

2025 SB0123 Testimony For 2025-01-14.pdf

Uploaded by: Alan Lang

Position: FAV

Testimony For SB0772

Honorable Senators of the Committee

Please vote for SB0123.

Hopefully, by increasing the penalties for leaving the scene of a boating incident, people involved will be less likely to flee and do their duty to stay and render aid.

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SB123 Written Testimony

Uploaded by: Charles Flickner

Position: FAV

SB 123 – Support Letter

Hello,

This should have been a law a long time ago.

You never know what damage you have caused until you take a minute to check everyone and everything out.

Leaving the scene and not immediately notifying DNR can result in someone passing away. This bill will save lives.

My hope is that this law will encourage boaters to do the right thing and if not they will suffer the consequences.

Thank you for your consideration,

Charles Flickner

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PDF SB 123 Boating Accidents.pdf

Uploaded by: David Daggett

Position: FAV



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WRITTEN TESTIMONY IN SUPPORT OF SB 123

Boating Accidents – Duty to Remain at the Scene

On behalf of the Maryland State’s Attorneys’ Association, please accept this written testimony in support of Senate Bill 123, Boating Accidents – Duty to Remain at the Scene.

The intent of Senate Bill 585 is to bring the penalties for leaving the scene of boating accidents resulting in property damage, personal injury, serious physical injury or death in line with similar incidents involving vehicles on a highway.

Transportation Article §§20-102 et seq of the Annotated Code of Maryland are commonly known as the “Hit and Run” sections. The current penalties for the operator leaving the scene of a vehicle accident are listed below:

- Accident Involving Damage to Attended Vehicle or Property.....2 mos./\$500
- Accident Involving Unattended Vehicle or Other Property.....2 mos./\$500
- Accident Involving Bodily Injury.....1 year/\$3,000
- Accident Involving Serious Bodily Injury and Knew or Should Have Known there was Serious Bodily Injury.....5 years/\$5,000
- Accident Involving Death.....5 years/\$5,000
- Accident Involving Death and Knew or Should Have Known Death Would Result.....
10 years/\$10,000

In contrast, the current penalties for leaving the scene of a boating accident involving the same scenarios as above are so miniscule as to be bordering on the unimaginable. Those penalties are:

Duty to Remain at Scene of Boating Accident.....1st Offense - \$500 fine
2nd Offense - 1 yr/\$1,000

The odds of someone being twice convicted of leaving the scene of a boating accident are probably on par with winning Powerball.

Imagine the inequity of the following scenario: An impaired operator of a boat runs over and maims or kills a swimmer, renders no aid, and flees the scene. Quite possibly, the most they would face is a \$500 fine. Compare this to a boat operator who is operating his or her vessel while under the influence of or impaired by alcohol, under Natural Resources Article §8-738 and is not involved in any sort of accident:

Operating Vessel While Under the Influence of Alcohol.....1 year/\$1,000

Operating Vessel While Impaired by Alcohol and/or Drugs.....2 mos/\$500

There could be the possibility of an incidental charge of Reckless Boating under the Natural Resources Article §8-738.2, but that carries only a 30 day/\$200 fine for a first offense and 60 days/\$500 for a second or subsequent offenses.

Given the current state of the boating laws, an intoxicated boater who strikes and kills another individual would have absolutely no incentive to remain at the scene and attempt to render aid. If they remain at the scene, the intoxicated boater would be facing a myriad of possible charges, from Impaired Boating to Homicide by Vessel While Impaired, etc. If they flee from the scene and are not apprehended until after they sober up, it's possible the only Natural Resource Violations they could face would be Reckless Boating - if that could be proven – with its concomitant 30 day penalty.

Just to be clear, Manslaughter by Vessel under Criminal Law Article §2-209 and Criminal Negligence by Vessel under CR §2-210 are *possible* charges, but when it comes to boating incidents, these types of charges are *extremely* difficult to prove, especially if the only witness is deceased! For obvious reasons, evidence on a waterway is much more difficult to obtain than from a roadway.

Senate Bill 123, if passed, would finally bring the penalties for leaving the scene of a boating accident in line with those for leaving the scene of a vehicle accident. That makes perfect sense and for the reasons stated above, the Maryland State's Attorneys' Association strongly supports SB 123 and urges that it receive a favorable report.

