

SB 17 MBC Testimony Wades Law-Ready to Submit.pdf

Uploaded by: Carozza, Senator Mary Beth

Position: FAV

MARY BETH CAROZZA
Legislative District 38
Somerset, Wicomico,
and Worcester Counties

Education, Health, and Environmental Affairs
Committee



Annapolis Office
James Senate Office Building
11 Bladen Street, Room 314
Annapolis, Maryland 21401
410-841-3645 · 301-858-3645
800-492-7122 Ext. 3645
Fax 410-841-3006 · 301-858-3006
MaryBeth.Carozza@senate.state.md.us

THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

January 19, 2021

Senate Judicial Proceedings Committee

SB 17 Criminal Law – Life-Threatening Injury Involving a Motor Vehicle or Vessel-Criminal Negligence (Wade’s Law) Statement of Support by Bill Sponsor Senator Mary Beth Carozza

Chairman Smith, Vice Chair Waldstreicher, and members of the distinguished Senate Judicial Proceedings Committee, I come before you again this session to urge you to give favorable consideration to Senate Bill 17, Wade’s Law, which simply provides a more just penalty to those convicted of criminally negligent driving causing life-threatening injuries by a vehicle or vessel.

We have real victims and compelling reasons to pass this legislation this session with no delay. The story of Wade’s Law starts on February 22, 2016, when a *criminally* negligent driver struck two Worcester County road workers, Wade Pusey and Scott Tatterson, while they simply were doing their job along the highway. The violent crash killed Mr. Tatterson and Wade was flown to Maryland Shock Trauma with several life-threatening injuries, some of which he continues to live with today. Wade’s story was brought to my attention by the Worcester County State’s Attorney’s office after it became clear that the only offense that the driver could be charged with after causing a life-threatening injury, due to his criminal actions, was a motor vehicle citation carrying a maximum penalty of \$500. That is an unjust penalty.

Current law provides that manslaughter by vehicle by criminally negligent driving is a misdemeanor and subject to a maximum three-year imprisonment and/or a \$5,000 fine. Yet if the victim is maimed, paralyzed, or suffers some other life-threatening injury, that same criminally negligent driver is only liable for a \$500 fine. SB 17 provides a just penalty by allowing a person who is guilty of criminally negligent driving causing a life-threatening injury to be imprisoned up to 18 months or be fined \$5,000 or both.

In 2017, as a Delegate, I first introduced Wade’s Law as HB 585, and it passed the House by a 140-0 unanimous vote but did not receive a committee vote in the Senate Judicial Proceedings Committee. In 2019, my first session in the Senate, I reintroduced Wade’s Law and it passed the Senate 46-0 but did not clear the House.

In the meantime, the sense of urgency to pass this legislation has been heightened by the devastating, horrific and extremely painful crash that Je’Ani Lyles lived through on June 18, 2018 in Harford County caused by a criminally negligent driver. You will hear from Je’Ani’s mother, Carla Ortiz, who will describe not only the horror of the crash with Je’Ani suffering a severing of her T8 vertebrae, multiple surgeries, and paralysis from the chest down but will plead for a more just penalty to hold those who are criminally negligent responsible for their actions.

Let this be the year that we see Wade's Law all the way through to final passage. Let's no longer be in the position that a victim or a victim's family has to be told that had they or their loved one killed in a crash by a criminally negligent defendant that the at-fault driver would face jail time and a significant fine, but if the victim somehow survives life-threatening injuries or is maimed or paralyzed, then that same criminally negligent driver only faces points on their driver's license and a small fine and does not even have to appear in court! That simply is unjust and should not stand any longer.

My parents always taught me that if you believe in a just cause or action, then you keep working it, not for yourself, but for people like Wade Pusey and his family, Je'Ani Lyles and her mother, Carla, and for all the unnamed victims and future victims. You keep fighting the good fight. I respectfully request a favorable report of SB 17 which would allow for a more just penalty on those found guilty of criminally negligent driving causing life-threatening injuries and would provide some peace of mind for past and future victims.

Thank you for your kind consideration.

SB 17 Written Testimony.pdf

Uploaded by: Daggett, David

Position: FAV



MARYLAND STATE'S ATTORNEYS' ASSOCIATION
3300 North Ridge Road, Suite 185
Ellicott City, Maryland 21043

David Daggett
(c) 410.979.3356

O - 410.203.9881

Steven Kroll
(c) 410.979.3354

WRITTEN TESTIMONY IN FAVOR OF SENATE BILL 17 (WADE'S LAW)

The Maryland State's Attorneys' Association Supports Senate Bill 17
Life – Threatening Injury Involving a Motor Vehicle or Vessel.

