

Brian Testimony.pdf

Uploaded by: Brian Slattery

Position: FAV

SB 585

Hello, My name is Brian Slattery II. On July 3rd, 2022 My parents were coming back into the mouth of the Magothy river after viewing fireworks at Rock Hall, on the Eastern Shore. Shortly after 10 P.M. Another vessel that was going faster than all other boats in the area overtook and collided with the stern of my parents boat, coming to rest on top of my mother. My father pushed the boat off of her, a feat he said was very difficult. While frantically trying to ascertain the condition of my mom and make sure his boat wasn't taking on water, the operator of (the vessel that struck my parents and later defendant in a circuit court case), exchanged a few words with my father before fleeing the area. My mother passed away a short time later, she sustained too much damage as a result of the blunt force trauma. My father sustained fractured vertebrae and emotional trauma that will be with him for the rest of his days.

The defendant has 4 DUI cases while driving in a vehicle. Alcohol was present in this case but all that could be proved was the defendant consumed at least "a beer and a half". No doubt the primary reason he fled was fear of being convicted of yet another DUI (though in MD. I see many people getting off with subsequent DUI's with nothing but a slap on the wrist). I would love to see the MD law change so hitting and running (leaving a scene of an accident without rendering aid and or calling emergency services in a timely manner) in a boat mirror those of hitting and running in a vehicle. It would have made a substantial difference in my parents case. I am not sure why there is a disconnect between the two (Road v. Water).

Thank you for your consideration on this matter.

Brian Slattery II

SB0585 AOL Mail .pdf

Uploaded by: Janet Ball

Position: FAV

SB585

From: lslatj01@verizon.net (lslatj01@verizon.net)

To: bryan.simonaire@senate.state.md.us

Date: Wednesday, February 7, 2024 at 08:48 PM EST

Dear Senator Simonaire,

I support legislation that holds negligent boaters accountable for their actions and that helps boaters who are injured or killed in boating accidents.

I lost my sister-in-law Laura Slattery to a reckless boater. Because of his careless actions, a beautiful person with a lot to give this world was taken too soon.

Any legislation that helps to prevent such tragedies should be supported. Just as it is against the law to hit and run in a car accident, the same should be true on the water and the penalties should be weighty.

Sincerely,

Janet Ball

(Will download to mgm account as well)

SB 585 Senator Simonaire_FAV.pdf

Uploaded by: Kara Contino

Position: FAV

BRYAN W. SIMONAIRE
Legislative District 31
Anne Arundel County

Education, Energy, and the
Environment Committee

Joint Committee on the Chesapeake and
Atlantic Coastal Bays Critical Area



James Senate Office Building
11 Bladen Street, Room 320
Annapolis, Maryland 21401
410-841-3658 · 301-858-3658
800-492-7122 Ext. 3658
Fax 410-841-3586 · 301-858-3586
Bryan.Simonaire@senate.state.md.us

The Senate of Maryland
ANNAPOLIS, MARYLAND 21401

Written Testimony in SUPPORT of SB 585

Chairman and members of the Judicial Proceedings Committee, I am here to introduce and voice my support for Senate Bill 585 – *Boating Accidents - Duty to Remain at the Scene, Render Assistance, and Provide Information – Penalties*.

Senate Bill 585 would require the operator of a vessel involved in a collision, accident, or other casualty to return to and remain at the scene until the operator has rendered certain assistance and provided certain information. It would establish certain criminal penalties for the operator of a vessel involved in a collision, accident, or other casualty who does not return to and remain at the scene of the collision, accident, or other casualty or render certain assistance and provide certain information.

SB0585 Flickner.pdf

Uploaded by: Patricia Flickner

Position: FAV

SB0585

Hello,.

This directly impacts me as my sister-in-law was killed by a person who left the scene and DNR had to find him.

We have lost an important family member and it was made worse by initially not knowing the person who did it.

The shock of her death along with the **morally objectionable** behavior of the person(s) who did this is unfathomable.

My hope is that this law will encourage boaters to do the right thing and if not suffer the consequences.

Thank you for your consideration,

Patricia Flickner (Brian Slattery Sr.s sister)

551 Riverside Drive

Pasadena MD 21122

flickners@gmail.com

Bill SB0585 Testimony.pdf

Uploaded by: Sarah Winchester

Position: FAV

February 8, 2024

Written Testimony - Bill SB0585

To the General Assembly,

I am writing to voice my support of Bill SB0585. It is important for those involved in accidents to remain at the scene whether involving a vehicle or vessel. The law should be the same for both means of transportation, and is possibly even more important on the water when the people involved/hurt could drown.

I have been personally impacted by this gap in law as my mother, Laura Slattery, was killed in a hit-and-run on the Chesapeake in July of 2022. The person who hit my parents' boat was drinking and operating his boat in a dangerous and reckless manner resulting my mother's death. He ran from the scene thinking he could escape the consequences of his actions, and indeed did not receive an appropriate punishment due to having fled the scene.

Hopefully this bill will help other families, and possibly lives, when these kinds of accidents arise.

