

# SENATE BILL 229

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7lr1618  
CF HB 635

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By: **Senators Cassilly, Norman, and Ready**  
Introduced and read first time: January 19, 2017  
Assigned to: Judicial Proceedings

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Committee Report: Favorable  
Senate action: Adopted  
Read second time: February 21, 2017

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Criminal Law – Homicide by Motor Vehicle or Vessel While Impaired by**  
3 **Controlled Dangerous Substance – Penalties**

4 FOR the purpose of altering penalties for the crime of homicide by motor vehicle or vessel  
5 while impaired by a controlled dangerous substance; and generally relating to  
6 homicide.

7 BY repealing and reenacting, with amendments,  
8 Article – Criminal Law  
9 Section 2–506  
10 Annotated Code of Maryland  
11 (2012 Replacement Volume and 2016 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
13 That the Laws of Maryland read as follows:

14 **Article – Criminal Law**

15 2–506.

16 (a) A person may not cause the death of another as a result of the person's  
17 negligently driving, operating, or controlling a motor vehicle or vessel while the person is  
18 impaired by a controlled dangerous substance, as defined in § 5–101 of this article.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (b) A violation of this section is homicide by motor vehicle or vessel while impaired  
2 by a controlled dangerous substance.

3 (c) (1) Except as provided in paragraph (2) of this subsection, a person who  
4 violates this section is guilty of a felony and on conviction is subject to imprisonment not  
5 exceeding [3] 5 years or a fine not exceeding \$5,000 or both.

6 (2) (i) A person who violates this section, having previously been  
7 convicted under this section, § 2-209, § 2-210, § 2-503, § 2-504, § 2-505, or § 3-211 of this  
8 article, or § 21-902 of the Transportation Article, is guilty of a felony and on conviction is  
9 subject to imprisonment not exceeding [5] 10 years or a fine not exceeding \$10,000 or both.

10 (ii) For the purposes of application of subsequent offender penalties  
11 under subparagraph (i) of this paragraph, a conviction for a crime committed in another  
12 state or federal jurisdiction that, if committed in this State would constitute a violation of  
13 this section, § 2-209, § 2-210, § 2-503, § 2-504, § 2-505, or § 3-211 of this article, or §  
14 21-902 of the Transportation Article, shall be considered a violation of this section.

15 (d) This section does not apply to a person who is entitled to use the controlled  
16 dangerous substance under the laws of this State.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 October 1, 2017.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.