

Article - General Provisions

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§4–316.

(a) Except as provided in subsection (d) of this section and subject to subsection (e) of this section, unless otherwise ordered by the court, files and records of the court pertaining to an arrest warrant issued under Maryland Rule 4–212(d)(1) or (2) and the charging document on which the arrest warrant was issued may not be open to inspection until:

(1) the arrest warrant has been served and a return of service has been filed in accordance with Maryland Rule 4–212(g); or

(2) 90 days have elapsed since the arrest warrant was issued.

(b) Except as provided in subsection (d) of this section and subject to subsection (e) of this section, unless otherwise ordered by the court, files and records of the court pertaining to an arrest warrant issued in accordance with a grand jury indictment or conspiracy investigation and the charging document on which the arrest warrant was issued may not be open to inspection until all arrest warrants for any co-conspirators have been served and all returns of service have been filed in accordance with Maryland Rule 4–212(g).

(c) Subject to subsections (a) and (b) of this section, unless sealed under Maryland Rule 4–201(d), the files and records shall be open to inspection.

(d) (1) The name, address, birth date, driver's license number, sex, height, and weight of an individual contained in an arrest warrant issued under Maryland Rule 4–212(d)(1) or (2) or issued in accordance with a grand jury indictment or conspiracy investigation may be released to the Motor Vehicle Administration for use by the Administration for purposes of § 13–406.1 or § 16–204 of the Transportation Article.

(2) Except as provided in paragraph (1) of this subsection, information in a charging document that identifies an individual may not be released to the Motor Vehicle Administration.

(e) Subsections (a) and (b) of this section may not be construed to prohibit:

(1) the release of statistical information concerning unserved arrest warrants;

(2) the release of information by a State's Attorney or peace officer concerning an unserved arrest warrant and the charging document on which the arrest warrant was issued;

(3) inspection of files and records of a court concerning an unserved arrest

warrant and the charging document on which the arrest warrant was issued by:

- (i) a judicial officer;
 - (ii) any authorized court personnel;
 - (iii) a State's Attorney;
 - (iv) a peace officer;
 - (v) a correctional officer who is authorized by law to serve an arrest warrant;
 - (vi) a bail bondsman, surety insurer, or surety who executes bail bonds who executed a bail bond for the individual who is subject to arrest under the arrest warrant;
 - (vii) an attorney authorized by the individual who is subject to arrest under the arrest warrant;
 - (viii) the Department of Juvenile Services; or
 - (ix) a federal, State, or local criminal justice agency described under Title 10, Subtitle 2 of the Criminal Procedure Article; or
- (4) the release of information by the Department of Public Safety and Correctional Services or the Department of Juvenile Services to notify a victim under § 11-507 of the Criminal Procedure Article.

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