

JACK BAILEY
Legislative District 29
Calvert and St. Mary's Counties

Budget & Taxation Committee



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

Annapolis Office
James Senate Office Building
11 Bladen Street, Room 401
Annapolis, Maryland 21401
410-841-3673 · 301-858-3673
800-492-7122 Ext. 3673
Jack.Bailey@senate.state.md.us

District Office
Dorsey Professional Park
23680 Three Notch Road, Unit 101
Hollywood, Maryland 20636
240-309-4238

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Senate Bill 74 – Grossly Negligent or Drunk or Drugged Operation of Vehicle or Vessel – Prior Convictions

Dear Chairman Smith and Members of the Committee:

I am writing to introduce Senate Bill 74 – Grossly Negligent or Drunk or Drugged Operation of Vehicle or Vessel – Prior Convictions. This legislation would strengthen Maryland's laws regarding drunk and drugged driving of vehicles or vessels and manslaughter while driving resulting from operating a vehicle in a grossly negligent manner through alterations to two parts of Maryland's statutes regarding these issues.

This bill resolves an inconsistency in how drunk or drugged driving and operating a boat while drunk or drugged are handled for the purposes of determining whether an individual is a subsequent offender. Under current law, convictions for drunk or drugged driving and operating a vehicle or vessel while under the influence of alcohol or while impaired by alcohol and/or drugs are considered separately when determining if an individual is a subsequent offender. Senate Bill 74 resolves that inconsistency by requiring a conviction for drunk or drugged driving be considered a prior conviction for the purposes of determining subsequent offender penalties for unlawfully operating or attempting to operate a vessel while under the influence of alcohol or while impaired by alcohol and/or drugs, and vice versa.

Senate Bill 74 also establishes that a person convicted of drunk and drugged driving offenses is subject to increased subsequent offender penalties if the person has previously been convicted of manslaughter by vehicle or vessel in a grossly negligent manner.

This legislation is based on a portion of a bill I sponsored during the last legislative session, Senate Bill 914. That bill included provisions increasing the penalties for some drunk driving offenses; those provisions are not included in Senate Bill 74, which is narrowly focused on ensuring the consistent treatment of repeat offenders. I know that this Committee are aware of what a serious issue this is for the residents of our State who deserve the assurance of being able to safely travel in our State.

I respectfully request a favorable report on Senate Bill 74. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Bailey".

Senator Jack Bailey