

HOUSE BILL 883

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5lr2761
CF 5lr2766

By: **Delegate Wims**

Introduced and read first time: January 30, 2025

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Motor Vehicle or Vessel – Criminal Negligence**

3 FOR the purpose of prohibiting a person from driving, operating, or controlling a motor
4 vehicle or vessel in a criminally negligent manner; providing that certain conduct
5 does not constitute a violation of this Act; and generally relating to motor vehicles or
6 vessels and criminal negligence.

7 BY repealing and reenacting, with amendments,
8 Article – Criminal Law
9 Section 3–212.1
10 Annotated Code of Maryland
11 (2021 Replacement Volume and 2024 Supplement)

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

14 **Article – Criminal Law**

15 3–212.1.

16 (a) (1) In this section, “vessel” means any watercraft that is used or is capable
17 of being used as a means of transportation on water or ice.

18 (2) “Vessel” does not include a seaplane.

19 (b) A person may not:

20 **(1) DRIVE, OPERATE, OR CONTROL A MOTOR VEHICLE OR VESSEL IN**
21 **A CRIMINALLY NEGLIGENT MANNER; OR**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2)** cause a life-threatening injury to another as a result of the person's
2 driving, operating, or controlling a motor vehicle or vessel in a criminally negligent manner.

3 (c) For the purpose of this section, a person acts in a criminally negligent manner
4 with respect to a result or a circumstance when:

5 (1) the person should be aware, but fails to perceive, that the person's
6 conduct creates a substantial and unjustifiable risk that such a result will occur; and

7 (2) the failure to perceive constitutes a gross deviation from the standard
8 of care that would be exercised by a reasonable person.

9 (d) It is not a violation of this section for a person to:

10 **(1) DRIVE, OPERATE, OR CONTROL A MOTOR VEHICLE OR VESSEL IN**
11 **A NEGLIGENT MANNER AS DEFINED IN § 21-901.1 OF THE TRANSPORTATION**
12 **ARTICLE; OR**

13 **(2)** cause a life-threatening injury to another as a result of the person's
14 driving, operating, or controlling a motor vehicle or vessel in a negligent manner.

15 (e) **(1) A PERSON WHO VIOLATES SUBSECTION (B)(1) OF THIS SECTION IS**
16 **GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT**
17 **NOT EXCEEDING 6 MONTHS OR A FINE NOT EXCEEDING \$5,000 OR BOTH.**

18 **(2)** A person who violates **SUBSECTION (B)(2) OF** this section is guilty of
19 a misdemeanor and on conviction is subject to imprisonment not exceeding 1 year or a fine
20 not exceeding \$5,000 or both.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2025.