
By: Delegates Doory and Owings

Introduced and read first time: January 20, 1997

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Crimes - Reckless Endangerment - Vessels**

3 FOR the purpose of providing that the crime of reckless endangerment does not apply to
4 conduct involving use of certain vessels; providing that a person who discharges a
5 firearm from certain vessels in a certain manner is guilty of reckless endangerment
6 and subject to certain penalties; and generally relating to reckless endangerment.

7 BY repealing and reenacting, with amendments,
8 Article 27 - Crimes and Punishments
9 Section 12A-2
10 Annotated Code of Maryland
11 (1996 Replacement Volume)

12 BY repealing and reenacting, without amendments,
13 Article 27 - Crimes and Punishments
14 Section 388C
15 Annotated Code of Maryland
16 (1996 Replacement Volume)

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

19 **Article 27 - Crimes and Punishments**

20 12A-2.

21 (a) (1) Any person who recklessly engages in conduct that creates a substantial
22 risk of death or serious physical injury to another person is guilty of the misdemeanor of
23 reckless endangerment and on conviction is subject to a fine of not more than \$5,000 or
24 imprisonment for not more than 5 years or both.

25 (2) Subject to the provisions of subsection (b) of this section, any person
26 who recklessly discharges a firearm from a motor vehicle OR A VESSEL, AS DEFINED IN
27 § 388C OF THIS ARTICLE, in such a manner that it creates a substantial risk of death or
28 serious physical injury to another person is guilty of the misdemeanor of reckless
29 endangerment and on conviction is subject to a fine not exceeding \$5,000 or
30 imprisonment not exceeding 5 years or both.

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1 (b) This section does not apply to any conduct involving:

2 (1) The use of a motor vehicle, as defined in § 11-135 of the Transportation
3 Article, OR A VESSEL, AS DEFINED IN § 388C OF THIS ARTICLE;

4 (2) The manufacture, production, or sale of any product or commodity;

5 (3) A law enforcement officer or security guard in the performance of the
6 officer's or security guard's official duty; or

7 (4) An individual acting in defense of a crime of violence.

8 (c) If more than one person is endangered by the conduct of the defendant, a
9 separate charge may be brought for each person endangered.

10 388C.

11 In this subheading, "vessel" means every description of watercraft, other than a
12 seaplane, used or capable of being used as a means of transportation on water or ice.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 1997.