
By: **Delegates Menes and Vallario**

Introduced and read first time: February 5, 1999

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicles - Drunk Driving - Punitive Damages**

3 FOR the purpose of providing that a party may recover punitive damages from a
4 person who causes personal injury or wrongful death while driving or
5 attempting to drive a motor vehicle while intoxicated or intoxicated per se under
6 certain circumstances; providing for a standard of proof of clear and convincing
7 evidence for a claim of punitive damages under this Act; requiring a party who
8 seeks to recover punitive damages under this Act to plead certain facts with
9 particularity; defining certain terms; providing for the application of this Act;
10 and generally relating to punitive damages claims for personal injury or
11 wrongful death caused by a person who drives or attempts to drive a motor
12 vehicle while intoxicated.

13 BY repealing and reenacting, without amendments,
14 Article - Courts and Judicial Proceedings
15 Section 10-913(a)
16 Annotated Code of Maryland
17 (1998 Replacement Volume)

18 BY adding to
19 Article - Courts and Judicial Proceedings
20 Section 10-913.1
21 Annotated Code of Maryland
22 (1998 Replacement Volume)

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

1 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 1999.