

# SENATE BILL 123

M1, E1  
SB 585/24 – JPR

(PRE-FILED)

51r0619  
CF HB 676

By: **Senator Simonaire**

Requested: May 18, 2024

Introduced and read first time: January 8, 2025

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: January 24, 2025

Returned to second reading: January 26, 2025

Senate action: Adopted with floor amendments

Read second time: January 31, 2025

## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Boating Accidents – Duty to ~~Remain~~ Stop at the Scene, Render Assistance, and**  
3 **Provide Information – Penalties**

4 FOR the purpose of requiring the operator of a vessel involved in a collision, accident, or  
5 other casualty to ~~return to and remain at~~ stop the vessel as close as possible to the  
6 scene of the collision, accident, or casualty until the operator has rendered certain  
7 assistance and provided certain information; establishing criminal penalties for the  
8 operator of a vessel involved in a collision, accident, or other casualty who does not  
9 take certain actions; and generally relating to the operator of a vessel involved in a  
10 collision, accident, or other casualty.

11 BY repealing and reenacting, with amendments,  
12 Article – Natural Resources  
13 Section 8–724  
14 Annotated Code of Maryland  
15 (2023 Replacement Volume and 2024 Supplement)

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

18 **Article – Natural Resources**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 8-724.

2 (a) (1) ~~(H)~~ THE OPERATOR OF A VESSEL INVOLVED IN A COLLISION,  
 3 ACCIDENT, OR OTHER CASUALTY THAT RESULTS IN BODILY INJURY TO ANOTHER  
 4 PERSON IMMEDIATELY SHALL STOP THE VESSEL AS CLOSE AS POSSIBLE TO THE  
 5 SCENE OF THE COLLISION, ACCIDENT, OR OTHER CASUALTY TO COMPLY WITH  
 6 SUBSECTION (B) OF THIS SECTION.

7 ~~(H) THE OPERATOR OF A VESSEL INVOLVED IN A COLLISION,~~  
 8 ~~ACCIDENT, OR OTHER CASUALTY THAT RESULTS IN BODILY INJURY TO ANOTHER~~  
 9 ~~PERSON IMMEDIATELY SHALL RETURN TO AND REMAIN AT THE SCENE OF THE~~  
 10 ~~COLLISION, ACCIDENT, OR OTHER CASUALTY UNTIL THE OPERATOR HAS COMPLIED~~  
 11 ~~WITH SUBSECTION (B) OF THIS SECTION.~~

12 (2) ~~(H)~~ THE OPERATOR OF A VESSEL INVOLVED IN A COLLISION,  
 13 ACCIDENT, OR OTHER CASUALTY THAT RESULTS IN THE DEATH OF ANOTHER  
 14 PERSON IMMEDIATELY SHALL STOP THE VESSEL AS CLOSE AS POSSIBLE TO THE  
 15 SCENE OF THE COLLISION, ACCIDENT, OR OTHER CASUALTY TO COMPLY WITH  
 16 SUBSECTION (B) OF THIS SECTION.

17 ~~(H) THE OPERATOR OF A VESSEL INVOLVED IN A COLLISION,~~  
 18 ~~ACCIDENT, OR OTHER CASUALTY THAT RESULTS IN THE DEATH OF ANOTHER~~  
 19 ~~PERSON IMMEDIATELY SHALL RETURN TO AND REMAIN AT THE SCENE OF THE~~  
 20 ~~COLLISION, ACCIDENT, OR OTHER CASUALTY UNTIL THE OPERATOR HAS COMPLIED~~  
 21 ~~WITH SUBSECTION (B) OF THIS SECTION.~~

22 (3) (I) IN THIS PARAGRAPH, "SERIOUS BODILY INJURY" MEANS AN  
 23 INJURY THAT:

- 24 1. CREATES A SUBSTANTIAL RISK OF DEATH;
- 25 2. CAUSES SERIOUS PERMANENT OR SERIOUS  
 26 PROTRACTED DISFIGUREMENT;
- 27 3. CAUSES SERIOUS PERMANENT OR SERIOUS  
 28 PROTRACTED LOSS OF THE FUNCTION OF ANY BODY PART, ORGAN, OR MENTAL  
 29 FACULTY; OR
- 30 4. CAUSES SERIOUS PERMANENT OR SERIOUS  
 31 PROTRACTED IMPAIRMENT OF THE FUNCTION OF ANY BODY PART OR ORGAN.

