

Article - Criminal Procedure

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§10–233.1.

(a) (1) In this section the following words have the meanings indicated.

(2) “Massage establishment license”:

(i) means a certificate, license, permit, or similar document that would allow a person to own, operate, or manage a massage establishment in Howard County; and

(ii) includes any renewal of a document described in item (i) of this paragraph.

(3) “Pawnbroker or secondhand dealer establishment license”:

(i) means a certificate, license, permit, or similar document that would allow a person to own, operate, or manage a pawnbroker or secondhand dealer establishment in Howard County; and

(ii) includes any renewal of a document described in item (i) of this paragraph.

(4) “Taxicab license”:

(i) means a certificate, license, permit, or similar document that would allow a person to own, operate, or drive a taxicab in Howard County; and

(ii) includes any renewal of a document described in item (i) of this paragraph.

(b) This section does not apply to an applicant that:

(1) is a licensed massage therapist or registered massage practitioner under Title 3, Subtitle 5A of the Health Occupations Article; and

(2) is the owner, manager, or operator of a sole proprietorship or other massage therapy establishment in which each massage therapist is a licensed massage therapist or registered massage practitioner.

(c) The Howard County Department of Inspections, Licenses and Permits may request from the Central Repository a State and national criminal history records check on an applicant for:

(1) a massage establishment license;

- (2) a pawnbroker or secondhand dealer establishment license; or
- (3) a taxicab license.

(d) (1) As part of the application for a criminal history records check, the Howard County Department of Inspections, Licenses and Permits shall submit to the Central Repository:

(i) two complete sets of the applicant's legible fingerprints taken on forms approved by the Director of the Central Repository and the Director of the Federal Bureau of Investigation;

(ii) the fee authorized under § 10–221(b)(7) of this subtitle for access to Maryland criminal history records; and

(iii) the mandatory processing fee required by the Federal Bureau of Investigation for a national criminal history records check.

(2) In accordance with this subtitle, the Central Repository shall forward to the applicant and the Howard County Department of Inspections, Licenses and Permits the applicant's criminal history record information.

(3) Information obtained from the Central Repository under this section:

(i) is confidential and may not be disseminated; and

(ii) may be used only for a license-related purpose concerning an applicant for a massage establishment license, a pawnbroker or secondhand dealer establishment license, or a taxicab license as authorized by this section.

(4) The subject of a criminal history records check under this section may contest the contents of the printed statement issued by the Central Repository as provided under § 10–223 of this subtitle.

(e) The governing body of Howard County may adopt guidelines to carry out this section.

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