

Sincerely,
Harry Hughes
Governor

Senate Bill No. 104

AN ACT concerning

Homicide by Motor Vehicle While Intoxicated - Penalty

FOR the purpose of increasing the penalty for homicide by motor vehicle while intoxicated.

BY repealing and reenacting, with amendments,

Article 27 - Crimes and Punishments
Section 388A
Annotated Code of Maryland
(1982 Replacement Volume and 1982 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland 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 result of his negligent driving, operation or control of a motor vehicle while intoxicated is guilty of a misdemeanor to be known as "homicide by motor vehicle while intoxicated," and the person so convicted shall be punished by imprisonment for not more than [two] 3 years, or by fine of not more than \$1,000 or both fine and imprisonment.

In any indictment, information, or warrant for homicide by motor vehicle while intoxicated, it is not necessary to set forth the manner and means of death.

(c) It shall be sufficient to use a formula substantially to the following effect: "That A-B on theday of nineteen hundred andat the County (City) aforesaid, unlawfully, while intoxicated did kill C-D, against the peace, government, and dignity of the State.