Respectfully Submitted,

David Daggett,
Maryland State's Attorneys' Association

SB0123_DNR_SUP_JPR_1-16-25.pdf

Uploaded by: Dylan Behler

Position: FAV



Wes Moore, Governor
Aruna Miller, Lt. Governor
Josh Kurtz, Secretary
David Goshorn, Deputy Secretary

January 16, 2025

BILL NUMBER: Senate Bill 123

SHORT TITLE: Boating Accidents - Duty to Remain at the Scene, Render Assistance, and Provide Information - Penalties

DEPARTMENT'S POSITION: SUPPORT

EXPLANATION OF DEPARTMENT'S POSITION

SB 123 enhances public safety and resource protection through several key measures. By mandating that individuals remain at the scene and render assistance, the bill promotes timely aid to injured parties, which could reduce the severity of injuries and potentially save lives. It facilitates more efficient and accurate accident investigations by requiring individuals to provide critical information, enabling law enforcement to enforce boating regulations and identify hazardous behaviors. The introduction of stricter penalties acts as a deterrent to reckless actions, promoting safer boating practices and reducing the likelihood of accidents.

BACKGROUND INFORMATION

The penalties established in the bill are consistent with those established in Transportation Article §20-102 for motor vehicle crashes. Currently, the maximum penalty for failing to stop and render aid to the victim of a vessel accident is a \$500 fine for the first offense and a \$1000 and/or 1 year of incarceration for the second offense.

BILL EXPLANATION

The bill requires those involved in boating accidents to remain at the scene, render assistance to injured parties, and provide critical information to law enforcement and other parties. It introduces stricter penalties for non-compliance to deter negligent or reckless behavior.

Contact: Dylan Behler, Director, Legislative and Constituent Services
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SB123 Written Testimony

Uploaded by: Julia Weaver

Position: FAV

SB 123

To whom it may concern,

This should have been a law a long time ago, especially since you have to when driving a car. You never know what damage you have caused until you take a minute to check everyone and everything out.

As a paramedic I have personally seen the further damages to people who are left hurt and stranded when someone leaves the scene of an accident. Leaving the scene of any accident is unmoral and can result in further damages physically and mentally for all involved.

Thank you for your consideration,

Julia Weaver

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SB 123 Senator Simonaire_FAV.pdf

Uploaded by: Kara Contino

Position: FAV

BRYAN W. SIMONAIRE
Legislative District 31
Anne Arundel County

Education, Energy, and the
Environment Committee

Joint Committee on the Chesapeake and
Atlantic Coastal Bays Critical Area



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The Senate of Maryland
ANNAPOLIS, MARYLAND 21401

Written Testimony in SUPPORT of SB 123

Chairman and members of the Judicial Proceedings Committee,

I am Senator Simonaire presenting SB 123.

This is a sponsor only hearing as this is consensus legislation with no known opposition and passed unanimously last year.

This year I have a crossfile to avoid delays at the end of session.

If you will recall, my constituent came down and shared how he lost his wife due to a brutal hit and run incident on the Magothy River, and how that exposed the unfairness between the same incident occurring on water verses on a street.

This bill simply mirrors the Hit-and-Run penalties we have in Transportation Article (20-102, 20-104) into the Maryland Boating Act.

This bill creates parity with vehicles and vessels regarding hit-n-run by mirroring the Transportation Article for the Natural Resources Article.

While this bill will not affect my constituent, it will be very meaningful to those in the future.

I ask for your favorable consideration.

SB 123 Larry Slattery victim statement.pdf

Uploaded by: Lawrence Slattery

Position: FAV

Victim's (family) statement:

Larry Slattery:

Upon reflecting on the events and the case, I wished that I had had an emergency that would have distracted my brother from being on the water that evening. Worst case, I wish I had been on the boat and in the seat where Mr. Edds boat landed to spare Laura because she was a better person than I was, or ever will be. I wish this because by Mr. Edds' selfish, negligent, reckless actions, he has sentenced my brother, whom I love, to a lifetime sentence of loneliness and emptiness by the loss of his soul mate of 41+ years, Laura. I am hurt to my core to see my brother and his family suffer through this loss, the trial, and days ahead without their loved one. Laura was a kind, loving, and caring wife, mother, relative who reached out to help others, many of whom were less fortunate than her. She always offered assistance and guidance when others, including myself, needed it. There is now an everlasting void because of your actions. You forever denied society the compassion and loving guidance of a caring Laura.

