

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1626 (Delegate Stein, *et al.*)
Environment and Transportation

Public Information Act - Motor Vehicle Administration - Warrant or Subpoena
for Personal Information

This emergency bill authorizes a custodian of records for the Motor Vehicle Administration (MVA) to disclose personal information to U.S. Immigration and Customs Enforcement only after being provided with a valid warrant or a valid subpoena issued by a federal court or a court of this State.

Fiscal Summary

State Effect: MVA can use existing resources to modify any procedures necessary to ensure compliance with the bill's provisions. No effect on revenues.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Subject to specified exceptions, including when required to do so by federal law, a custodian may not knowingly disclose a public record of MVA that contains personal information. However, a custodian must disclose personal information for various purposes, including for use by a federal, state, or local government, including a law enforcement agency, or a court in carrying out its functions. It must also disclose personal information for use in connection with a civil, administrative, arbitral, or a criminal proceeding in a federal, state, or local court, as specified.

“Personal information” is information that identifies an individual, including an individual’s name, address, driver’s license or other identification number, medical or disability information, photograph or computer-generated image, Social Security number, and telephone number.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Baltimore City; Harford and Montgomery counties; City of College Park; Judiciary (Administrative Office of the Courts); Department of State Police; Maryland Department of Transportation; Department of Legislative Services

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