

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL NO. 417

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “causes” in line 5 down through “property” in line 8 and substitute “while driving a motor vehicle during a single traffic incident commits at least a certain number of motor vehicle violations and causes the death of another person as a result of the person’s negligent driving of the motor vehicle”; in line 10, before “providing” insert “specifying certain violations to which the crime of homicide by aggressive driving applies;”; and in line 12, before “and” insert “defining a certain term;”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 8 through 13, inclusive, and substitute:

“(A) IN THIS SECTION, “SINGLE TRAFFIC INCIDENT” MEANS AN ACCIDENT THAT OCCURS WITHIN THE SAME COURSE OF CONDUCT AND DURING THE CONTINUOUS OPERATION OF A MOTOR VEHICLE WITHOUT INTERRUPTION.

“(B) A PERSON IS GUILTY OF HOMICIDE BY AGGRESSIVE DRIVING IF, WHILE DRIVING A MOTOR VEHICLE DURING A SINGLE TRAFFIC INCIDENT, THE PERSON:

(1) COMMITS TWO OR MORE OF THE VIOLATIONS THAT ARE SPECIFIED IN SUBSECTION (C) OF THIS SECTION; AND

(2) CAUSES THE DEATH OF ANOTHER PERSON AS A RESULT OF THE PERSON’S NEGLIGENT DRIVING OF THE MOTOR VEHICLE.

“(C) THIS SECTION APPLIES TO VIOLATIONS OF THE FOLLOWING PROVISIONS OF THE TRANSPORTATION ARTICLE:

(Over)

- (1) § 21-201 (“OBEDIENCE TO TRAFFIC CONTROL DEVICES”);
- (2) § 21-202 (“TRAFFIC LIGHTS WITH STEADY INDICATION”);
- (3) § 21-301 (“DRIVING ON THE RIGHT SIDE OF ROADWAY”);
- (4) § 21-303 (“OVERTAKING AND PASSING VEHICLES”);
- (5) § 21-308 (“ONE-WAY TRAFFIC AND ROTARY TRAFFIC ISLANDS”);
- (6) § 21-309 (“DRIVING ON LANED ROADWAYS”);
- (7) § 21-310 (“FOLLOWING TOO CLOSELY”);
- (8) § 21-402 (“TURNING LEFT OR MAKING U-TURN”);
- (9) § 21-502 (“PEDESTRIANS’ RIGHT-OF-WAY IN CROSSWALKS”);
- (10) § 21-504 (“DRIVER’S DUTY TO EXERCISE DUE CARE TO AVOID PEDESTRIANS”);
- (11) § 21-602 (“U-TURN ON CURVE OR CREST OF GRADE”);
- (12) § 21-706 (“OVERTAKING AND PASSING SCHOOL VEHICLE”);
- (13) § 21-707 (“STOP SIGNS AND YIELD SIGNS”);
- (14) § 21-801.1 (“MAXIMUM LIMITS”) FOR VIOLATIONS THAT INVOLVE SPEEDING IN EXCESS OF THE POSTED SPEED LIMIT BY 10 MILES PER HOUR OR MORE;
- (15) § 21-1102 (“LIMITATIONS ON BACKING”);
- (16) § 21-1121 (“CHILDREN IN REAR OF PICK UP TRUCKS”); AND
- (17) § 21-1209 (“THROWING OBJECT AT BICYCLIST; OPENING DOOR OF MOTOR VEHICLE”).”;

in line 14, strike “(B)” and substitute “(D)”; in line 23, strike “(C)” and substitute “(E)”; in line 27,

strike "(D)" and substitute "(F)"; in lines 28 and 29, strike "IN THE PENITENTIARY"; in line 29, strike "3 YEARS" and substitute "1 YEAR"; and in the same line, strike "\$5,000" and substitute "\$1,000".