

SenatorBailey_FAV_SB914.pdf

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Judicial Proceedings Committee



THE SENATE OF MARYLAND
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March 17, 2022

**Senate Bill 914 – Grossly Negligent or Drunk or Drugged Operation of Vehicle or Vessel –
Penalties and Prior Convictions**

Dear Chairman Smith and Members of the Committee:

I am writing to introduce Senate Bill 914 – Grossly Negligent or Drunk or Drugged Operation of Vehicle or Vessel – Penalties and Prior Convictions. This legislation would strengthen Maryland's laws regarding drunk and drugged driving of vehicles or vessels and manslaughter while driving resulting from operating a vehicle in a grossly negligent manner through alterations to three parts of Maryland's laws regarding these issues.

First, the bill changes the maximum penalties for the offenses of manslaughter by vehicle or vessel in a grossly negligent manner and homicide by vehicle or vessel while under the influence of alcohol. This bill increases the maximum penalty for manslaughter by vehicle or vessel resulting from gross negligence to 20 years and a \$10,000 fine for a first offense and 30 years and a \$25,000 fine for subsequent offenses. Senate Bill 914 also increases penalties for homicide while from driving under the influence of alcohol to a maximum sentence of 10 years and a \$10,000 fine for the first offense, and 20 years and a \$20,000 fine for subsequent offenses.

Second, the bill resolves an inconsistency in how drunk or drugged driving and operating a boat while drunk or drugged are handled for the purposes of determining whether an individual is a subsequent offender. Under current law, convictions for drunk or drugged driving and operating a vehicle or vessel while under the influence of alcohol or while impaired by alcohol and/or drugs are considered separately when determining if an individual is a subsequent offender. Senate Bill 914 resolves that inconsistency by requiring a conviction for drunk or drugged driving be considered a prior conviction for the purposes of determining subsequent offender penalties for unlawfully operating or attempting to operate a vessel while under the influence of alcohol or while impaired by alcohol and/or drugs, and vice versa.

Finally, Senate Bill 914 also establishes that a person convicted of drunk and drugged driving offenses is subject to increased subsequent offender penalties if the person has previously been convicted of manslaughter by vehicle or vessel in a grossly negligent manner.

This Committee has already given a great deal of consideration to the issue of combatting drunk driving this year and I know you are aware of what a serious issue this is for the residents of our State. As demonstrated in the sentencing and incarceration data in the fiscal note, this bill targets a relatively small number of individuals who have committed some of the most serious drunk driving offenses.

I respectfully request a favorable report on Senate Bill 914. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Bailey".

Senator Jack Bailey