

Defined term: "Person" § 1-101

2-503. HOMICIDE BY MOTOR VEHICLE OR VESSEL WHILE UNDER THE INFLUENCE OF ALCOHOL OR UNDER THE INFLUENCE OF ALCOHOL PER SE.

(A) PROHIBITED.

A PERSON MAY NOT CAUSE THE DEATH OF ANOTHER AS A RESULT OF THE PERSON'S NEGLIGENTLY DRIVING, OPERATING, OR CONTROLLING A MOTOR VEHICLE OR VESSEL WHILE:

(1) UNDER THE INFLUENCE OF ALCOHOL; OR

(2) UNDER THE INFLUENCE OF ALCOHOL PER SE.

(B) NAME OF CRIME.

A VIOLATION OF THIS SECTION IS:

(1) HOMICIDE BY MOTOR VEHICLE OR VESSEL WHILE UNDER THE INFLUENCE OF ALCOHOL; OR

(2) HOMICIDE BY MOTOR VEHICLE OR VESSEL WHILE UNDER THE INFLUENCE OF ALCOHOL PER SE.

(C) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 5 YEARS OR A FINE NOT EXCEEDING \$5,000 OR BOTH.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 388A(b).

Subsections (a) and (b) of this section are revised to distinguish homicide by motor vehicle or vessel "while under the influence of alcohol" from homicide by motor vehicle or vessel "while under the influence of alcohol per se" for consistency with the parallel and distinct crimes of "driving while under the influence of alcohol" and "driving while under the influence of alcohol per se". See TR § 21-902(a); *Meanor v. State*, 364 Md. 511 (2001); *Janes v. State*, 350 Md. 284 (1998).

Defined terms: "Person" § 1-101

"Vessel" § 2-101

2-504. HOMICIDE BY MOTOR VEHICLE OR VESSEL WHILE IMPAIRED BY ALCOHOL.

(A) PROHIBITED.

A PERSON MAY NOT CAUSE THE DEATH OF ANOTHER AS A RESULT OF THE PERSON'S NEGLIGENTLY DRIVING, OPERATING, OR CONTROLLING A MOTOR VEHICLE OR VESSEL WHILE IMPAIRED BY ALCOHOL.

(B) NAME OF CRIME.