Thank you for your consideration,

Sarah Winchester
sdlwinchester@gmail.com

1750 Aberdeen Cir
Crofton, MD, 21114

SB585 support v02.pdf

Uploaded by: Lawrence Slattery

Position: FWA

Dear Honorable Senator Simonaire:

Executive Summary:

I support SB0585

Details:

My name is Lawrence Slattery, brother of Brian Slattery and brother-in-law to Laura Slattery (deceased), my brother's former wife. My wonderful sister-in-law was killed on the night of 7/3/22 by a negligent boater who did not remain at the scene and render assistance. I fully support SB585 as it properly addresses many of the issues that occurred on that night on the waters of the State. This bill will provide potentially lifesaving immediate assistance to the injured parties, prevent the unnecessary expenditure of valuable and limited State resources to locate the involved parties, and minimize the grief and psychological damage to the injured parties, families, relatives, and friends.

I do have concerns regarding 8 [(d)] (E) which states that the required report may not be referred to during any judicial proceedings, is not subject to subpoena, and is not admissible as evidence in any proceeding. This is valuable evidence that can allow appropriate justice to be provided subject to the circumstances. I recommend that the "not" be removed from the first two (2) sentences in this section to allow the report to be utilized in all judicial , subpoena, and evidentiary proceedings. If your staff could explain the written intent of this section, that would be appreciated.

Sincerely,

L. Slattery

8 [(d)] (E) The required report of a boating accident may **not** be referred to during
9 any judicial proceeding. It is **not** subject to subpoena or admissible as evidence in any
10 proceeding. Subject to these restrictions, information contained in a boating accident report
11 and any statistical information based on the report is available on request for official
12 purposes to the U.S. Coast Guard and its successor agency.

SB0585_DNR_SWA_JPR_2-9-24.pdf

Uploaded by: Michael Godack

Position: FWA



Wes Moore, Governor
Aruna Miller, Lt. Governor
Josh Kurtz, Secretary
David Goshorn, Deputy Secretary

February 9, 2024

BILL NUMBER: Senate Bill 585 - First Reader

SHORT TITLE: Boat Accidents - Duty to Remain at the Scene, Render Assistance, and Provide Information - Penalties

DEPARTMENT'S POSITION: SUPPORT WITH AMENDMENT

EXPLANATION OF DEPARTMENT'S POSITION

The Department supports with amendment Senate Bill 585, which establishes new requirements for vessel operators to stop, provide identification, render aid, and report collisions resulting in serious bodily injury or death of a person. This bill closes gaps in current statutory language that have been identified as impediments to the successful prosecution of individuals who flee the scene of vessel collisions to avoid identification and/or prosecution for violations that may have contributed to the collision. The Department is offering amendments to further refine the obligations of a vessel operator to immediately contact law enforcement and emergency services, as well as remain on the scene until released by a law enforcement officer. The proposed amendments also clarify that a vessel operator is required to report property damage accidents including damage to navigational aid markers, lights, or identifiers to ensure that the Department has this information as we are required to report it to the United States Coast Guard.

The bill also establishes increased penalties for violation of the statute. The Department supports these penalty enhancements, as they may deter prohibited behavior and treat these violations with the same gravity as similar behavior following a motor vehicle crash under the same circumstances.

BACKGROUND INFORMATION

The penalties established in the bill are consistent with those established in Transportation Article §20-102 for motor vehicle crashes. Currently, the maximum penalty for failing to stop and render aid to the victim of a vessel accident is a \$500 fine for the first offense and a \$1000 and/or 1 year of incarceration for the second offense.

BILL EXPLANATION

Senate Bill 585 establishes new requirements for vessel operators to stop, provide identification, render aid, and report collisions resulting in serious bodily injury or death of a person. The bill also establishes increased penalties for violation of the statute.

Contact: Dylan Behler, Director, Legislative and Constituent Services
dylan.behler@maryland.gov ♦ 410-260-8113 (office) ♦ 443-924-0891 (cell)

BY:

(To be offered in the Judicial Proceedings Committee)

AMENDMENT TO SENATE BILL 585
(First Reading File Bill)

AMENDMENT NO. 1

On page 3, in line 17, strike “AND”; and in line 19, after “damaged” insert:

“(III) MAKE EVERY REASONABLE EFFORT TO ENSURE THAT EMERGENCY MEDICAL SERVICES AND LOCAL LAW ENFORCEMENT ARE IMMEDIATELY CONTACTED FOR THE PURPOSE OF REPORTING THE ACCIDENT AND MAKING A REQUEST FOR ASSISTANCE; AND

(IV) UNLESS IT WOULD OBSTRUCT NAVIGATION OF OTHER VESSELS OR ENDANGER PERSONS OR PROPERTY, REMAIN AT THE SCENE OF THE COLLISION, ACCIDENT, OR OTHER CASUALTY UNTIL A LAW ENFORCEMENT OFFICER COMPLETES THE INVESTIGATION OR AUTHORIZES THE OPERATOR TO LEAVE”.

On page 3, in line 32, after “damage” insert **“INCLUDING DAMAGE TO NAVIGATIONAL AID MARKERS, LIGHTS, OR IDENTIFIERS.”**