

2020 / 2021 Director
Ken Eaton

2020 / 2021 County Representatives
Caroline: Jeff Kinnamon
Dorchester: John Knox
Queen Anne's: Ken Eaton
Talbot: Jimmy Mountzalia



Dedicated to Freedom of the Road

February 12, 2021

The Honorable William C. Smith, Chairman
Judicial Proceedings Committee
2 East
Miller Senate Office Building
Annapolis, MD 21401

Re: SB 495 - Reckless and Negligent Driving
Death of Another - Must-Appear Violation

Dear Mr. Chairman;

I am a motorcyclist, a member of ABATE of Maryland, Inc., and a registered voter in Maryland. I am also the Director of the Mid-Shore Chapter, representing Caroline, Dorchester, Queen Anne's, and Talbot Counties. I have travelled through all the counties in Maryland on my motorcycle as well as other vehicles. In addition, I have travelled through 30+ states on my motorcycle in my 30+ years as a motorcyclist.

Regarding SB 495, the bill that indicates "*Providing that a person charged with reckless or negligent driving that contributes to an accident that results in the death of another person must appear in court and may not prepay the fine*". This is a bill that is near and dear to our Mid-Shore Chapter as well and the entire membership of ABATE of Maryland, Inc. On August 30, 2006, our State Executive Director, Marty Schultz, was killed in a motorcycle accident that involved a car running a stop sign. Marty was knocked off his motorcycle while travelling in his lane and died from his injuries. The vehicle driver received a ticket, paid the fine and never had to appear in court. Marty left behind a wife, 2 beautiful daughters, both of his parents and numerous friends and neighbors. Marty was the local chapter director for many years before he became State Executive Director of ABATE of Maryland, Inc.

ABATE submitted "right-of-way" bills in 2006 and 2007 with no success. In 2008, we were able to get SB 712 passed. However, it did not include a provision for "must appear". We really feel that no one should be able to just receive a minor traffic violation, or no violation at all, when an accident that they caused results in severe injury or death. They should not be able to pay a ticket to avoid going to court. They should be required to appear in court and defend the charges against them. We are not asking for a mandatory penalty, just that they would be required to appear in court. This is not just a motorcycle bill; this legislation would apply to all persons on a roadway that cause the death of another through reckless and negligent driving.

ABATE has long been known for protecting the rights of motorcyclists in Maryland. We have been instrumental in getting numerous pieces of legislation enacted that affect all Maryland motorcyclists. This "Must Appear" bill would be one more tool in the toolbox that would help motorcyclists and any other motorist on the roadways in Maryland.

I feel that this bill would give the family and friends of a victim of a reckless or negligent driver a bit of closure to know that the person that caused the accident may be held accountable for their actions.

I am hereby indicating my support for SB 495 - Reckless and Negligent Driving Death of Another - Must-Appear Violation and urge the committee to vote favorably.

Sincerely,
**MID-SHORE CHAPTER
ABATE OF MARYLAND, INC.**

A handwritten signature in black ink that reads "Kenneth B. Eaton". The signature is written in a cursive style with a large initial 'K'.

Kenneth B. Eaton, Director
Mid-Shore Chapter
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