

HOUSE BILL 1492

R5

9lr3232

By: **Delegate Norman**

Introduced and read first time: March 3, 2009

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Failure to Remain at the Scene of an Accident – Penalties**

3 FOR the purpose of requiring the driver of each vehicle involved in an accident that
4 results in certain significant damage to an attended vehicle or other attended
5 property to immediately stop the vehicle at a certain location and return to and
6 remain at the scene of the accident for a certain purpose; requiring the driver of
7 each vehicle involved in an accident who knew or reasonably should have
8 known that there was a minor in any other vehicle involved in the accident to
9 immediately stop the vehicle at a certain location and return to and remain at
10 the scene of the accident for a certain purpose; establishing a certain penalty;
11 altering a certain penalty; requiring the driver of each vehicle involved in an
12 accident that results in significant damage to an attended vehicle or other
13 attended property, or an accident in which the driver knew or reasonably should
14 have known that there was a minor in any other vehicle involved in the
15 accident, to render certain assistance and provide certain information; requiring
16 certain information to be provided to the driver of, occupant of, or person
17 attending any vehicle in which a minor is an occupant under certain
18 circumstances; defining a certain term; making certain stylistic changes; and
19 generally relating to failure to remain at the scene of an accident.

20 BY repealing and reenacting, with amendments,

21 Article – Transportation

22 Section 20–102, 20–103, 20–104, and 27–101(c)(16) and (o)

23 Annotated Code of Maryland

24 (2006 Replacement Volume and 2008 Supplement)

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

27 **Article – Transportation**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 20-102.

2 (a) [(1)] The driver of each vehicle involved in an accident that results in
3 bodily injury to another person [immediately] shall:

4 (1) **IMMEDIATELY** stop the vehicle as close as possible to the scene of
5 the accident, without obstructing traffic more than necessary[.]; **AND**

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

9 (b) [(1)] The driver of each vehicle involved in an accident that results in
10 the death of another person [immediately] shall:

11 (1) **IMMEDIATELY** stop the vehicle as close as possible to the scene of
12 the accident, without obstructing traffic more than necessary[.]; **AND**

13 (2) [The driver of each vehicle involved in an accident that results in
14 the death of another person immediately shall return] **RETURN** to and remain at the
15 scene of the accident until the driver has complied with § 20-104 of this title.

16 20-103.

17 (a) **IN THIS SECTION, "SIGNIFICANT DAMAGE" MEANS DAMAGE TO A**
18 **VEHICLE OR PROPERTY TO THE EXTENT THAT:**

19 (1) **THE VEHICLE OR PROPERTY CANNOT BE REPAIRED; OR**

20 (2) **THE COST TO REPAIR THE VEHICLE OR PROPERTY IS MORE**
21 **THAN \$1,000.**

22 (b) The driver of each vehicle involved in an accident that results only in
23 damage to an attended vehicle or other attended property [immediately] shall:

24 (1) **IMMEDIATELY** stop the vehicle as close as possible to the scene of
25 the accident, without obstructing traffic more than necessary[.]; **AND**

26 [(b)] (2) [The driver of each vehicle involved in an accident that results only
27 in damage to an attended vehicle or other attended property shall return] **RETURN** to
28 and remain at the scene of the accident until [he] **THE DRIVER** has complied with §
29 20-104 of this title.

1 (C) **THE DRIVER OF EACH VEHICLE INVOLVED IN AN ACCIDENT THAT**
2 **RESULTS ONLY IN SIGNIFICANT DAMAGE TO AN ATTENDED VEHICLE OR OTHER**
3 **ATTENDED PROPERTY SHALL:**

4 (1) **IMMEDIATELY STOP THE VEHICLE AS CLOSE AS POSSIBLE TO**
5 **THE SCENE OF THE ACCIDENT, WITHOUT OBSTRUCTING TRAFFIC MORE THAN**
6 **NECESSARY; AND**

7 (2) **RETURN TO AND REMAIN AT THE SCENE OF THE ACCIDENT**
8 **UNTIL THE DRIVER HAS COMPLIED WITH § 20-104 OF THIS TITLE.**

