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By: **Delegate Frush (By Request)**  
Introduced and read first time: February 4, 2003  
Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law - Reckless Endangerment - Use of a Motor Vehicle**

3 FOR the purpose of establishing that a person may not recklessly create a substantial  
4 risk of death or serious physical injury to another by driving a motor vehicle  
5 through or into any part of a building or structure that is not designed or  
6 intended to accommodate motor vehicles if the person knows or has reason to  
7 know that the building or structure is occupied; establishing that a certain  
8 penalty applies to a violation of this Act; and generally relating to the crime of  
9 reckless endangerment and the use of a motor vehicle.

10 BY repealing and reenacting, with amendments,  
11 Article - Criminal Law  
12 Section 3-204  
13 Annotated Code of Maryland  
14 (2002 Volume)

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

17 **Article - Criminal Law**

18 3-204.

19 (a) A person may not recklessly:

20 (1) engage in conduct that creates a substantial risk of death or serious  
21 physical injury to another; [or]

22 (2) discharge a firearm from a motor vehicle in a manner that creates a  
23 substantial risk of death or serious physical injury to another; OR

24 (3) CREATE A SUBSTANTIAL RISK OF DEATH OR SERIOUS PHYSICAL  
25 INJURY TO ANOTHER BY DRIVING A MOTOR VEHICLE THROUGH OR INTO ANY PART  
26 OF A BUILDING OR STRUCTURE THAT IS NOT DESIGNED OR INTENDED TO  
27 ACCOMMODATE MOTOR VEHICLES IF THE PERSON KNOWS OR HAS REASON TO KNOW  
28 THAT THE BUILDING OR STRUCTURE IS OCCUPIED.

1 (b) A person who violates this section is guilty of the misdemeanor of reckless  
2 endangerment and on conviction is subject to imprisonment not exceeding 5 years or  
3 a fine not exceeding \$5,000 or both.

4 (c) (1) Subsection (a)(1) of this section does not apply to conduct involving:

5 (i) the use of a motor vehicle, as defined in § 11-135 of the  
6 Transportation Article; or

7 (ii) the manufacture, production, or sale of a product or commodity.

8 (2) Subsection (a)(2) of this section does not apply to:

9 (i) a law enforcement officer or security guard in the performance  
10 of an official duty; or

11 (ii) an individual acting in defense of a crime of violence as defined  
12 in Article 27, § 441 of the Code.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
14 effect October 1, 2003.