As current law stands (CR §2-210), a person who causes death as the result of driving their vehicle in a “criminally negligent manner” is subject to three years of incarceration and a fine of \$5,000. “Criminally Negligent” driving is defined as “acting in a criminally negligent manner with respect to a result or circumstance when 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 the failure to perceive constitutes a gross deviation from the standard of care that would be exercised by a reasonable person. In other words, if a person drives in such a criminally negligent manner and causes a death, they face a three year period of incarceration and a the potential \$5,000 fine. Should that driver act in the exact same criminally negligent manner yet “merely” cause a life-threatening injury to another, as current law stands, they are only liable for a \$500 fine and three points. The purpose of SB 17 (Wade’s Law) is to create a criminal penalty for driving in the same criminally negligent manner though causing a life-threatening injury to another as opposed to a death.

IT WOULD NOT be a violation of Wade’s Law if the person merely drives in a *negligent* manner. It is not even a violation if the person drives in a *reckless* manner. SB 17 makes no attempt to change or lessen the level of poor driving that would be required in order to convict of causing a life-threatening injury than would be required to convict for the charge of causing a death while driving criminally negligent.

SB 17 - Criminal Negligence Resulting in a Life - Threatening Injury - would require a finding beyond a reasonable doubt that the person’s bad driving created a “substantial and unjustifiable risk to human life.” This is a much higher standard than is required to prove simple negligent driving, which is defined in TR § 21-901.1(b) as “driving a motor vehicle in a *careless or imprudent* manner that endangers any property or the life or person of any individual.” Think of *Negligent Driving* as an act of *nonfeasance* (an act of omission or inattentiveness), while *Criminal Negligence* could be more properly thought of as an act of *malfeasance* (an overt act that the commission of which is wholly wrongful and unlawful...evil doing...ill conduct.)

As previously mentioned, simple Negligent Driving does not carry a penalty of incarceration. The penalty is 1 point (3 points if it contributes to an accident) and a \$500 fine.

The pre-payable amounts are \$140 if there is no accident and \$180 if there is an accident. Clearly, in the situations we are talking about here, an accident would have occurred, so 3 points and a \$500 fine (\$180 *pre-payable*) is the current maximum penalty. In addition, the at-fault driver can add insult to injury (literally) by not even appearing in court. The guilty party can simply mail a check to the court upon receiving a citation. In other words, the at-fault driver can drive in a criminally negligent manner, put someone in a wheelchair for life, and simply mail in a \$180 check (plus .55 cent stamp!)

The same applies to Reckless Driving, which also carries no incarceration. "Reckless Driving" is defined as driving in a wanton or reckless disregard for the safety of persons or property. If a person drives in a reckless manner and puts someone in a wheelchair for life, again, they can mail in their check and not have to appear in court.

What is a Life-Threatening Injury?

While "life - threatening injury" is not defined by statute, the meaning of the term can be found by looking into case law for CR §3-211, Life -Threatening Injury by Motor Vehicle While Under the Influence of Alcohol. The term "life-threatening injury" is clarified in the case of *Todd v State*, 161 Md. App. 332 (2005). There the Maryland Court of Special Appeals held:

"The statute that separately criminalized causing a life-threatening injury while driving under the influence of alcohol was neither void for vagueness nor ambiguous despite the absence of a definition for "life threatening injury" as that term could be understood and applied in an everyday sense; therefore, evidence indicating that a child in the car defendant hit head-on suffered a serious head injury that required numerous surgeries at a famous hospital, because they were too complicated to address at the local hospital, were ample to support a conviction."

Difference Between Criminal Negligence and Texting Violations Resulting in Serious Bodily Injury

Last year, the Committee had a question regarding the difference between Criminal Negligence and Jake's Law (TR § 21-1124.3). "Jake's Law," which addresses a person committing a violation of the texting or cell phone usage sections of the traffic code (TR §§ 21-1124.1 and 1124.2) that causes an accident that directly results in the death or serious bodily injury of another is subject to imprisonment not exceeding 1 year or a fine not exceeding \$5,000 or both. The proposed penalty for Criminal Negligence Resulting in a Life-Threatening Injury is 18 months. So while the penalty proposed in SB 17 is slightly greater than is the texting law, SB 17 requires a showing of much more egregious driving than does the texting law, which merely requires simple negligent driving and texting.

