

# SENATE BILL 499

E4

8lr1082

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By: **Senators Simonaire, Brochin, Cassilly, Hough, Muse, Norman, Ready, and Smith**

Introduced and read first time: January 29, 2018

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Hit and Run Suspects – Yellow Alert Program**

3 FOR the purpose of requiring the Department of State Police to provide certain annual  
4 training to State and local law enforcement agencies in certain fiscal years; requiring  
5 the Department to provide certain assistance to State law enforcement agencies;  
6 requiring the Department to recruit certain persons on an ongoing basis to assist in  
7 updating and improving the Yellow Alert Program; correcting a cross-reference;  
8 altering a certain definition; making a technical change; and generally relating to  
9 the Yellow Alert Program.

10 BY repealing and reenacting, with amendments,  
11 Article – Public Safety  
12 Section 3–606  
13 Annotated Code of Maryland  
14 (2011 Replacement Volume and 2017 Supplement)

15 BY repealing and reenacting, without amendments,  
16 Article – Transportation  
17 Section 20–102  
18 Annotated Code of Maryland  
19 (2012 Replacement Volume and 2017 Supplement)

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

22 **Article – Public Safety**

23 3–606.

24 (a) (1) In this section the following words have the meanings indicated.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) "Law enforcement agency" means a State, county, or municipal police  
2 department or agency, or a sheriff's department.

3 (3) "Missing suspect" means an individual:

4 (i) whose whereabouts are unknown;

5 (ii) who is suspected of violating [§ 27-113] § 20-102 of the  
6 Transportation Article; and

7 (iii) whose vehicle the reporting law enforcement agency is able to  
8 describe[, including any information about the vehicle's registration plate].

9 (b) (1) The Department of State Police shall establish a Yellow Alert Program  
10 to provide a system for rapid dissemination of information to assist in locating and  
11 apprehending a missing suspect.

12 (2) The Department of State Police shall:

13 (i) adopt guidelines and develop procedures for issuing a Yellow  
14 Alert for a missing suspect;

15 (ii) **IN FISCAL YEARS 2020, 2021, AND 2022**, provide **ANNUAL**  
16 training to **STATE AND** local law enforcement agencies on the guidelines and procedures  
17 to be used to make and handle a report of a missing suspect;

18 (iii) provide assistance to [a] **STATE AND** local law enforcement  
19 [agency] **AGENCIES**, as necessary, to assist in the location and apprehension of a missing  
20 suspect;

21 (iv) recruit public and commercial television and radio broadcasters,  
22 local volunteer groups, **SOCIAL MEDIA EXPERTS**, and other members of the public **ON AN**  
23 **ONGOING BASIS** to assist in [developing and implementing a] **UPDATING AND**  
24 **IMPROVING THE Yellow Alert PROGRAM**; and

25 (v) consult with the State Highway Administration to establish a  
26 plan for providing information relating to a Yellow Alert to the public through the dynamic  
27 message sign system located across the State.

28 (c) A law enforcement officer or agency that apprehends a missing suspect who is  
29 the subject of a Yellow Alert immediately shall notify the Department of State Police and  
30 the law enforcement agency that filed the report resulting in the Yellow Alert that the  
31 missing suspect has been apprehended.

1 20-102.

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

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

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

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

14 (c) (1) In this subsection, “serious bodily injury” means an injury that:

15 (i) Creates a substantial risk of death;

16 (ii) Causes serious permanent or serious protracted disfigurement;

17 (iii) Causes serious permanent or serious protracted loss of the  
18 function of any body part, organ, or mental faculty; or

19 (iv) Causes serious permanent or serious protracted impairment of  
20 the function of any body part or organ.

21 (2) (i) Except as provided in paragraph (3) of this subsection, a person  
22 convicted of a violation of subsection (a) of this section is subject to imprisonment not  
23 exceeding 1 year or a fine not exceeding \$3,000 or both.

24 (ii) Except as provided in paragraph (3) of this subsection, a person  
25 convicted of a violation of subsection (b) of this section is subject to imprisonment not  
26 exceeding 5 years or a fine not exceeding \$5,000 or both.

27 (3) (i) A person who violates this section and who knew or reasonably  
28 should have known that the accident might result in serious bodily injury to another person  
29 and serious bodily injury actually occurred to another person, is guilty of a felony and on  
30 conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding \$5,000  
31 or both.

32 (ii) A person who violates this section and who knew or reasonably  
33 should have known that the accident might result in the death of another person and death

1 actually occurred to another person, is guilty of a felony and on conviction is subject to  
2 imprisonment not exceeding 10 years or a fine not exceeding \$10,000 or both.

3           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
4 October 1, 2018.