

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1978.

Approved May 16, 1978.

CHAPTER 454

(Senate Bill 318)

AN ACT concerning

Homicide by Motor Vehicle While Intoxicated

FOR the purpose of providing that any person causing the death of another as the result of his negligent driving, operation or control of a motor vehicle while intoxicated is guilty of a misdemeanor; specifying a name for the misdemeanor; setting the penalties for the misdemeanor; specifying that an indictment for the crime need not contain certain information; providing a form for the indictment; ~~and~~ defining intoxicated as it relates to this crime; and removing an obsolete reference.

BY adding to

Article 27 - Crimes and Punishments
Section 388A
Annotated Code of Maryland
(1976 Replacement Volume and 1977 Supplement)

BY repealing and reenacting, with amendments,

Article - Courts and Judicial Proceedings
Section 10-307(a)
Annotated Code of Maryland
(1974 Volume and 1977 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article 27 - Crimes and Punishments

388A.

(A) IN THIS SECTION "INTOXICATED" HAS THE SAME MEANING AS INDICATED IN AND IS SUBJECT TO THE SAME PRESUMPTIONS AND EVIDENTIARY RULES OF § 10-307 OF THE COURTS ARTICLE REGARDING INTOXICATION UNDER THE VEHICLE LAWS OF THIS STATE.

(B) ANY PERSON CAUSING THE DEATH OF ANOTHER AS THE