

SENATE BILL 241

R5, R4

4lr0475

By: **Senator Simonaire**

Introduced and read first time: January 16, 2014

Assigned to: Judicial Proceedings

A BILL ENTITLED

AN ACT concerning

Rules of the Road – Duty to Remain at Scene of Accident – Driver Education and Penalties

FOR the purpose of requiring the Motor Vehicle Administration to adopt regulations requiring that classroom instruction for the driver education program include instruction on a certain requirement to remain at the scene of a vehicle accident and the associated penalties for a failure to do so; increasing the penalty for failing to remain at the scene of a certain vehicle accident that results in the death of another person; and generally relating to the requirement to remain at the scene of a vehicle accident.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–505 and 27–113
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 20–102
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

Preamble

WHEREAS, Maryland has tragically lost some of its best and brightest citizens due to motor vehicle accidents on Maryland roadways; and

WHEREAS, There have been too many victims of fatal vehicular hit-and-run accidents in Maryland, creating unimaginable suffering for surviving family members; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



WHEREAS, Recently, communities in Anne Arundel County have been hit extremely hard with losses of young lives due to motor vehicle accidents; and

WHEREAS, On April 15, 2013, Skylar Marion lost his life at the age of 15 as the result of injuries sustained in an unsolved hit-and-run accident; and

WHEREAS, Skylar was an incredible young man with a passion for life; and

WHEREAS, This Act is dedicated to Skylar and the many others who were fatally struck by drivers who fled the scene of the accident; and

WHEREAS, Maryland has a vested interest in educating its citizenry and protecting them as they travel across the State; and

WHEREAS, Lives can be saved by increasing the penalties for hit-and-run offenses and educating drivers about the importance of remaining at the scene of an accident as required by law; now, therefore,

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

Article – Transportation

16–505.

(a) The Administration shall, in consultation with the State Department of Education, adopt and enforce regulations not inconsistent with this subtitle to implement a standardized driver education program conducted by driver education schools under its jurisdiction.

(b) Regulations adopted under this section shall be administered by the Administration and shall include:

(1) Curriculum, equipment, and facility standards for classroom, laboratory, and on-road instruction phases;

(2) Minimum student performance standards for an approved driver education program based upon the standardized curriculum approved by the Administration, consisting of at least:

(I) 30 hours of classroom instruction, **INCLUDING INSTRUCTION ON THE REQUIREMENT TO REMAIN AT THE SCENE OF AN ACCIDENT PROVIDED IN § 20–102 OF THIS ARTICLE AND THE PENALTIES PROVIDED IN § 27–113 OF THIS ARTICLE FOR A VIOLATION OF § 20–102 OF THIS ARTICLE;** and

- (II) [at least] 6 hours of highway driving instruction;
- (3) Standards for the certification of schools and instructors;
- (4) A system to evaluate the effectiveness of the driver education program;
- (5) Standards governing the required offering of the driver education program, based on the capacity, enrollment, staff, and facilities of the schools; and
- (6) Standards for the eligibility of individuals to enroll in the program.

20–102.

(a) (1) The driver of each vehicle involved in an accident that results in bodily injury to another person immediately shall stop the vehicle as close as possible to the scene of the accident, without obstructing traffic more than necessary.

(2) The driver of each vehicle involved in an accident that results in bodily injury to another person immediately shall return to and remain at the scene of the accident until the driver has complied with § 20–104 of this title.

(b) (1) The driver of each vehicle involved in an accident that results in the death of another person immediately shall stop the vehicle as close as possible to the scene of the accident, without obstructing traffic more than necessary.

(2) The driver of each vehicle involved in an accident that results in the death of another person immediately shall return to and remain at the scene of the accident until the driver has complied with § 20–104 of this title.

27–113.

- (a) In this section, “serious bodily injury” means an injury that:
- (1) Creates a substantial risk of death;
 - (2) Causes serious permanent or serious protracted disfigurement;
 - (3) Causes serious permanent or serious protracted loss of the function of any body part, organ, or mental faculty; or
 - (4) Causes serious permanent or serious protracted impairment of the function of any bodily member or organ.

(b) A person who violates § 20–102 of this article (“Driver to remain at scene — Accident resulting in bodily injury or death”) and who knew or reasonably should

have known that the accident might result in serious bodily injury to another person and serious bodily injury actually occurred to another person, is guilty of a felony and on conviction is subject to imprisonment for not more than 5 years or a fine of not more than \$5,000 or both.

(c) A person who violates § 20–102 of this article (“Driver to remain at scene — Accident resulting in bodily injury or death”) and who knew or reasonably should have known that the accident might result in the death of another person and death actually occurred to another person, is guilty of a felony and on conviction is subject to imprisonment for not more than **[10] 15** years or a fine of not more than \$10,000 or both.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2014.