

WILLIAM DONALD SCHAEFER, Governor

Article 27 - Crimes and Punishments
Section 388 and 388A
Annotated Code of Maryland
(1987 Replacement Volume and 1988 Supplement)

BY repealing and reenacting, without amendments,

Article - Courts and Judicial Proceedings
Section 5-106(a)
Annotated Code of Maryland
(1984 Replacement Volume and 1988 Supplement)

BY adding to

Article - Courts and Judicial Proceedings
Section 5-106(m)
Annotated Code of Maryland
(1984 Replacement Volume and 1988 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

388.

Every person causing the death of another as the result of the driving, operation or control of an automobile, motor vehicle, motorboat, locomotive, engine, car, streetcar, train or other vehicle in a grossly negligent manner, shall be guilty of a misdemeanor to be known as "manslaughter by automobile, motor vehicle, motorboat, locomotive, engine, car, streetcar, train or other vehicle," and the person so convicted shall be sentenced to ~~-f-jail or the house of correction-~~ ~~THE-STATE-PENITENTIARY~~ for not more than [5] 10 years, or be fined not more than [\$1,000.00] \$5,000 or be both fined and imprisoned.

In any indictment or [warrant] OTHER CHARGING DOCUMENT for manslaughter by automobile, motor vehicle, motorboat, locomotive, engine, car, streetcar, train or other vehicle, it shall not be necessary to set forth the manner and means of death. It shall be sufficient to use a formula substantially to the following effect: "That A-B on the day of, nineteen hundred and .. at the County (City) aforesaid, unlawfully, in a grossly negligent manner did kill and slay C-D."

388A.

(a) In this section "intoxicated" has the same meaning as indicated in and is subject to the same presumptions and