

# SENATE BILL 84

R5

5lr1059

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By: **Senator Simonaire**

Introduced and read first time: January 26, 2015

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Rules of the Road – Duty to Remain at Scene of Accident – Penalties**

3 FOR the purpose of increasing the penalty for failing to remain at the scene of a certain  
4 vehicle accident that results in the death of another person; and generally relating  
5 to the requirement to remain at the scene of a vehicle accident.

6 BY repealing and reenacting, without amendments,  
7 Article – Transportation  
8 Section 20–102  
9 Annotated Code of Maryland  
10 (2012 Replacement Volume and 2014 Supplement)

11 BY repealing and reenacting, with amendments,  
12 Article – Transportation  
13 Section 27–113  
14 Annotated Code of Maryland  
15 (2012 Replacement Volume and 2014 Supplement)

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

18 **Article – Transportation**

19 20–102.

20 (a) (1) The driver of each vehicle involved in an accident that results in bodily  
21 injury to another person immediately shall stop the vehicle as close as possible to the scene  
22 of the accident, without obstructing traffic more than necessary.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (2)     The driver of each vehicle involved in an accident that results in bodily  
2 injury to another person immediately shall return to and remain at the scene of the accident  
3 until the driver has complied with § 20–104 of this title.

4           (b)     (1)     The driver of each vehicle involved in an accident that results in the  
5 death of another person immediately shall stop the vehicle as close as possible to the scene  
6 of the accident, without obstructing traffic more than necessary.

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

10 27–113.

11           (a)     In this section, “serious bodily injury” means an injury that:

12                   (1)     Creates a substantial risk of death;

13                   (2)     Causes serious permanent or serious protracted disfigurement;

14                   (3)     Causes serious permanent or serious protracted loss of the function of  
15 any body part, organ, or mental faculty; or

16                   (4)     Causes serious permanent or serious protracted impairment of the  
17 function of any bodily member or organ.

18           (b)     A person who violates § 20–102 of this article (“Driver to remain at scene —  
19 Accident resulting in bodily injury or death”) and who knew or reasonably should have  
20 known that the accident might result in serious bodily injury to another person and serious  
21 bodily injury actually occurred to another person, is guilty of a felony and on conviction is  
22 subject to imprisonment for not more than 5 years or a fine of not more than \$5,000 or both.

23           (c)     A person who violates § 20–102 of this article (“Driver to remain at scene —  
24 Accident resulting in bodily injury or death”) and who knew or reasonably should have  
25 known that the accident might result in the death of another person and death actually  
26 occurred to another person, is guilty of a felony and on conviction is subject to imprisonment  
27 for not more than [10] **15** years or a fine of not more than \$10,000 or both.

28           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
29 October 1, 2015.