In order to charge Criminal Negligence versus a violation of Jake's Law, the State must prove *additional evidence of bad driving* over and above texting. Jake's Law merely requires texting and it must be the inattentiveness due to the texting "that causes" the accident. Criminal Negligence, on the other hand, requires such additional bad driving that rises to a much greater degree of negligence. As previously stated above, it must be shown that the driver should have been aware of – but failed to perceive – that his manner of driving created a substantial and unjustifiable risk to human life and that the failure to perceive that risk was a

gross departure from the conduct of a reasonable person under the circumstances. In a case involving texting, in order to take it to the next level of criminal negligence, the driver must be exhibiting other bad behavior, such as significantly speeding, weaving in and out of traffic, tailgating, running a red light or stop sign, etc.

Conclusion

It is extremely difficult to have to explain to a victim – or to the family of a victim – that had they or their loved one been killed in a crash caused by a criminally negligent defendant, the at-fault driver would have been facing jail time and a significant fine, but because the victim may have “only” been maimed or paralyzed (but lived), the at-fault driver merely faces points on their driving record and a fine amounting to a pittance. **It is for the reasons stated above that the Maryland State’s Attorneys’ Association supports a favorable recommendation of House Bill 352.**

Respectfully Submitted,



David Daggett, MDSAA

AD
On Monday, June 18, 2018 at approximately 10:50 p.m. at the northbound 78 mile marker of the JFK Memorial Highway (I 95), in Harford County, Maryland, construction was taking place that required traffic to be funneled down from three lanes to one. A number of signs were posted beginning about a mile south of the crash scene. Lanes one (the fast lane) and two (middle) were merging into the far right (slow) lane of travel. The speed limit at that location was 65 MPH. The weather was clear and dry and traffic was fairly heavy.

A Volvo tractor-trailer pulling a white Great Dane semitrailer with appx. 45,000 pounds (22.5 tons) of shingles, had been hauled up from Greensboro, North Carolina, beginning at about 10:30 that morning by a single driver, who was the sole occupant of the tractor-trailer. While the driver was not in violation of any commercial vehicle regulations, he had been on the journey for slightly over 12 hours and though he had made a number of stops along the way, his driving logs indicated that he had not taken any *sleep* breaks.

Prior to impact, as other vehicles were either slowing or coming to a complete halt, the tractor-trailer continued travelling at close to 60 MPH, making no effort to slow down. The tractor-trailer then plowed into the queue, causing a chain reaction of destruction.

The first vehicle struck was a 2010 Toyota Camry with New Jersey registration. The Camry was being driven by Ms. Carla Ortiz. Her daughter Je'ani ("Gee ah nee") Lyles (13 y.o. at the time of the crash) was in the right front seat. Carla Ortiz was in the far right hand lane travelling at stop and go speed when "she felt a bomb go off and her vehicle was struck from behind." She did not hear any noises of pre-impact braking nor the sounds of horns to warn her about the potential crash. After being struck, her car was pushed forward by the tractor-trailer at a high rate of speed, causing her to impact with other vehicles.

