
By: **Delegates M. Burns, Perry, Love, Conroy, Cadden, Schade, Menes,
O'Donnell, Bissett, Rzepkowski, Jacobs, Leopold, Petzold, Pitkin, and
Comeau**

Introduced and read first time: February 9, 1998
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Accident Resulting in Bodily Injury or Death - Penalties and**
3 **Limitations**

4 FOR the purpose of increasing the penalties that may be imposed for a first or second
5 violation of the requirements that a driver of a vehicle involved in an accident
6 that results in bodily injury stop at the scene of the accident under certain
7 circumstances, or return to and remain at the scene of the accident under
8 certain circumstances; increasing the penalties that may be imposed for
9 violations of the requirements that a driver of a vehicle involved in an accident
10 that results in death stop at the scene of the accident under certain
11 circumstances, or return to and remain at the scene of the accident under
12 certain circumstances; altering the period of limitation for prosecution of certain
13 offenses concerning accidents that result in death; and generally relating to the
14 criminal offenses of the failure of a driver involved in an accident that results in
15 bodily injury or death to stop at the scene of the accident under certain
16 circumstances, or return to and remain at the scene of the accident under
17 certain circumstances.

18 BY repealing and reenacting, with amendments,
19 Article - Transportation
20 Section 20-102, 20-104(d), and 27-101(o)
21 Annotated Code of Maryland
22 (1992 Replacement Volume and 1997 Supplement)

23 BY adding to
24 Article - Transportation
25 Section 20-102.1
26 Annotated Code of Maryland
27 (1992 Replacement Volume and 1997 Supplement)

28 BY repealing and reenacting, with amendments,
29 Article - Courts and Judicial Proceedings

1 Section 5-106(p)
2 Annotated Code of Maryland
3 (1995 Replacement Volume and 1997 Supplement)

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

6 **Article - Transportation**

7 20-102.

8 (a) The driver of each vehicle involved in an accident that results in bodily
9 injury to [or death of] any person immediately shall stop the vehicle as close as
10 possible to the scene of the accident, without obstructing traffic more than necessary.

11 (b) The driver of each vehicle involved in an accident that results in bodily
12 injury to [or death of] any person immediately shall return to and remain at the
13 scene of the accident until [he] THE DRIVER has complied with § 20-104 of this title.

14 20-102.1.

15 (A) THE DRIVER OF EACH VEHICLE INVOLVED IN AN ACCIDENT THAT
16 RESULTS IN THE DEATH OF ANY PERSON IMMEDIATELY SHALL STOP THE VEHICLE
17 AS CLOSE AS POSSIBLE TO THE SCENE OF THE ACCIDENT, WITHOUT OBSTRUCTING
18 TRAFFIC MORE THAN NECESSARY.

19 (B) THE DRIVER OF EACH VEHICLE INVOLVED IN AN ACCIDENT THAT
20 RESULTS IN THE DEATH OF ANY PERSON IMMEDIATELY SHALL RETURN TO AND
21 REMAIN AT THE SCENE OF THE ACCIDENT UNTIL THE DRIVER HAS COMPLIED WITH
22 § 20-104 OF THIS TITLE.

23 20-104.

24 (d) If a police officer is not present and none of the specified persons is in
25 condition to receive the information to which the person otherwise would be entitled
26 under this section, the driver, after fulfilling to the extent possible every other
27 requirement of § 20-102 OR § 20-102.1 of this title and subsection (a) of this section,
28 immediately shall report the accident to the nearest office of an authorized police
29 authority and give the information specified in subsection (b) of this section.

30 27-101.

31 (o) (1) Any person who is convicted of a violation of § 20-102 of this article
32 ("Driver to remain at scene -- [Accidents] ACCIDENT resulting in bodily injury [or
33 death]") is subject to[:

34 (1) For a first offense, a fine of not more than \$1,000 or imprisonment for
35 not more than 1 year or both;

1 (2) For a second offense, a fine of not more than \$2,000 or imprisonment
2 for not more than 2 years or both; and

3 (3) For a third or subsequent offense,] a fine of not more than \$3,000 or
4 imprisonment for not more than 3 years or both.

5 (2) ANY PERSON WHO IS CONVICTED OF A VIOLATION OF § 20-102.1 OF
6 THIS ARTICLE ("DRIVER TO REMAIN AT SCENE - ACCIDENT RESULTING IN DEATH") IS
7 SUBJECT TO A FINE OF NOT MORE THAN \$5,000 OR IMPRISONMENT FOR NOT MORE
8 THAN 5 YEARS OR BOTH.

9 **Article - Courts and Judicial Proceedings**

10 5-106.

11 (p) A prosecution for an offense under Article 27, § 388 or § 388A of the Code
12 OR § 20-102.1 OF THE TRANSPORTATION ARTICLE shall be instituted within 3 years
13 after the offense was committed.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 1998.