

Department of Legislative Services  
Maryland General Assembly  
2003 Session

FISCAL AND POLICY NOTE  
Revised

Senate Bill 516

(Senator Harris)

Judicial Proceedings

Judiciary

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Alcohol- or Drug-Related Crimes - Life-Threatening Injury

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This bill defines “life-threatening injury” as an injury involving a substantial risk of death. The bill applies the definition to the prohibition against causing life-threatening injury to another person as a result of negligently driving, operating, or controlling a motor vehicle or vessel while: (1) under the influence of alcohol or under the influence of alcohol per se; (2) while impaired by alcohol; (3) while impaired by drugs, or drugs and alcohol; or (4) while impaired by a controlled dangerous substance.

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Fiscal Summary

**State Effect:** The bill is not expected to have a discernible impact on governmental operations or finances.

**Local Effect:** None – see above.

**Small Business Effect:** None.

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Analysis

**Current Law:** A person may not cause a life-threatening injury to another person as a result of negligently driving, operating, or controlling a motor vehicle or vessel while: (1) under the influence of alcohol or under the influence of alcohol per se; (2) while impaired by alcohol; (3) while impaired by drugs, or drugs and alcohol; or (4) while impaired by a controlled dangerous substance. “Life-threatening injury” is not defined in statute.

A person who is convicted of life-threatening injury by motor vehicle or vessel while under the influence of alcohol or under the influence of alcohol per se is guilty of a misdemeanor and is subject to imprisonment not exceeding three years, a maximum fine of \$5,000, or both. A person who is convicted of life-threatening injury by motor vehicle or vessel: (1) while impaired by alcohol; (2) while impaired by one or more drugs and alcohol; or (3) while impaired by a controlled dangerous substance is guilty of a misdemeanor and is subject to imprisonment not exceeding two years, a maximum fine of \$3,000, or both.

A person who is in a motor vehicle accident that results in death or life-threatening injury to another person shall be required to submit to a test if detained by an officer who has reasonable grounds to believe the person committed an alcohol- and/or drug-related driving offense. The MVA must assess 12 points against the license of a person who is convicted of causing a life-threatening injury by motor vehicle or vessel while under the influence of alcohol and related crimes and the license is subject to revocation.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** State's Attorneys' Association, Department of Transportation, Department of Public Safety and Correctional Services, Department of Legislative Services

**Fiscal Note History:** First Reader - March 4, 2003  
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