

SENATE BILL 710

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5lr2766
CF HB 883

By: ~~Senator King~~ Senators King, Charles, Folden, James, Smith, Waldstreicher,
and West

Introduced and read first time: January 27, 2025

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 27, 2025

CHAPTER _____

1 AN ACT concerning

2 **Criminal Law – Motor Vehicle ~~or Vessel~~ – Criminal Negligence**
3 **(Sergeant Patrick Keep Act)**

4 FOR the purpose of prohibiting a person from driving, operating, or controlling a motor
5 vehicle ~~or vessel~~ in a criminally negligent manner; providing that certain conduct
6 does not constitute a violation of this Act; and generally relating to motor vehicles ~~or~~
7 ~~vessels~~ and criminal negligence.

8 BY ~~repealing and reenacting, with amendments,~~ adding to
9 Article – Criminal Law
10 Section ~~3-212.1~~ 3-212.2
11 Annotated Code of Maryland
12 (2021 Replacement Volume and 2024 Supplement)

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

15 **Article – Criminal Law**

16 ~~3-212.1~~

17 (a) (1) ~~In this section, “vessel” means any watercraft that is used or is capable~~
18 ~~of being used as a means of transportation on water or ice.~~

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.



~~(2) "Vessel" does not include a seaplane.~~

~~(b) A person may not:~~

~~(1) DRIVE, OPERATE, OR CONTROL A MOTOR VEHICLE OR VESSEL IN A CRIMINALLY NEGLIGENT MANNER; OR~~

~~(2) cause a life threatening injury to another as a result of the person's driving, operating, or controlling a motor vehicle or vessel in a criminally negligent manner.~~

~~(e) For the purpose of this section, a person acts in a criminally negligent manner with respect to a result or a circumstance when:~~

~~(1) the person should be aware, but fails to perceive, that the person's conduct creates a substantial and unjustifiable risk that such a result will occur; and~~

~~(2) the failure to perceive constitutes a gross deviation from the standard of care that would be exercised by a reasonable person.~~

~~(d) It is not a violation of this section for a person to:~~

~~(1) DRIVE, OPERATE, OR CONTROL A MOTOR VEHICLE OR VESSEL IN A NEGLIGENT MANNER AS DEFINED IN § 21-901.1 OF THE TRANSPORTATION ARTICLE; OR~~

~~(2) cause a life threatening injury to another as a result of the person's driving, operating, or controlling a motor vehicle or vessel in a negligent manner.~~

~~(c) (1) A PERSON WHO VIOLATES SUBSECTION (B)(1) OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 6 MONTHS OR A FINE NOT EXCEEDING \$5,000 OR BOTH.~~

~~(2) A person who violates SUBSECTION (B)(2) OF this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 1 year or a fine not exceeding \$5,000 or both.~~

3-212.2.

(A) A PERSON MAY NOT DRIVE, OPERATE, OR CONTROL A MOTOR VEHICLE IN A CRIMINALLY NEGLIGENT MANNER.

(B) FOR THE PURPOSE OF THIS SECTION, A PERSON ACTS IN A CRIMINALLY NEGLIGENT MANNER WHEN:

1 **(1) THE PERSON SHOULD BE AWARE, BUT FAILS TO PERCEIVE, THAT**
2 **THE PERSON’S CONDUCT CREATES A SUBSTANTIAL AND UNJUSTIFIABLE RISK TO**
3 **THE SAFETY OF PERSONS OR PROPERTY; AND**

4 **(2) THE FAILURE TO PERCEIVE CONSTITUTES A GROSS DEVIATION**
5 **FROM THE STANDARD OF CARE THAT WOULD BE EXERCISED BY A REASONABLE**
6 **PERSON.**

7 **(C) IT IS NOT A VIOLATION OF THIS SECTION FOR A PERSON TO DRIVE,**
8 **OPERATE, OR CONTROL A MOTOR VEHICLE IN A NEGLIGENT MANNER AS DEFINED IN**
9 **§ 21-901.1 OF THE TRANSPORTATION ARTICLE.**

10 **(D) A PERSON WHO VIOLATES SUBSECTION (A) OF THIS SECTION IS GUILTY**
11 **OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT**
12 **EXCEEDING 6 MONTHS OR A FINE NOT EXCEEDING \$5,000 OR BOTH.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2025.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.