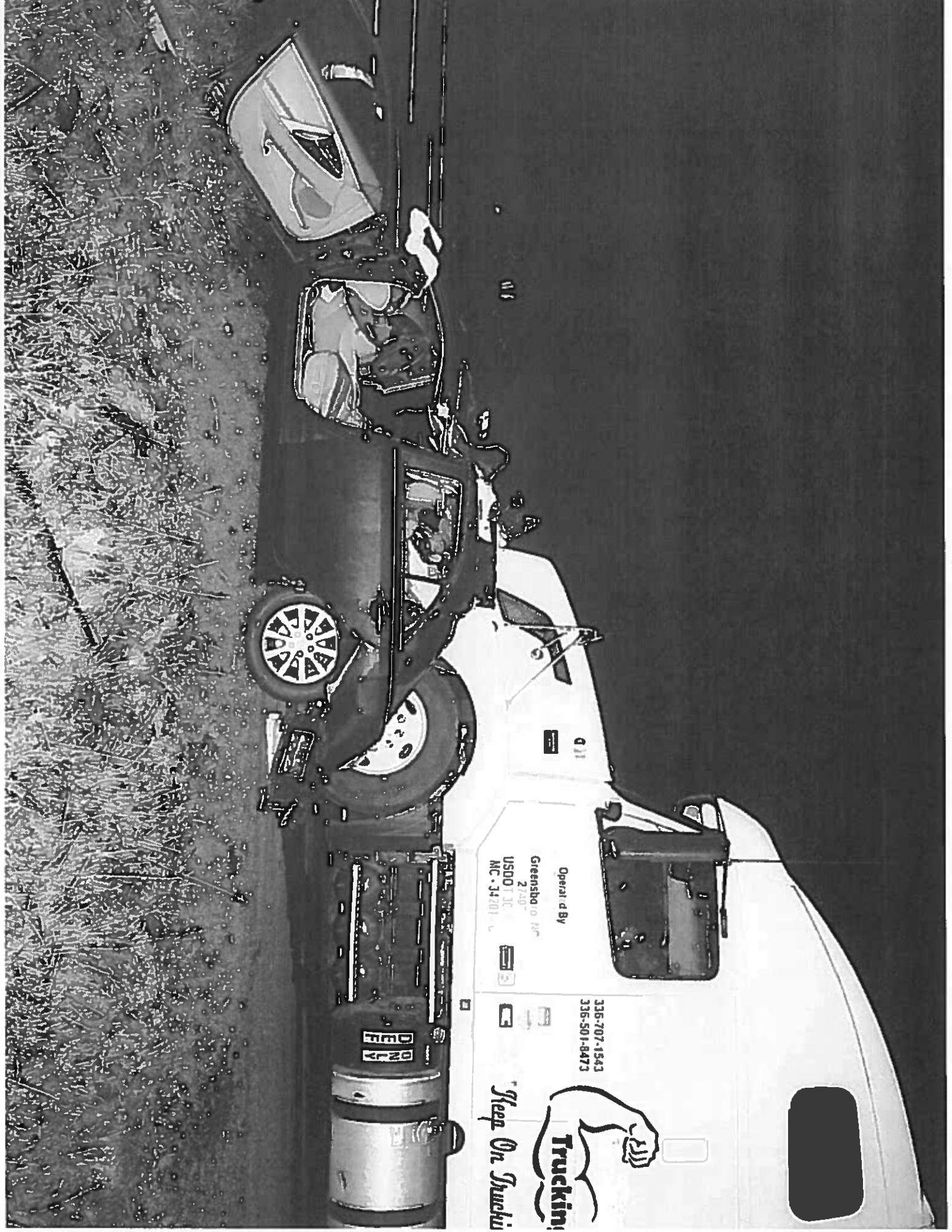
Je'ani was transported to John's Hopkins Pediatric Hospital and she suffered a severing of her T8 vertebrae. She continues to be paralyzed from the chest down to this day.

After the initial collision, the Volvo truck "overrode" the Camry's bumper and effectively became interlocked, becoming one unit. The Camry and tractor-trailer then continued forward at a high rate of speed, with the truck then striking a Honda Civic. The Civic was stationary and was being operated by Paul Manion. His wife Angela was the front seat passenger and their daughter, Morgan Rose Manion (14 y.o.a.) was in the left rear passenger seat. The Manions were in the far right lane preparing to exit the highway and they had noticed the bright yellow signs going back some distance. They had been stopped for 2-3 seconds when they felt a crash and multiple occurring hits, as the truck side-swiped the Civic. The Civic then flipped and Paul, Angela and Rose were hanging upside down from their seat belts. They never heard the sound of any brakes or horns nor did they see the truck approaching from the rear.

Rose Manion was transported by air to the Johns Hopkins Pediatric Intensive Care Unit, suffering from extensive injuries. On Wednesday, June 22 at approximately 8:20 p.m., 14 year old Rose succumbed to her injuries.

plw

While the defendant was found guilty of Criminally Negligent Homicide for the death of Morgan Manion, the lack of Criminal Negligence Resulting in Life-Threatening Injury severely limited the charging options related to the injuries suffered by Je'Ani, other than a payable offense.



