

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 349

(Senator A. Washington)

Judicial Proceedings

Vehicle Laws - Eluding Police - Penalties

This bill reclassifies a violation of § 21-904(d)(2) of the Transportation Article (attempting to elude a police officer resulting in the death of another person) from a misdemeanor to a felony. The bill establishes a penalty of imprisonment for up to 5 years and/or a \$5,000 maximum fine for a first offense and applies the existing criminal penalty (imprisonment for up to 10 years and/or a \$5,000 maximum fine) to a second or subsequent offense.

Fiscal Summary

State Effect: The bill is not anticipated to materially affect State finances or operations.

Local Effect: The bill is not anticipated to materially affect local finances or operations.

Small Business Effect: None.

Analysis

Current Law: The driver of a vehicle may not attempt to elude a police officer who gives a visual or audible signal to stop by willfully failing to stop the vehicle. This prohibition applies when the officer is in uniform (prominently displaying their badge or other insignia of office) or operating a vehicle appropriately marked as an official police vehicle (whether in uniform or not). A person who violates this prohibition and whose actions result in the death of another person is guilty of a misdemeanor and subject to imprisonment for up to 10 years and/or a maximum fine of \$5,000.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: HB 686 (Delegate Williams, *et al.*) - Judiciary.

Information Source(s): Maryland State Commission on Criminal Sentencing Policy; Judiciary (Administrative Office of the Courts); Department of Public Safety and Correctional Services; Department of State Police; Maryland Department of Transportation; Department of Legislative Services

Fiscal Note History: First Reader - February 3, 2026
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