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February 28, 2024

The Honorable William C. Smith Jr.  
Chair, Senate Judicial Proceedings Committee  
2 East, Miller Senate Office Building  
Annapolis MD 21401

***RE: Letter of Information – Senate Bill 727 – Vehicle Laws - Motor Vehicle Administration  
Records - Access to Digital Photographic Images and Signatures - Baltimore City  
Agencies***

Dear Chair Smith and Committee Members:

The Maryland Department of Transportation (MDOT) offers the following information on Senate Bill 727 for the Committee’s consideration.

Senate Bill 727 would require the Maryland Motor Vehicle Administration (MVA) to provide access to certain records to certain Baltimore City agencies including the Baltimore City Department of Housing and Community Development, and any other agency designated by the Baltimore City Mayor.

Under the Public Information Act (PIA), photos and signatures are considered “personal information,” and are not disclosable as public records. (See GP §4-101.) The objective of the Driver’s Privacy Protection Act (DPPA) and PIA is to protect people by preventing the identification of individuals. Photographs and signatures are specifically controlled by TR §12-111(b)(5) and (6), which generally prohibit disclosure of photos/signatures, with limited exceptions. Those exceptions are limited to three primary categories: criminal justice agencies, the individual and their designees, and for child support enforcement. These exceptions follow a secure process to apply for access to this information and must be pre-approved. Allowing the disclosure of the images to a broader audience presents additional risks for the individuals whose photos are retrieved.

Additionally, it would be challenging for the MVA to administer a privacy exception that would allow photo sharing to be subject to the discretion of the Mayor of Baltimore City.

The Maryland Department of Transportation respectfully requests the Committee consider this information when deliberating Senate Bill 727.

Respectfully submitted,

Christine E. Nizer  
Administrator  
Maryland Motor Vehicle Administration  
410-787-7830

Pilar Helm  
Director of Government Affairs  
Maryland Department of Transportation  
410-865-1090