

2-506. HOMICIDE BY MOTOR VEHICLE OR VESSEL WHILE IMPAIRED BY A CONTROLLED DANGEROUS SUBSTANCE.

(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 THE PERSON IS IMPAIRED BY A CONTROLLED DANGEROUS SUBSTANCE, AS DEFINED IN § 5-101 OF THIS ARTICLE.

(B) NAME OF CRIME.

A VIOLATION OF THIS SECTION IS HOMICIDE BY MOTOR VEHICLE OR VESSEL WHILE IMPAIRED BY A CONTROLLED DANGEROUS SUBSTANCE.

(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) EXCEPTION.

THIS SECTION DOES NOT APPLY TO A PERSON WHO IS ENTITLED TO USE THE CONTROLLED DANGEROUS SUBSTANCE UNDER THE LAWS OF THIS STATE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 388A(a)(5) and (e).

Defined terms: "Controlled dangerous substance" § 5-101

"Person" § 1-101

"Vessel" § 2-101

2-507. CHARGING DOCUMENTS.

(A) CONTENTS.

AN INDICTMENT, INFORMATION, OR OTHER CHARGING DOCUMENT FOR A CRIME UNDER THIS SUBTITLE IS SUFFICIENT IF IT SUBSTANTIALLY STATES:

(1) "(NAME OF DEFENDANT) ON (DATE) IN (COUNTY) COMMITTED HOMICIDE BY MOTOR VEHICLE OR VESSEL WHILE UNDER THE INFLUENCE OF ALCOHOL BY KILLING (NAME OF VICTIM) AGAINST THE PEACE, GOVERNMENT, AND DIGNITY OF THE STATE.";

(2) "(NAME OF DEFENDANT) ON (DATE) IN (COUNTY) COMMITTED HOMICIDE BY MOTOR VEHICLE OR VESSEL WHILE IMPAIRED BY ALCOHOL BY KILLING (NAME OF VICTIM) AGAINST THE PEACE, GOVERNMENT, AND DIGNITY OF THE STATE.";

(3) "(NAME OF DEFENDANT) ON (DATE) IN (COUNTY) COMMITTED HOMICIDE BY MOTOR VEHICLE OR VESSEL WHILE IMPAIRED BY DRUGS BY KILLING (NAME OF VICTIM) AGAINST THE PEACE, GOVERNMENT, AND DIGNITY OF THE STATE."; OR