32 (II) 1. EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF  
 33 THIS PARAGRAPH, A PERSON CONVICTED OF A VIOLATION OF PARAGRAPH (1) OF

1 THIS SUBSECTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 1 YEAR OR A FINE  
2 NOT EXCEEDING \$3,000 OR BOTH.

3                   2. EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF  
4 THIS PARAGRAPH, A PERSON CONVICTED OF A VIOLATION OF PARAGRAPH (2) OF  
5 THIS SUBSECTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 5 YEARS OR A  
6 FINE NOT EXCEEDING \$5,000 OR BOTH.

7                   (III) 1. A PERSON WHO VIOLATES THIS SUBSECTION AND  
8 WHO KNEW OR REASONABLY SHOULD HAVE KNOWN THAT THE COLLISION,  
9 ACCIDENT, OR OTHER CASUALTY MIGHT RESULT IN SERIOUS BODILY INJURY TO  
10 ANOTHER PERSON AND SERIOUS BODILY INJURY ACTUALLY OCCURRED TO  
11 ANOTHER PERSON IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO  
12 IMPRISONMENT NOT EXCEEDING 5 YEARS OR A FINE NOT EXCEEDING \$5,000 OR  
13 BOTH.

14                   2. A PERSON WHO VIOLATES THIS SUBSECTION AND  
15 WHO KNEW OR REASONABLY SHOULD HAVE KNOWN THAT THE COLLISION,  
16 ACCIDENT, OR OTHER CASUALTY MIGHT RESULT IN THE DEATH OF ANOTHER  
17 PERSON AND DEATH ACTUALLY OCCURRED TO ANOTHER PERSON IS GUILTY OF A  
18 FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 10  
19 YEARS OR A FINE NOT EXCEEDING \$10,000 OR BOTH.

20           (B) (1) The operator of a vessel involved in a collision, accident, or other  
21 casualty shall [render]:

22                   (I) RENDER all practical and necessary assistance to persons  
23 affected by the collision, accident, or casualty to save the persons from danger caused by  
24 the collision, accident, or casualty, to the extent the operator can do so without serious  
25 danger to the operator's own vessel, or persons aboard[. The operator also shall give]; AND

26                   (II) GIVE the operator's name, address, and the identification of the  
27 operator's vessel to any person injured and to the owner of any property damaged.

28                   (2) The duties imposed by this subsection are in addition to any duties  
29 otherwise imposed by law.

30                   (3) A PERSON CONVICTED OF A VIOLATION OF THIS SUBSECTION IS  
31 SUBJECT TO IMPRISONMENT NOT EXCEEDING 2 MONTHS OR A FINE NOT EXCEEDING  
32 \$500 OR BOTH.

33           [(b)] (C) If an accident involves any vessel subject to this subtitle while on the  
34 waters of the State and results in the death, disappearance, or injury of any person or in  
35 property damage of \$2,000 or more, or there is complete loss of the vessel, the operator shall

1 file with the Department a full description of the accident, including any information the  
 2 Department requires by regulation. If the operator is unable to file the report, the vessel  
 3 owner shall file the report. If the accident caused the death or disappearance of any person  
 4 or a person receives medical treatment beyond first aid, the report shall be made within 48  
 5 hours. Any other accident resulting in personal injury or property damage shall be reported  
 6 within 10 days. This subsection does not apply to a vessel required to have a certificate of  
 7 inspection under Chapter 1, Title 46, Code of Federal Regulations.

8 **[(c)] (D)** If any vessel numbered in the State is involved in an accident on waters  
 9 outside of the State, and the accident results in the death, disappearance, or injury of any  
 10 person or in property damage of \$2,000 or more, the operator or owner, within 30 days,  
 11 shall file a complete report with the Department including any information the Department  
 12 requires by regulation. This subsection does not exempt or excuse any operator or owner  
 13 from the requirements of any federal or other state law or rule or regulation having  
 14 jurisdiction over the waters in which the accident occurs. Furthermore, any  
 15 accident-reporting requirement in the federal or other state law or rule or regulation may  
 16 not exonerate or excuse any failure of the operator or owner of a vessel numbered in the  
 17 State to report the accident in the State.

18 **[(d)] (E)** The required report of a boating accident may not be referred to during  
 19 any judicial proceeding. It is not subject to subpoena or admissible as evidence in any  
 20 proceeding. Subject to these restrictions, information contained in a boating accident report  
 21 and any statistical information based on the report is available on request for official  
 22 purposes to the U.S. Coast Guard and its successor agency.

23 **[(e)] (F)** Any person who complies with subsection **[(a)] (B)** of this section or who  
 24 gratuitously and in good faith renders or attempts to render assistance to any vessel in  
 25 distress on any waters of the State without objection from any person assisted, is not liable  
 26 for any civil damage as the result of any act or omission by the person in rendering  
 27 assistance, if the act or omission does not amount to gross negligence.

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

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.