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By: **Delegates McClenahan and Donoghue**  
Introduced and read first time: February 15, 2000  
Assigned to: Rules and Executive Nominations

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A BILL ENTITLED

1 AN ACT concerning

2                                   **Motor Vehicle Administration - Digital Photographic Images - Private**  
3                                   **Detective Agencies**

4 FOR the purpose of authorizing the Motor Vehicle Administration to make a digital  
5 photographic image or signature of an individual, or the actual stored image or  
6 signature, recorded by the Administration available to certain private detective  
7 agencies; and generally relating to digital photographic images and data stored  
8 by the Motor Vehicle Administration.

9 BY repealing and reenacting, with amendments,  
10 Article - Transportation  
11 Section 12-111(b)  
12 Annotated Code of Maryland  
13 (1999 Replacement Volume and 1999 Supplement)

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

16                                   **Article - Transportation**

17 12-111.

18       (b)     (1)     Subject to § 10-616(p) of the State Government Article, and except as  
19 otherwise provided by law, all records of the Administration are public records and  
20 open to public inspection during office hours.

21                   (2)     Subject to paragraph (4) of this subsection, the Administrator may  
22 classify as confidential and not open to public inspection any record or record entry:

23                           (i)     That is over 5 years old; or

24                           (ii)    That relates to any happening that occurred over 5 years  
25 earlier.

1           (3)     Subject to § 10-616(p) of the State Government Article, a record or  
2 record entry of any age shall be open to inspection by authorized representatives of  
3 any federal, State, or local governmental agency.

4           (4)     Subject to paragraph (3) of this subsection, the Administrator may  
5 not open to public inspection any record or record entry that is:

6                   (i)     All or part of a licensed driver's public driving record; and

7                   (ii)    Over 3 years old.

8           (5)     Subject to paragraph (6) of this subsection, the Administration may  
9 not permit public inspection of a digital photographic image or signature of an  
10 individual, or the actual stored data thereof, recorded by the Administration.

11           (6)     The Administration may make a digital photographic image or  
12 signature of an individual, or the actual stored data thereof, recorded by the  
13 Administration available to:

14                   (i)     The courts;

15                   (ii)    Criminal justice agencies;

16                   (iii)   Driver license authorities;

17                   (iv)    The individual;

18                   (v)     The individual's attorney;

19                   (vi)    Third parties designated by the individual; [and]

20                   (vii)   The Child Support Enforcement Administration; AND

21                   (VIII)   PRIVATE DETECTIVE AGENCIES LICENSED BY THE SECRETARY  
22 OF THE STATE POLICE UNDER TITLE 13 OF THE BUSINESS OCCUPATIONS AND  
23 PROFESSIONS ARTICLE IN ACCORDANCE WITH §10-616 OF THE STATE GOVERNMENT  
24 ARTICLE.

25     SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 October 1, 2000.