETES THE INVESTIGATION OR AUTHORIZES THE OPERATOR TO LEAVE”.

On page 3, in line 32, after “damage” insert “INCLUDING DAMAGE TO NAVIGATIONAL AID MARKERS, LIGHTS, OR IDENTIFIERS.”.