

Defined terms: "Assault" § 3-201

"Inmate" § 1-101

"Local correctional facility" § 1-101

"State correctional facility" § 1-101

**3-211. LIFE-THREATENING INJURY BY MOTOR VEHICLE OR VESSEL WHILE UNDER THE INFLUENCE OF ALCOHOL AND RELATED CRIMES.**

**(A) DEFINITIONS.**

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

(2) "UNDER THE INFLUENCE OF ALCOHOL PER SE" MEANS HAVING AN ALCOHOL CONCENTRATION AT THE TIME OF TESTING OF AT LEAST 0.08 AS MEASURED BY GRAMS OF ALCOHOL PER 100 MILLILITERS OF BLOOD OR GRAMS OF ALCOHOL PER 210 LITERS OF BREATH.

(3) (I) "VESSEL" MEANS ANY WATERCRAFT THAT IS USED OR IS CAPABLE OF BEING USED AS A MEANS OF TRANSPORTATION ON WATER OR ICE.

(II) "VESSEL" DOES NOT INCLUDE A SEAPLANE.

**(B) CONVERSION OF ALCOHOL CONCENTRATION MEASUREMENT; PRESUMPTIONS AND EVIDENTIARY RULES.**

(1) FOR PURPOSES OF DETERMINING ALCOHOL CONCENTRATION UNDER THIS SECTION, IF THE ALCOHOL CONCENTRATION IS MEASURED BY MILLIGRAMS OF ALCOHOL PER DECILITER OF BLOOD OR MILLIGRAMS OF ALCOHOL PER 100 MILLILITERS OF BLOOD, A COURT SHALL CONVERT THE MEASUREMENT INTO GRAMS OF ALCOHOL PER 100 MILLILITERS OF BLOOD BY DIVIDING THE MEASUREMENT BY 1000.

(2) THE PRESUMPTIONS AND EVIDENTIARY RULES OF §§ 10-302, 10-306, 10-307, AND 10-308 OF THE COURTS ARTICLE APPLY TO A PERSON CHARGED UNDER THIS SECTION.

**(C) LIFE-THREATENING INJURY BY MOTOR VEHICLE OR VESSEL WHILE UNDER THE INFLUENCE OF ALCOHOL OR UNDER THE INFLUENCE OF ALCOHOL PER SE.**

(1) A PERSON MAY NOT CAUSE A LIFE-THREATENING INJURY TO ANOTHER AS A RESULT OF THE PERSON'S NEGLIGENTLY DRIVING, OPERATING, OR CONTROLLING OF A MOTOR VEHICLE OR VESSEL WHILE THE PERSON IS:

(I) UNDER THE INFLUENCE OF ALCOHOL; OR

(II) UNDER THE INFLUENCE OF ALCOHOL PER SE.

(2) A VIOLATION OF THIS SUBSECTION IS LIFE-THREATENING INJURY BY MOTOR VEHICLE OR VESSEL WHILE:

(I) UNDER THE INFLUENCE OF ALCOHOL; OR