My Lord is Jesus Christ and He instructs His followers to forgive those who repent of their sins. Mr. Edds, you have not repented. Throughout this trial you have attempted to avoid being held accountable for your selfish, negligent, and reckless actions by not fully disclosing the facts and having memory lapses. You wanted to "beat the traffic". At what expense? You stated that you were travelling 15 - 20 knots. My brother thought he was 6 – 12 knots. A 3 knot differential would not make your boat go vertical and land over $\frac{3}{4}$ of the length on top of my brother's boat. Obviously, the speed differential was significantly greater than 3 knots. Based on the law, critical evidence was excluded (because of the State's Attorney's errors) regarding your speed (30+ knots based on your cell phone app), that my brother's lights were on (pictures from Laura's phone), and your other actions before, during, and immediately after the incident which would clearly show the gravity of your contributions to the death of Laura. You stated that you had 1 $\frac{1}{2}$ beers out of a 12 pack although you were out on the water for hours. You did not "hear" my brother state, when your boat was on top of his dying wife, "you fucking killed my wife" when you were within 6' of each other. You also did not "hear" Angela Murphy's multiple requests to stay at the scene despite her being right next to you. You did not stay at the scene with other boats when you thought you might be taking on water. When others indicated that they called DNR/police, you immediately left the scene. You stated that you left the scene at \leq 6 mph because you were in the speed restricted channel. Multiple witnesses saw you leave at a high rate of speed, planed, which was substantially over the 6 mph speed limit, through the channel. You did not call DNR/police after you docked because you stated "no harm no foul". You lied on the stand to minimize your punishment. The root causes of this are multiple and solely attributed to you, Mr. Edds, but one of the main factors is that your boat was travelling at a high rate of speed (as all witnesses attested to and which directly conflicts with your testimony) and you confused my brother's aft boat light (which was travelling at a very slow speed) with the shore lights and you could not react in a timely manner to avoid a collision. DNR regulations require that you pilot your vessel to avoid other boats. Your operation of your vessel was grossly negligent and reckless and for the sole selfish purpose of "beating the traffic."

My heart struggles with this, and after much reflection, I believe that the only way for me to move forward is to forgive you, and so I do. However, when you finally pass, you will be judged by God Almighty and there will be no lies, best of my recollection, laws, lawyers, etc. to hide behind. The tape of that incident will be played in full, including your decisions, desires, actions, etc. May God have mercy on your selfish, dishonest, uncaring, and callous soul.

Under Section 11-402 e 6 and 7, I am requesting that the judge make the longest possible probation after Mr. Edds is released from prison and to make mandatory the wearing of continuous electronic monitoring for the entire probationary period because Mr. Edds is a clear and present danger to my family and me, and anyone in his vicinity as after 21 years and 4 DUI convictions, he has consistently shown no consideration of, and has not learned, to respect the rights and lives of others as is evidenced by his continued recent actions. In addition, I am requesting that all my family members be notified at least two (2) weeks in advance of any probationary hearings, his release from prison, and when the electronic monitoring will cease so that we can properly prepare to address the hearings and the safety of our loved ones.

I am hopeful that the parole board will read this as I was not allowed to present this victim's statement at the end of the trial.

SB123 Written Testimony

Uploaded by: Patricia Flickner

Position: FAV

SB 123 – Support Letter

Hello,.

This directly impacts me as my sister-in-law was killed by a person who left the scene and DNR had to find him.

We have lost an important family member and it was made worse by initially not knowing the person who did it.

The delay in notifying authorities can result in the injured party passing away. This bill will save lives.

The shock of her death along with the morally objectionable behavior of the person(s) who did this is unfathomable.

My hope is that this law will encourage boaters to do the right thing and if not they will suffer the consequences.

Thank you for your consideration,

Patricia Flickner (Brian Slattery Sr.s sister)

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SB123 Written Testimony

Uploaded by: Paul Weaver

Position: FAV

SB 123 – Support Letter

To whom it may concern,

I believe this should have been a bill a long time ago, you have to when youre driving a vehicle so why would you not when driving a boat? You never know what damage you have caused until you take a minute to check everyone and everything out.

If you do not stop you should be pentalized just as you were in a vehicle, the person(s) left behind could be injured or killed. Minutes matter in emergenices and every minute they are left stranded is a risk to life. Please consider passing this bill to protect life and property

Thank you for your consideration,

Paul Weaver

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