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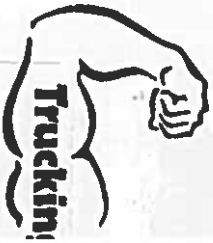
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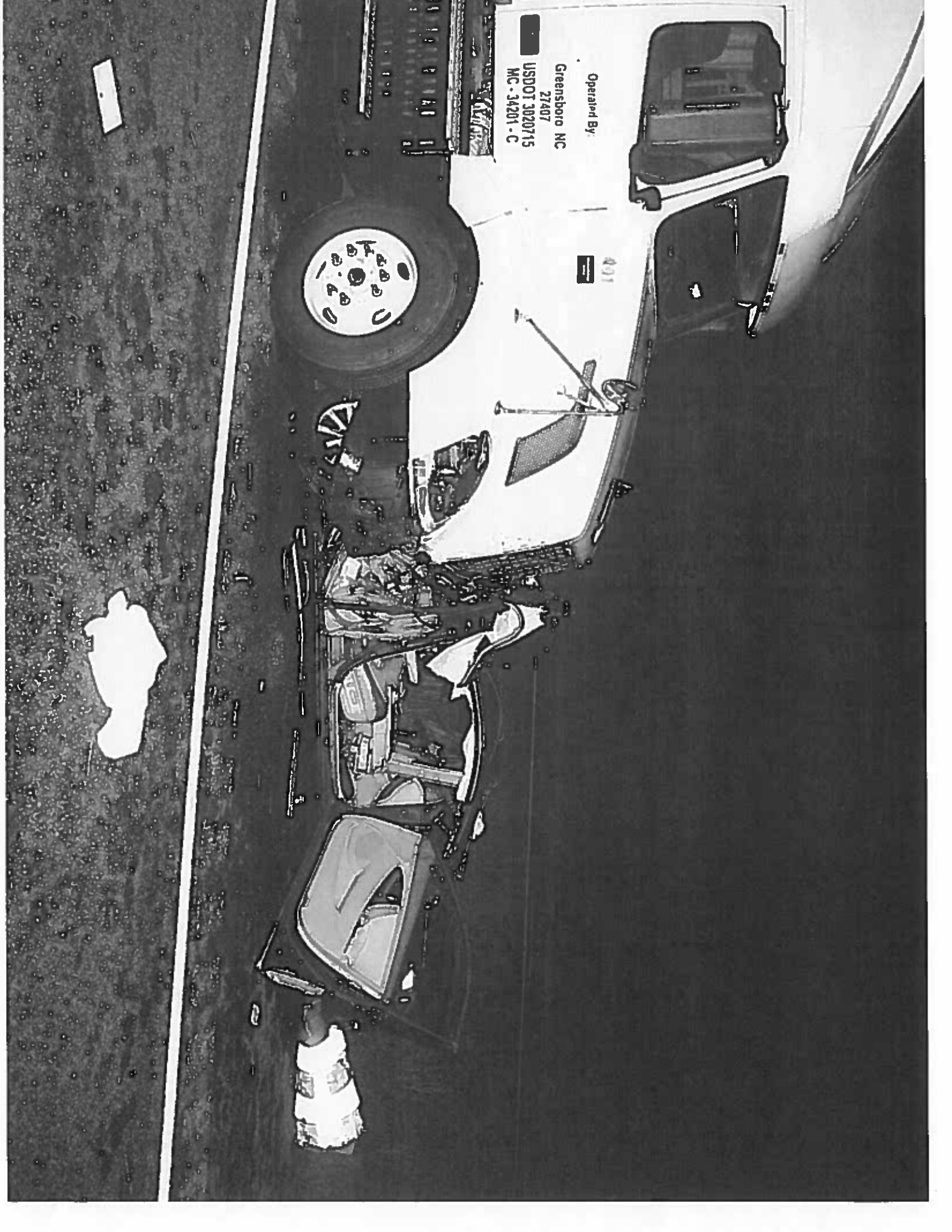
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SB0017_DNR_SUP bill report.pdf

Uploaded by: Eutsler, Lisa

Position: FAV



Larry Hogan, Governor
Boyd Rutherford, Lt. Governor
Jeannie Haddaway-Riccio, Secretary

January 19, 2021

The Honorable William J. Smith, Jr.
Chair, Judicial Proceedings Committee
2 East Miller Senate Office Building
Annapolis, MD 21401

Re: Letter of Support – Senate Bill 17 – Criminal Law – Life Threatening Injury Involving a Motor Vehicle or Vessel – Criminal Negligence (Wade’s Law)

Dear Chair Smith and Committee Members:

The Maryland Department of Natural Resources supports Senate Bill 17.

As introduced, SB 17 provides a mechanism by which a person is held accountable for criminally negligent behavior when not under the influence of drugs or alcohol and when that behavior results in life-threatening injury to another. The standard of proof required by this legislation would be below the level of gross negligence, which is often difficult to prove. This bill also does not require proof that the operator was impaired while engaged in criminally negligent behavior, which is currently required by Criminal Law Article § 3-211.

