



MONTGOMERY COUNTY COUNCIL
ROCKVILLE, MARYLAND

DAWN LUEDTKE
COUNCILMEMBER
DISTRICT 7

February 17, 2025

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

RE: Senate Bill 710, *Criminal Law - Motor Vehicle or Vessel - Criminal Negligence*

Dear Chair Smith,

I urge the Committee to support Senate Bill 710 - Motor Vehicle or Vessel - Criminal Negligence, which would bridge a gap in existing criminal and vehicular law by allowing an individual to face a misdemeanor criminal negligence charge for driving in a criminally negligent manner. The bill does not alter or amend the existing definition of criminally negligent manner, which provides as follows:

- (c) 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.*

Md. Code Ann., Crim. Law Art. §3-212.1(c).

In its present form, Maryland's criminal code only allows a charge of criminal negligence where serious bodily injury or death has occurred. Since the COVID-19 pandemic, we have seen a rise in more egregious driving behavior that puts motorists, pedestrians, and cyclists at increased risk of serious bodily injury or death and heightens anxiety on our roadways. Habitually negligent drivers feel emboldened by the lack of consequences under Maryland law for their conduct. If we want to achieve our Vision Zero goals and do our best to protect all users of Maryland's roadways, we need to close the gaps in our existing laws and provide our public

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safety professionals and the judiciary with appropriate tools to both correct the behavior and provide an appropriate consequence. And we need protective legal tools that allow us to do that when criminally negligent driving occurs and before someone has experienced serious bodily injury or death.

I respectfully request the committee issue a favorable report on Senate Bill 710.

Very truly yours,

A handwritten signature in black ink, appearing to read "Dawn Luedtke", written in a cursive style.

Dawn Luedtke
Montgomery County Councilmember
District 7

cc: Members of the Judicial Proceedings Committee