

# HOUSE BILL 683

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By: **Delegates Waldstreicher, Angel, B. Barnes, Beidle, Branch, Brooks, Carey, Clippinger, Healey, Korman, Kramer, Lierman, Lisanti, McCray, Platt, Tarlau, and Valderrama**

Introduced and read first time: January 31, 2018

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Assault of Public Transportation Operator – Penalties**

3 FOR the purpose of increasing the penalties for voluntarily causing physical injury to  
4 certain individuals providing public transportation services; and generally relating  
5 to penalties for assault.

6 BY repealing and reenacting, with amendments,  
7 Article – Criminal Law  
8 Section 3–203  
9 Annotated Code of Maryland  
10 (2012 Replacement Volume and 2017 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
12 That the Laws of Maryland read as follows:

13 **Article – Criminal Law**

14 3–203.

15 (a) A person may not commit an assault.

16 (b) Except as provided in subsection (c) of this section, a person who violates  
17 subsection (a) of this section is guilty of the misdemeanor of assault in the second degree  
18 and on conviction is subject to imprisonment not exceeding 10 years or a fine not exceeding  
19 \$2,500 or both.

20 (c) (1) In this subsection, “physical injury” means any impairment of physical  
21 condition, excluding minor injuries.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2) A person may not intentionally cause physical injury to another if the person knows or has reason to know that the other is:

(i) a law enforcement officer engaged in the performance of the officer's official duties;

(ii) a parole or probation agent engaged in the performance of the agent's official duties; [or]

(iii) a firefighter, an emergency medical technician, a rescue squad member, or any other first responder engaged in providing emergency medical care or rescue services; **OR**

**(IV) A BUS OPERATOR, A TRAIN OPERATOR, A LIGHT RAIL OPERATOR, OR ANY OTHER INDIVIDUAL ENGAGED IN PROVIDING PUBLIC TRANSPORTATION SERVICES.**

(3) A person who violates paragraph (2) of this subsection is guilty of the felony of assault in the second degree and on conviction is subject to imprisonment not exceeding 10 years or a fine not exceeding \$5,000 or both.

**SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2018.**