Because the legislation would provide a valuable enforcement tool to address unsafe behavior on the water, the department respectfully requests the committee to grant Senate Bill 17 a favorable report.

Respectfully submitted,

James W. McKitrick
Director, Legislative and Constituent Services

Contact: James McKitrick, Director, Legislative and Constituent Services
JamesW.McKitrick@maryland.gov ♦ 443-510-5013

SB 17 Vehicle-vessel Criminal Negligence- Wade's L

Uploaded by: Mansfield, Andrea

Position: FAV



**MARYLAND CHIEFS OF POLICE ASSOCIATION
MARYLAND SHERIFFS' ASSOCIATION**



532 Baltimore Blvd. Suite 308
Westminster, MD
667-314-3216

532 Baltimore Blvd. Suite 308
Westminster, MD
667-314-3216

MEMORANDUM

TO: The Honorable William C. Smith, Jr. Chairman and
Members of the Judicial Proceedings Committee

FROM: Chief David Morris, Co-Chair, MCPA, Joint Legislative Committee
Sheriff Darren Popkin, Co-Chair, MSA, Joint Legislative Committee
Andrea Mansfield, Representative, MCPA-MSA Joint Legislative Committee

DATE: January 19, 2021

RE: **SB 17 - Criminal Law – Life-Threatening Injury Involving a Motor Vehicle or
Vessel – Criminal Negligence (Wade’s Law)**

POSITION: SUPPORT

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs’ Association (MSA) **SUPPORT** SB 17. This bill would establish the offense of life-threatening injury by motor vehicle or vessel as criminal negligence. A violator would be guilty of a misdemeanor and on conviction is subject to a maximum penalty of imprisonment not exceeding 18 months or a fine not exceeding \$5,000 or both.

The intent of SB 17 is to establish the offense of life-threatening injury by motor vehicle as criminal negligence and standardize the penalty provision with other similar offenses. Under current law, two offenses (causing life-threatening injury by motor vehicle or vessel while under the influence of alcohol or under the influence of alcohol per se or while impaired by a CDS; and causing life-threatening injury by motor vehicle or vessel while impaired by alcohol or drugs) are misdemeanors with maximum penalties of 3 years and \$5,000, or 2 years and \$3,000, respectively. Considering the similar nature of these offenses, establishing the offense and creating a comparable penalty seems appropriate.

For this reason, MCPA and MSA **SUPPORT** SB 17 and urge a **FAVORABLE** committee report.

Testimony.pdf

Uploaded by: Ortiz, Carla

Position: FAV

On June 18, 2018, My daughter, Je'ani Lyles, who was a 13 yr. old, vibrant, active, smart and funny typical teenager and I were rear-ended by an 18 wheel tractor trailer while sitting still on I95 N, Hartford County, MD in a construction zone. My car was the last car entering the construction zone. There was no warning, no horns blowing, no sounds of a vehicle skidding while trying to stop, NO WARNING at all! In the blink of an eye, my Baby Girl and I heard the loudest noise that we have ever heard in our lives and felt a force that can not be described with words. The awful sound of glass and metal shattered our worlds as we were pushed at a change in velocity from 12 miles to about 47 miles an hour in a matter of seconds. Those moments will forever be embedded in our memory and were the beginning to a new life, very different from the life we had and had planned just moments before.

As an immediate result of that horrific accident, Jelani suffered a COMPLETE transection of her spinal cord at level T8-T9, hemothorax of her right chest cavity (a chest full of blood), all of her ribs were broken, neurogenic bladder and bowel (no bladder or bowel function at all). My Baby laid on the highway stuck in the car for almost 1 hour while many wonderful, committed firefighters rallied tirelessly to free her from the wreck with the jaws of life as I stood helplessly watching, waiting and begging her to hold on until we could get her the help she needed. Jee, as she is affectionally known, was flown off the highway to Johns Hopkins Hospital where we would learn the full extent and seriousness of her injuries! I watched at the doors of the trauma bay, doctors worked hard to stabilize her as she coded and they had to insert a chest tube to release the blood from her chest cavity! I watched in disbelief still not knowing what happened to us, how or why! I learned in the wee hours of 1/19/18 that my 13 yr. old baby, who was an avid basketball player, an accomplished green belt martial artist and a phenomenal kid who loves skateboarding and playing at the park with her friends, was not very likely that she would survive her injuries. They did not even put her on the surgery schedule because of the grim prognosis. Our whole world has been turned upside down and I had no clue as to what to do or how to feel because I could not even think about how we got here.

