

(III) "THAT A-B ON THE ..... DAY OF ....., NINETEEN HUNDRED AND ..... AT THE COUNTY (CITY) AFORESAID, UNLAWFULLY, WHILE UNDER THE INFLUENCE OF DRUGS, DID KILL C-D, AGAINST THE PEACE, GOVERNMENT, AND DIGNITY OF THE STATE."; OR

(IV) "THAT A-B ON THE ..... DAY OF ....., NINETEEN HUNDRED AND ..... AT THE COUNTY (CITY) AFORESAID, UNLAWFULLY, WHILE UNDER THE INFLUENCE OF A CONTROLLED DANGEROUS SUBSTANCE, DID KILL C-D, AGAINST THE PEACE, GOVERNMENT, AND DIGNITY OF THE STATE."

388B.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "INTOXICATED PER SE" MEANS AN ALCOHOL CONCENTRATION AT THE TIME OF TESTING OF 0.10 OR MORE AS MEASURED BY GRAMS OF ALCOHOL PER 100 MILLILITERS OF BLOOD OR GRAMS OF ALCOHOL PER 210 LITERS OF BREATH.

(3) "UNDER THE INFLUENCE OF ALCOHOL" HAS THE MEANING INDICATED IV AND IS SUBJECT TO THE SAME PRESUMPTIONS AND EVIDENTIARY RULES OF § 10-307 OF THE COURTS ARTICLE REGARDING DRIVING WHILE UNDER THE INFLUENCE OF ALCOHOL UNDER § 21-902(B) OF THE TRANSPORTATION ARTICLE.

(4) "UNDER THE INFLUENCE OF DRUGS" MEANS SO FAR UNDER THE INFLUENCE OF A DRUG, A COMBINATION OF DRUGS, OR A COMBINATION OF ONE OR MORE DRUGS AND ALCOHOL THAT A PERSON CANNOT DRIVE, OPERATE, OR CONTROL A MOTOR VEHICLE OR VESSEL SAFELY.

(5) "UNDER THE INFLUENCE OF A CONTROLLED DANGEROUS SUBSTANCE" MEANS UNDER THE INFLUENCE OF A CONTROLLED DANGEROUS SUBSTANCE, AS THAT TERM IS DEFINED IN § 279 OF THIS ARTICLE, IF THE PERSON IS NOT ENTITLED TO USE THE CONTROLLED DANGEROUS SUBSTANCE UNDER THE LAWS OF THIS STATE.

(B) A PERSON WHO CAUSES A LIFE THREATENING INJURY TO ANOTHER AS A RESULT OF THE PERSON'S NEGLIGENT DRIVING, OPERATION, OR CONTROL OF A MOTOR VEHICLE OR VESSEL WHILE INTOXICATED OR INTOXICATED PER SE IS GUILTY OF A MISDEMEANOR TO BE KNOWN AS "LIFE THREATENING INJURY BY MOTOR VEHICLE OR VESSEL WHILE INTOXICATED OR INTOXICATED PER SE", AND ON CONVICTION THE PERSON SHALL BE PUNISHED BY IMPRISONMENT FOR NOT MORE THAN 3 YEARS OR A FINE OF NOT MORE THAN \$5,000 OR BOTH.

(C) A PERSON WHO CAUSES A LIFE THREATENING INJURY TO ANOTHER AS A RESULT OF THE PERSON'S NEGLIGENT DRIVING, OPERATION, OR CONTROL OF A MOTOR VEHICLE OR VESSEL WHILE UNDER THE INFLUENCE OF ALCOHOL IS GUILTY OF A MISDEMEANOR TO BE KNOWN AS "LIFE THREATENING INJURY BY MOTOR VEHICLE OR VESSEL WHILE UNDER THE INFLUENCE OF ALCOHOL", AND ON CONVICTION THE PERSON SHALL BE PUNISHED BY IMPRISONMENT FOR NOT MORE THAN 2 YEARS OR A FINE OF NOT MORE THAN \$3,000 OR BOTH.