

SENATE BILL 345

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R5

2002 Regular Session
2r1644
CF 2r0818

By: **Senator Van Hollen**

Introduced and read first time: January 28, 2002

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

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

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

10 BY repealing and reenacting, without amendments,
11 Article - Transportation
12 Section 20-102
13 Annotated Code of Maryland
14 (1999 Replacement Volume and 2001 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article - Transportation
17 Section 27-101(o)
18 Annotated Code of Maryland
19 (1999 Replacement Volume and 2001 Supplement)

20 BY adding to
21 Article - Transportation
22 Section 27-113
23 Annotated Code of Maryland
24 (1999 Replacement Volume and 2001 Supplement)

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

1

Article - Transportation

2 20-102.

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

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

9 27-101.

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

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

19 27-113.

20 (A) IN THIS SECTION, "SERIOUS BODILY INJURY" MEANS AN INJURY THAT:

21 (1) CREATES A SUBSTANTIAL RISK OF DEATH;

22 (2) CAUSES SERIOUS PERMANENT OR SERIOUS PROTRACTED
23 DISFIGUREMENT;

24 (3) CAUSES SERIOUS PERMANENT OR SERIOUS PROTRACTED LOSS OF
25 THE FUNCTION OF ANY BODY PART, ORGAN, OR MENTAL FACULTY; OR

26 (4) CAUSES SERIOUS PERMANENT OR SERIOUS PROTRACTED
27 IMPAIRMENT OF THE FUNCTION OF ANY BODILY MEMBER OR ORGAN.

28 (B) A PERSON WHO VIOLATES § 20-102 OF THIS ARTICLE ("DRIVER TO REMAIN
29 AT SCENE -- ACCIDENT RESULTING IN BODILY INJURY OR DEATH") INVOLVING AN
30 ACCIDENT THAT RESULTED IN SERIOUS BODILY INJURY TO ANOTHER PERSON, IS
31 GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT FOR NOT
32 MORE THAN 5 YEARS OR A FINE OF NOT MORE THAN \$5,000 OR BOTH.

33 (C) A PERSON WHO VIOLATES § 20-102 OF THIS ARTICLE ("DRIVER TO REMAIN
34 AT SCENE -- ACCIDENT RESULTING IN BODILY INJURY OR DEATH") INVOLVING AN
35 ACCIDENT THAT RESULTED IN THE DEATH OF ANOTHER PERSON, IS GUILTY OF A

1 FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT FOR NOT MORE THAN
2 10 YEARS OR A FINE OF NOT MORE THAN \$10,000 OR BOTH.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2002.