

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 44

(Senator Carozza, *et al.*)

Judicial Proceedings

Reckless and Negligent Driving - Death of Another - Must-Appear Violation
(Sherry and Christian's Law)

This bill specifies that a person charged with a reckless or negligent driving offense that contributes to an accident resulting in the death of another must appear in court and may not prepay the fine. A court, for good cause shown, may waive the requirement to appear in court and allow a person to enter a plea of guilty and prepay the fine, but it may only do so after it has issued a writ setting the date, time, and place for the person to appear.

Fiscal Summary

State Effect: The Judiciary can handle any increased workload due to the bill's changes with existing budgeted resources. Revenues are not materially affected.

Local Effect: The bill does not materially affect local government finances or operations.

Small Business Effect: None.

Analysis

Current Law: An individual is guilty of reckless driving if the individual drives a motor vehicle in wanton or willful disregard for the safety of persons or property or in a manner that indicates a wanton or willful disregard for the safety of persons or property. A violation is a misdemeanor, subject to a maximum fine of \$1,000. The Motor Vehicle Administration (MVA) is also required to assess six points against the driver's license upon conviction for this offense. The District Court prepayment penalty, including court costs, is \$510 for this offense.

An individual is guilty of negligent driving if the individual drives a motor vehicle in a careless or imprudent manner that endangers any property or the life or safety of any person. This violation is a misdemeanor, subject to a maximum fine of \$500. Upon conviction, MVA must assess one point against the driver's license, or three points if the offense contributes to an accident. The District Court assesses a prepayment penalty of \$240 for this offense or \$280 if the offense contributes to an accident.

Additional Comments: The Judiciary advises that, in fiscal 2024, 7 citations were issued for a reckless driving offense that contributed to an accident resulting in the death of another; in fiscal 2023, 4 citations were issued. With respect to negligent driving offenses that contributed to an accident resulting in the death of another, the Judiciary advises that 27 and 29 citations were issued to individuals for such offenses, respectively, in fiscal 2024 and 2023.

Additional Information

Recent Prior Introductions: Similar legislation has been introduced in the last three years. See SB 68 and HB 1335 of 2024; SB 252 and HB 360 of 2023; and SB 25 and HB 7 of 2022.

Designated Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts); Department of State Police; Department of Legislative Services

Fiscal Note History: First Reader - January 21, 2025
rh/aad

Analysis by: Ralph W. Kettell

Direct Inquiries to:
(410) 946-5510
(301) 970-5510