

SENATE BILL 91

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2004 Regular Session
4r0484

By: **Senator Mooney**

Introduced and read first time: January 16, 2004

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **State Police - Vehicle Theft - Publicly Available Database**

3 FOR the purpose of requiring the Department of State Police to create and make
4 available to the public a reasonably current database containing the registration
5 number of certain vehicles reported stolen to the Department; prohibiting the
6 Department from disclosing to the public certain information concerning the
7 owner of a vehicle reported stolen; authorizing the Department to publish the
8 database on the Internet; authorizing the Department to make information from
9 the database available on a toll-free automated phone line; authorizing the
10 Secretary of State Police to adopt regulations to carry out this Act; and generally
11 relating to creating a publicly available database of stolen vehicles.

12 BY repealing and reenacting, without amendments,
13 Article - Public Safety
14 Section 2-101(e) and (l)
15 Annotated Code of Maryland
16 (2003 Volume)

17 BY adding to
18 Article - Public Safety
19 Section 2-704
20 Annotated Code of Maryland
21 (2003 Volume)

22 BY repealing and reenacting, without amendments,
23 Article - Transportation
24 Section 14-105
25 Annotated Code of Maryland
26 (2002 Replacement Volume and 2003 Supplement)

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

1 **Article - Public Safety**

2 2-101.

3 (e) "Department" means the Department of State Police.

4 (l) "Secretary" means the Secretary of State Police.

5 2-704.

6 (A) (1) THE DEPARTMENT SHALL CREATE AND, SUBJECT TO PARAGRAPH (2)
7 OF THIS SUBSECTION, MAKE AVAILABLE TO THE PUBLIC A REASONABLY CURRENT
8 DATABASE CONTAINING THE REGISTRATION NUMBER OF EACH VEHICLE REPORTED
9 STOLEN TO THE DEPARTMENT UNDER § 14-105 OF THE TRANSPORTATION ARTICLE
10 AND THAT REMAINS UNRECOVERED.

11 (2) THE DEPARTMENT:

12 (I) MAY ONLY MAKE AVAILABLE TO THE PUBLIC THE
13 REGISTRATION NUMBER OF THE VEHICLE REPORTED STOLEN; AND

14 (II) MAY NOT PROVIDE TO THE PUBLIC INFORMATION REGARDING
15 THE IDENTITY OF THE OWNER OF THE VEHICLE.

16 (B) THE DEPARTMENT MAY:

17 (1) PUBLISH THE DATABASE DESCRIBED IN SUBSECTION (A) OF THIS
18 SECTION ON THE INTERNET IN A SEARCHABLE FORMAT; AND

19 (2) MAKE THE INFORMATION FROM THE DATABASE AVAILABLE ON A
20 TOLL-FREE AUTOMATED PHONE LINE ACCESSIBLE TO THE PUBLIC.

21 (C) THE SECRETARY SHALL ADOPT REGULATIONS TO CARRY OUT THIS
22 SECTION.

23 **Article - Transportation**

24 14-105.

25 (a) If a police officer receives reliable information that a vehicle has been
26 stolen, the police officer shall immediately report the theft to the Administration and
27 the Department of State Police, unless the police officer has received reliable
28 information of the recovery of the vehicle.

29 (b) An alleged violation under § 7-205 of the Criminal Law Article shall be a
30 reportable theft of a vehicle for purposes of subsection (a) of this section.

31 (c) If a police officer receives reliable information that a vehicle which he
32 previously reported stolen has been recovered, he shall immediately report the
33 recovery to the Administration and the Department of State Police.

1 (d) If a vehicle titled or registered in this State has been stolen, the owner or
2 secured party may notify the Administration of the theft.

3 (e) Every person who has given notice under subsection (d) of this section
4 shall notify the Administration of a recovery of the vehicle.

5 (f) The Administration shall maintain and appropriately index cumulative
6 public records of stolen vehicles reported to it under this section.

7 (g) The Administration may suspend the registration of a vehicle whose theft
8 is reported to it under this section.

9 (h) Until the Administration learns of the recovery of the vehicle or that the
10 report of its theft was erroneous, it may not issue a certificate of title for the vehicle.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
12 effect October 1, 2004.