June 19, 2019...SHE IS STILL ALIVE and she is breathing on her own and now they plan for surgery to piece her back together and take a look at her completely mangled spinal cord. On June 21, 2018, Jee endured a 7 ½ hour surgery with 3 different surgeons. After the surgery, the doctors gathered us all to give us the news that Je'ani's entire thoracic spine had to be put back together with rods and screws and a covering was placed over the break in her spine so that she would not die from spinal fluid leaking into her body. The crushing blow was when the neurosurgeon advised that she had never seen a spinal cord so destroyed in her professional career. THERE WAS NOTHING THAT SHE COULD DO TO SALVAGE THE SPINAL CORD! She also advised that my baby's injury was so severe that even though her spine is severed at T8-T9 level that she suffered permanent damage beginning at level T4. That area is just at the breastbone! Yes, Jee was permanently paralyzed from her breastbone to her toes and there is no cure and no treatment. I was told that I needed to be mindful that she was still in very critical condition and still may not make it. The dr advised that she would NEVER sit up unsupported and that the abilities she has in her arms would diminish over a short period of time. I was told to start looking at long term pediatric facilities near me where Jee would be transferred to once she is stable enough to be released. There was NOTHING more they could do for her.

A brief look at our lives at a glance since 06/18/18... Je'ani and I spent 67 days in Baltimore, MD at John's Hopkins Hospital and Kennedy Krieger Institute for Spinal Cord Injuries. On June 29th, our new fight began! How do we live after such a catastrophic injury?

Je'ani Catherine Lyles was born on 05/11/05. At just 13 years old on June 18, 2018, Jee was excited to have just had a wonderful weekend filled with fun and activities in North Carolina and was looking forward to moving to North Carolina in August to begin a new chapter in our lives. She and I were on our way home, looking forward to attending my youngest son's high school graduation on 6/19. We had just celebrated my oldest son's college graduation in May and he was preparing to go to London to begin his quest for grad school. I was in love and looking forward to building a life with a man who is still my very good friend after living in an abusive marriage for 19 yrs. Jee's last day of 7th grade was just one day away!

Needless to say, NONE of this happened! Instead we have spent each and every day since June 18, 2018 struggling to piece our lives back together. Jee has fought like the Princess Warrior she is and had defied ALL of the odds against her! She has the following medical problems directly as a result of the accident: **paraplegia, hemothorax, multiple ribs fractures, spinal fusion, pulmonary emboli, cellulitis, sleep apnea, neurogenic bladder, neurogenic bowel, morbid obesity, deep vein thrombosis (DVT's), persistent UTI's diabetes, depression, anxiety, PTSD and increased blood clotting disorder, both of her hips are almost permanently dislocated and she is scheduled to have reconstructive bladder surgery in the next month.**

Despite all of these medical challenging conditions, multiple hospital stays and a very vigorous therapy schedule Jee has been able to accomplish the following:

- SHE IS ALIVE
- She fought hard to get back home and get back into school and is now a high school freshman
- She maintains all A average
- She was inducted into the National Junior Honor Society
- She graduated 8th grade on 06/18/19, exactly one year after the date of the accident
- She earned the ACE Award which was created in her honor: ACE stands for Accepting the Challenge of Excellence
- She skates, bowls, goes to the movies, has sleep overs, works at summer camp and is a member of the Chesilhurst Borough Junior Board
- Jee is still a Martial Artist, working hard to achieve becoming the first paraplegic Black Belt in GOJU history by mastering the techniques, skills and mental discipline with the abilities that God has blessed her with.

Although I often forget, I too was in that same accident sitting right beside Je'ani. I suffered a broken nose and a fractured scapula. I have cervical, lumbar and thoracic problems in addition to anxiety, depression and severe PTSD. I have had to fight all the way up to the head of the State of NJ for every piece of medical equipment, nursing care, home health care, medical coverage and supplies that Jee needs to stay alive. I am just now 1 ½ years later able to get some help for myself because I am breaking down day by day as a single parent and sole caregiver. I work a full time job so I can keep a roof over Je'ani's head and provide commercial benefits for her care. All of Je'ani's medical providers are in Baltimore at Hopkins or Kennedy Krieger and we travel at least 1 time a week to Baltimore for an appt. My job has tried to make me take a per diem job because I have spent a great deal of time in the hospital with Jee and fighting to keep her alive. My youngest son is a Sophomore in college on a full academic scholarship and is on the Dean's list and my oldest son has just secured a career at Winslow

Township School District. He chose this district because he has a passion for children and the way they have supported our family in helping Jee with the resources needed to succeed.