9 (D) **THE DRIVER OF EACH VEHICLE INVOLVED IN AN ACCIDENT WHO**
10 **KNEW OR REASONABLY SHOULD HAVE KNOWN THAT THERE WAS A MINOR IN**
11 **ANY OTHER VEHICLE INVOLVED IN THE ACCIDENT SHALL:**

12 (1) **IMMEDIATELY STOP THE VEHICLE AS CLOSE AS POSSIBLE TO**
13 **THE SCENE OF THE ACCIDENT, WITHOUT OBSTRUCTING TRAFFIC MORE THAN**
14 **NECESSARY; AND**

15 (2) **RETURN TO AND REMAIN AT THE SCENE OF THE ACCIDENT**
16 **UNTIL THE DRIVER HAS COMPLIED WITH § 20-104 OF THIS TITLE.**

17 20-104.

18 (a) The driver of each vehicle involved in an accident [that results in bodily
19 injury to or death of any person or in damage to an attended vehicle or other attended
20 property] **DESCRIBED IN § 20-102 OR § 20-103 OF THIS TITLE** shall render
21 reasonable assistance to any person injured in the accident and, if the person requests
22 medical treatment or it is apparent that medical treatment is necessary, arrange for
23 the transportation of the person to a physician, surgeon, or hospital for medical
24 treatment.

25 (b) The driver of each vehicle involved in an accident [that results in bodily
26 injury to or death of any person or in damage to an attended vehicle or other attended
27 property] **DESCRIBED IN § 20-102 OR § 20-103 OF THIS TITLE** shall give [his] **THE**
28 **DRIVER'S** name, [his] **THE DRIVER'S** address, and the registration number of the
29 vehicle [he] **THE DRIVER** is driving and, on request, exhibit [his] **THE DRIVER'S**
30 license to drive, if it is available, to:

31 (1) Any person injured in the accident; [and]

32 (2) The driver **OF**, occupant of, or person attending any vehicle or
33 other property damaged in the accident; **AND**

1 **(3) THE DRIVER OF, OCCUPANT OF, OR PERSON ATTENDING ANY**
2 **VEHICLE IN WHICH A MINOR IS AN OCCUPANT.**

3 (c) The driver of each vehicle involved in an accident [that results in bodily
4 injury to or death of any person or in damage to an attended vehicle or other attended
5 property] **DESCRIBED IN § 20-102 OR § 20-103 OF THIS TITLE** shall give the same
6 information described in subsection (b) of this section and, on request, exhibit [his]
7 **THE DRIVER'S** license to drive, if it is available, to any police officer who is at the
8 scene of or otherwise is investigating the accident.

9 (d) If a police officer is not present and none of the specified persons is in
10 condition to receive the information to which the person otherwise would be entitled
11 under this section, the driver, after fulfilling to the extent possible every other
12 requirement of § 20-102 of this title and subsection (a) of this section, immediately
13 shall report the accident to the nearest office of an authorized police authority and
14 give the information specified in subsection (b) of this section.

15 27-101.

16 (c) Any person who is convicted of a violation of any of the provisions of the
17 following sections of this article is subject to a fine of not more than \$500 or
18 imprisonment for not more than 2 months or both:

19 (16) [§ 20-103] **§ 20-103(B)** (“Driver to remain at scene – Accidents
20 resulting only in damage to attended vehicle or property”);

21 (o) (1) Any person who is convicted of a violation of § 20-102(a) of this
22 article is subject to a fine of not more than \$3,000 or imprisonment for not more than 1
23 year or both.

24 (2) Any person who is convicted of a violation of § 20-102(b) of this
25 article is subject to a fine of not more than \$5,000 or imprisonment for not more than 5
26 years or both.

27 **(3) ANY PERSON WHO IS CONVICTED OF A VIOLATION OF §**
28 **20-103(C) OR (D) OF THIS ARTICLE IS SUBJECT TO A FINE OF NOT MORE THAN**
29 **\$3,000 OR IMPRISONMENT OF NOT MORE THAN 1 YEAR OR BOTH.**

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 2009.