



# **RACIAL EQUITY IMPACT NOTE**

DEPARTMENT OF LEGISLATIVE SERVICES  
MARYLAND • GENERAL • ASSEMBLY

2026 Session  
HB0873

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## **Manslaughter by Vehicle or Vessel - Increased Penalties (Jamari's Law)**

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### **Bill Summary**

This bill increases the maximum incarceration penalties for manslaughter by vehicle or vessel (gross negligence) from 10 years to 20 years for a first conviction and from 15 years to 30 years for a subsequent conviction.

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### **Racial Equity Impact Statement**

The bill increases the maximum incarceration penalties for manslaughter by vehicle or vessel (gross negligence) for both first-time and repeat offenders. Although there are existing racial disparities in Maryland's criminal justice system, the penalty increases proposed by the bill are not likely to exacerbate these disparities due to the small number of individuals convicted and incarcerated for this offense.

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### **Analysis**

This bill increases the maximum incarceration penalties for manslaughter by vehicle or vessel (gross negligence) from 10 years to 20 years for a first conviction and from 15 years to 30 years for a subsequent conviction. The monetary penalties are not affected by the bill.

Under existing law, manslaughter by vehicle or vessel (gross negligence) is a felony, generally punishable by imprisonment for up to 10 years and/or a fine of up to \$5,000. However, a maximum penalty of imprisonment for up to 15 years and/or a fine of up to \$10,000 applies to a person who has previously been convicted of manslaughter by vehicle or vessel (gross negligence); manslaughter by vehicle or vessel (criminal negligence); homicide by motor vehicle or vessel

while under the influence or impaired by alcohol, drugs, or a controlled dangerous substance (CDS); life-threatening injury by motor vehicle or vessel while under the influence or impaired by alcohol, drugs, or a CDS; or drunk or drugged driving under § 21-902 of the Transportation Article.

### *Gross Negligence*

The standard of “gross negligence” is established in common law and requires that evidence show, beyond a reasonable doubt, that the offender had a wanton or reckless disregard for human life in the operation of an automobile. The conduct must be extraordinary or outrageous to meet this standard.

The Department of Public Safety and Correctional Services advises that, during fiscal 2025, it received 31 incarcerated individuals with convictions for manslaughter by vehicle or vessel (gross negligence). The data did not clearly distinguish between first-time and subsequent offenders. The average sentence length for these convictions was seven years.

The Maryland State Commission on Criminal Sentencing Policy (MSCCSP) advises that it received information on 38 individuals sentenced to 40 counts for a first-time commission of manslaughter by vehicle or vessel (gross negligence) in the circuit courts during fiscal 2025. According to MSCCSP, another 2 individuals were sentenced for a second or subsequent commission of this offense. The Judiciary previously advised that, in fiscal 2024, there were 14 violations (charges) and 0 guilty dispositions (convictions) for manslaughter by vehicle or vessel (gross negligence) in the District Court. In fiscal 2023, there were 17 violations and 0 guilty dispositions. The District Court has concurrent jurisdiction with the circuit courts over this offense.

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## Conclusion

The bill increases penalties for manslaughter by vehicle or vessel (gross negligence). The bill’s impact is likely to be minimal due to the small number of individuals convicted of or incarcerated for this offense. In addition, the bill’s penalty increases are not mandatory in nature, making any meaningful impact unlikely.

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**Information Sources:** Department of Public Safety and Correctional Services; Maryland State Commission on Criminal Sentencing Policy; Department of Legislative Services

**Analysis by:** Rafael Regales

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## Appendix – Maryland Demographics

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### *Race and Ethnicity of the Maryland Population*

Maryland's 2020 census population is 6,177,244, a 7% increase from the 2010 census count and approximately 2% higher than the 2019 census population estimates. Maryland remains one of the most racially and ethnically diverse states in the nation and is ranked as the fourth most diverse state by the U.S. Census Bureau's [Diversity Index](#). While no single racial or ethnic group constitutes a majority, racial minorities as a group constitute a majority of the State's population. This diversity underpins the analytical framework used in racial equity impact notes (REIN), which seek to identify potential disparities that may be exacerbated or created by proposed criminal justice legislation.

### *Methodology Update*

Beginning in 2025, REIN will use annual population estimates from the U.S. Census Bureau's Population Estimates Program (PEP) as the basis for disparity and disproportionality calculations. This methodological update reflects best practices in demographic analysis, as PEP data incorporate births, deaths, and migration to provide the most current population counts between censuses. Although the estimates are more temporally responsive, they do not materially change the proportionate racial and ethnic breakdown observed in the 2020 census. Instead, they conservatively reflect population changes since 2020 while preserving the overall demographic composition of the State.

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### Exhibit 1

#### **U.S. and Maryland Population by Race and Ethnicity 2024 Population Estimates**

