

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL NO. 686

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and V. Mitchell” and substitute “Hutchins, Workman, Rudolph, DeCarlo, Cadden, Proctor, E. Burns, V. Mitchell, and the Speaker (Administration)”.

AMENDMENT NO. 2

On page 1, in line 2, strike “Crimes and Offenses -” and substitute “Vehicle Laws - Reckless Homicide by Motor Vehicle - Reckless Driving or”; in the same line, strike “Homicide or Life-Threatening Injury” and substitute “Death”; and strike in their entirety lines 3 through 20, inclusive, and substitute:

“FOR the purpose of establishing the crime of reckless homicide by motor vehicle; establishing certain penalties; requiring the Motor Vehicle Administration to assess a certain number of points against the driver’s license of an individual who is convicted of reckless homicide by motor vehicle, reckless driving under circumstances in which the individual contributed to a vehicular accident in which the death of another person results, or negligent driving under circumstances in which the individual contributed to a vehicular accident in which the death of another person results; and generally relating to reckless homicide by motor vehicle and assessment of points by the Administration against the driver’s license of an individual who is convicted of certain offenses under certain circumstances.

BY repealing and reenacting, without amendments,

Article - Transportation

Section 16-208(b)(6)(ii)3.B.

Annotated Code of Maryland

(1992 Replacement Volume and 1996 Supplement)

(Over)

BY adding to

Article - Transportation
Section 16-402(a)(34) and (35) and 27-101(r)
Annotated Code of Maryland
(1992 Replacement Volume and 1996 Supplement)

BY repealing and reenacting, with amendments,

Article - Transportation
Section 21-901.1
Annotated Code of Maryland
(1992 Replacement Volume and 1996 Supplement)".

AMENDMENT NO. 3

On page 1, strike in their entirety lines 23 through 29, inclusive.

On page 2, strike in their entirety lines 1 through 30, inclusive, and substitute:

“Article - Transportation

16-208.

(b) (6) (ii) 3. Notwithstanding paragraphs (1) through (5) of this subsection, the Administration may reinstate a license or privilege to drive only if, after an investigation of an individual’s habits and driving ability, the Administration is satisfied it will be safe to reinstate the license or privilege of an individual who has been:

B. Involved in a vehicular accident resulting in the death of another person; or

16-402.

(a) After the conviction of an individual for a violation of Article 27, § 388, § 388A, or § 388B of the Code, or of the vehicle laws or regulations of this State or of any local authority, points shall be assessed against the individual as of the date of violation and as follows:

(34) RECKLESS DRIVING CONTRIBUTING TO A VEHICULAR ACCIDENT IN WHICH THE DEATH OF ANOTHER PERSON RESULTS.....12 POINTS

(35) NEGLIGENT DRIVING CONTRIBUTING TO A VEHICULAR ACCIDENT IN WHICH THE DEATH OF ANOTHER PERSON RESULTS.....12 POINTS

21-901.1.

(a) (1) A person is guilty of reckless driving if [he] THE PERSON drives a motor vehicle:

[(1)] (I) In wanton or willful disregard for the safety of persons or property; or

[(2)] (II) In a manner that indicates a wanton or willful disregard for the safety of persons or property.

(2) A PERSON IS GUILTY OF RECKLESS HOMICIDE BY MOTOR VEHICLE

IF:

(I) THE PERSON DRIVES A MOTOR VEHICLE:

1. IN WANTON OR WILLFUL DISREGARD FOR THE SAFETY OF PERSONS OR PROPERTY; OR

2. IN A MANNER THAT INDICATES A WANTON OR WILLFUL DISREGARD FOR THE SAFETY OF PERSONS OR PROPERTY; AND

(II) THE ACT RESULTS IN THE DEATH OF ANOTHER PERSON.

(b) A person is guilty of negligent driving if [he] THE PERSON drives a motor vehicle in a careless or imprudent manner that endangers any property or the life or person of any individual.

27-101.

(Over)

(R) ANY PERSON WHO IS CONVICTED OF A VIOLATION OF § 21-901.1(A)(2) OF THIS ARTICLE IS SUBJECT TO A FINE OF NOT MORE THAN \$500 OR IMPRISONMENT FOR NOT MORE THAN 2 YEARS OR BOTH.”.