

A VIOLATION OF THIS SECTION IS HOMICIDE BY MOTOR VEHICLE OR VESSEL WHILE IMPAIRED BY ALCOHOL.

(C) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 3 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(c).

Defined terms: "Person" § 1-101

"Vessel" § 2-101

2-505. HOMICIDE BY MOTOR VEHICLE OR VESSEL WHILE IMPAIRED BY DRUGS.

(A) PROHIBITED.

A PERSON MAY NOT CAUSE THE DEATH OF ANOTHER PERSON AS A RESULT OF THE PERSON'S NEGLIGENTLY DRIVING, OPERATING, OR CONTROLLING A MOTOR VEHICLE OR VESSEL WHILE THE PERSON IS SO FAR IMPAIRED BY A DRUG, A COMBINATION OF DRUGS, OR A COMBINATION OF ONE OR MORE DRUGS AND ALCOHOL THAT THE PERSON CANNOT DRIVE, OPERATE, OR CONTROL A MOTOR VEHICLE OR VESSEL SAFELY.

(B) NAME OF CRIME.

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(C) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 3 YEARS OR A FINE NOT EXCEEDING \$5,000 OR BOTH.

(D) PROHIBITED DEFENSE.

IT IS NOT A DEFENSE TO A CHARGE OF VIOLATING THIS SECTION THAT THE PERSON IS OR WAS ENTITLED UNDER THE LAWS OF THIS STATE TO USE A DRUG, COMBINATION OF DRUGS, OR COMBINATION OF ONE OR MORE DRUGS AND ALCOHOL, UNLESS THE PERSON WAS UNAWARE THAT THE DRUG, COMBINATION OF DRUGS, OR COMBINATION OF ONE OR MORE DRUGS AND ALCOHOL WOULD MAKE THE PERSON INCAPABLE OF DRIVING, OPERATING, OR CONTROLLING A MOTOR VEHICLE OR VESSEL IN A SAFE MANNER.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 388A(a)(4) and (d).

Defined terms: "Person" § 1-101

"Vessel" § 2-101