



SB 29 and HB 432 -- Criminal Law - Life-Threatening Injury Involving a Motor Vehicle or Vessel - Criminal Negligence (Wade's Law)

Position: Support

To Members of the Judicial Proceedings and Judiciary Committees

On behalf of the bicycle advocacy community, Bike Maryland supports SB29/HB532 Criminal Law - Life-Threatening Injury Involving a Motor Vehicle or Vessel - Criminal Negligence "Wade's Law".

Given recent inquiries about the similarity of SB 29/HB432 and SB512/HB721 Injury or Death of Vulnerable Individual - Penalties ("VRU or Vulnerable Road User"), we wanted to make clear that we support both bills passing separately as they each fill a different gap in Maryland law for different degrees of negligence and victim consequence.

Wade's Law fills a gap where criminally negligent driving results in life-threatening injury. It provides for penalties including incarceration lower than the same act resulting in death.

VRU fills a gap where ordinary negligent driving (traffic citations like failure to yield, improper turn, etc) results in serious injury or death. Currently the penalties are small fines that can be prepaid. The new penalties add the possibility of higher fines, driver safety program, license suspension and a requirement to appear but do not include incarceration. Most importantly the law establishes a definition for *Vulnerable Individuals* (pedestrians, wheelchair users, bicyclists, scooters, etc) which provides a basis for educational programs that will raise the duty of care when drivers are in proximity to Vulnerable Individuals lawfully using or crossing our roads.

We thank Senator Carozza and Delegate Hartman for their leadership on this issue and urge the committee to vote favorably on SB 29 and HB 352.

If you have any questions contact Jen Brock-Cancellieri by phone at 410-812-1503 or by email at jenbc@highststrategies.com or Josh Feldmark at joshua@bikemd.org.