

SENATE BILL 612

Unofficial Copy  
R5

2001 Regular Session  
1r2155  
CF 1r1350

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By: **Senator Van Hollen**

Introduced and read first time: February 2, 2001

Assigned to: Judicial Proceedings

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A BILL ENTITLED

1 AN ACT concerning

2                                   **Vehicle Laws - Leaving the Scene of an Accident Involving Bodily Injury or**  
3                                   **Death - Penalties**

4 FOR the purpose of making it a felony for a person involved in a vehicular accident  
5 resulting in bodily injury to or death of another to leave the scene of the accident  
6 under certain circumstances; providing for certain penalties for a felony under  
7 this Act; and generally relating to the penalties for leaving the scene of an  
8 accident involving bodily injury or death.

9 BY repealing and reenacting, without amendments,  
10 Article - Transportation  
11 Section 20-102  
12 Annotated Code of Maryland  
13 (1999 Replacement Volume and 2000 Supplement)

14 BY repealing  
15 Article - Transportation  
16 Section 27-101(o)  
17 Annotated Code of Maryland  
18 (1999 Replacement Volume and 2000 Supplement)

19 BY repealing and reenacting, with amendments,  
20 Article - Transportation  
21 Section 27-101(p), (q), (r), (s), (t), and (u)  
22 Annotated Code of Maryland  
23 (1999 Replacement Volume and 2000 Supplement)

24 BY adding to  
25 Article - Transportation  
26 Section 27-113  
27 Annotated Code of Maryland  
28 (1999 Replacement Volume and 2000 Supplement)

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

3 **Article - Transportation**

4 20-102.

5 (a) The driver of each vehicle involved in an accident that results in bodily  
6 injury to or death of another person immediately shall stop the vehicle as close as  
7 possible to the scene of the accident, without obstructing traffic more than necessary.

8 (b) The driver of each vehicle involved in an accident that results in bodily  
9 injury to or death of another person immediately shall return to and remain at the  
10 scene of the accident until the driver has complied with § 20-104 of this title.

11 27-101.

12 [(o) (1) Any person who is convicted of a violation of § 20-102 of this article  
13 ("Driver to remain at scene -- Accidents resulting in bodily injury or death") is subject  
14 to, if the accident resulted in bodily injury to another person, a fine of not more than  
15 \$3,000 or imprisonment for not more than 1 year or both.

16 (2) Any person who is convicted of a violation of § 20-102 of this article  
17 ("Driver to remain at scene -- Accidents resulting in bodily injury or death") is subject  
18 to, if the accident resulted in the death of another person, a fine of not more than  
19 \$5,000 or imprisonment for not more than 5 years or both.]

20 [(p) (O) (1) Except as provided in paragraphs (2) and (3) of this subsection,  
21 any person who is convicted of a violation of any of the provisions of § 21-904 of this  
22 article ("Fleeing or eluding police") is subject to:

23 (i) For a first offense, a fine of not more than \$1,000, or  
24 imprisonment for not more than 1 year, or both; and

25 (ii) For any subsequent offense, a fine of not more than \$1,000, or  
26 imprisonment for not more than 2 years, or both.

27 (2) Any person who is convicted of a violation of § 21-904(b) or (e) of this  
28 article that results in bodily injury to another person is subject to a fine of not more  
29 than \$5,000, or imprisonment for not more than 3 years, or both.

30 (3) Any person who is convicted of a violation of § 21-904(b) or (e) of this  
31 article that results in a death of another person is subject to a fine of not more than  
32 \$5,000, or imprisonment for not more than 10 years, or both.

33 [(q) (P) (1) Any person who is convicted of a violation of § 21-902(a) of this  
34 article and who, at the time of the offense, was transporting a minor is subject to:

35 (i) For a first offense, a fine of not more than \$2,000 or  
36 imprisonment for not more than 2 years or both;

1 (ii) For a second offense, a fine of not more than \$3,000 or  
2 imprisonment for not more than 3 years or both; and

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

5 (2) Any person who is convicted of a violation of § 21-902(b), § 21-902(c),  
6 or § 21-902(d) of this article and who, at the time of the offense, was transporting a  
7 minor is subject to:

8 (i) For a first offense, a fine of not more than \$1,000 or  
9 imprisonment for not more than 6 months or both; and

10 (ii) For a second or subsequent offense, a fine of not more than  
11 \$2,000 or imprisonment for not more than 1 year or both.

12 (3) For the purpose of determining second or subsequent offender  
13 penalties provided under this subsection, a prior conviction of any provision of §  
14 21-902 of this article that subjected a person to the penalties under this subsection  
15 shall be considered a prior conviction.

16 [(r)] (Q) Any person who is convicted of a violation of § 21-803.1(e) of this  
17 article (Fines doubled for speeding within school zones) is subject to a fine of not more  
18 than \$1,000.

19 [(s)] (R) Any person who is convicted of a violation of any of the provisions of  
20 § 16-808 of this article ("Persons ineligible to drive commercial motor vehicles") is  
21 subject to:

22 (1) For a first offense, a fine of not more than \$1,000 or imprisonment for  
23 not more than 6 months or both;

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

26 (3) For a third or subsequent offense, a fine of not more than \$3,000 or  
27 imprisonment for not more than 2 years or both.

28 [(t)] (S) Except as provided in subsection (f) of this section, any person who is  
29 convicted of a violation of any provisions of § 16-807(a) of this article ("Commercial  
30 driver's license requirements") or § 16-815(e) of this article ("Additional  
31 endorsements") is subject to:

32 (1) For a first offense, a fine of not more than \$500 or imprisonment for  
33 not more than 2 months or both;

34 (2) For a second offense, a fine of not more than \$1,000 or imprisonment  
35 for not more than 6 months or both; and

1 (3) For a third or subsequent offense, a fine of not more than \$2,000 or  
2 imprisonment for not more than 1 year or both.

3 [(u)] (T) Any person who is convicted of a violation of § 24-112 of this article is  
4 subject to:

5 (1) For the first offense, a fine of not more than \$1,000;

6 (2) For a second offense, a fine of not more than \$2,000; and

7 (3) For a third or subsequent offense, a fine of not more than \$3,000.

8 27-113.

9 (A) A PERSON WHO VIOLATES § 20-102 OF THIS ARTICLE ("DRIVER TO REMAIN  
10 AT SCENE -- ACCIDENTS RESULTING IN BODILY INJURY OR DEATH") INVOLVING AN  
11 ACCIDENT THAT RESULTED IN BODILY INJURY TO ANOTHER PERSON, IS GUILTY OF A  
12 FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT FOR NOT MORE THAN  
13 2 YEARS OR A FINE OF NOT MORE THAN \$6,000 OR BOTH.

14 (B) A PERSON WHO VIOLATES § 20-102 OF THIS ARTICLE ("DRIVER TO REMAIN  
15 AT SCENE -- ACCIDENTS RESULTING IN BODILY INJURY OR DEATH") INVOLVING AN  
16 ACCIDENT THAT RESULTED IN THE DEATH OF ANOTHER PERSON, IS GUILTY OF A  
17 FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT FOR NOT MORE THAN  
18 10 YEARS OR A FINE OF NOT MORE THAN \$10,000 OR BOTH.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
20 October 1, 2001.