Life is very challenging each and every day for my little family and especially for my daughter Je'ani Catherine Lyles. She is my HERO! She gives me and anyone who she encounters hope in a better tomorrow after a life changing tragedy.

Today, we are gathered here to request with humble and grateful hearts that you decide to vote to pass Senate Bill 29 which will hold individuals accountable for their actions. The man who was responsible for this catastrophic accident is serving a 1 year voluntary prison sentence because he acknowledged and accepted his responsibility in this incident, however, he would not have been found guilty of any crime under the current laws. These major trucking companies are making millions of dollars and are responsible for killing people and robbing them of the quality of life they deserve because they are not being held accountable for their actions. The man who hit us was on his 2nd day of employment and had not been thoroughly screened for safety and ability. Another young 14 yr. old child died in the accident and her parents are left with nothing but memories and broken hearts. Their only child died instantly and they live in despair each and every day.

Jee is here today, I do not know if she is willing to speak but I do know that this is very important to her because she does not want anyone to ever have to experience the path that we are traveling. She desires to be and advocate and voice for anyone and everyone who is blessed to survive such a catastrophic experience.

We will leave you with this quote as you consider our request:

JOB 5:9 He performs wonders that can not be fathomed, miracles that cannot be counted.

God is able and we are willing...we are on the move!!!

Please help us create more opportunities for miracles like Jee and I by creating laws that make people think before they act.

Thank you and have a great day!

SB0017 TESTOMONY SAWYER 1 16.pdf

Uploaded by: sawyer, ken

Position: FAV



ABATE OF MARYLAND, INC.

Dedicated to the Freedom of the Road and Responsible Motorcycle Legislation

MEMORANDUM

TO: The Honorable William C. Smith, Jr. Chairman and Members of the
Judicial Proceedings Committee

FROM: Executive Director, Kenneth V. Sawyer, Abate of Maryland, Inc.

DATE: January 16, 2021

RE: **SB17 – Criminal Law – Life–Threatening Injury Involving a
Motor Vehicle or Vessel – Criminal Negligence (Wade’s Law)**

POSITION: **SUPPORT**

ABATE of Maryland has been lobbying for bills like SB0017 since our inception in 1974. As the voice of motorcyclists throughout the state of Maryland, we are in favor of Wade’s Law/SB0017. This bill seeks to hold persons accountable for their criminal negligence which causes life threatening injuries. The current law only provides for payment of a fine which trivializes the damages suffered by the victims of criminal negligence. Passage of this bill, which adds the imposition of jail time and increases the fine to \$5,000 for this very serious misconduct, may deter some drivers/operators and, when those actions are not deterred, it provides a measure of justice for the victim.

We respectfully request a favorable vote for SB0017, which has passed in the Senate in previous years, and hope this will be the year that this very important bill becomes law.

SB0017 TESTOMONY BOB SPANBURGH JR. 1 14 2021 fin

Uploaded by: Spanburgh, Robert

Position: FAV



ABATE OF MARYLAND, INC.

Dedicated to the Freedom of the Road and Responsible Motorcycle Legislation

MEMORANDUM

TO: The Honorable William C. Smith, Jr. Chairman and Members of the
Judicial Proceedings Committee

FROM: Chairman of the Board, Robert Spanburgh Jr., Abate of Maryland, Inc.

DATE: January 14, 2021

RE: **SB17 – Criminal Law – Life–Threatening Injury Involving a Motor
Vehicle or Vessel – Criminal Negligence (Wade’s Law)**

POSITION: **SUPPORT**

As Chairman of the Board of ABATE of Maryland and on behalf of all motorcyclists in our Great State, we endorse passage of Senate Bill 0017. Representatives of our organization have testified in favor of previous legislation that would make it a must-appear situation when an individual has been killed or maimed in a motor vehicle accident. We feel that serious bodily injury and especially death from a motor vehicle accident should be added to the list of infractions that currently mandate a court appearance. The ability of a citizen to attend court proceedings and actually see the party or parties involved in the loss or disfigurement of their loved ones and family members is a fundamental right. We respectfully request a favorable report and vote from the committee for SB 0017.