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SB 0727

February 28, 2024

TO: Members of the Judicial Proceedings Committee

FROM: Nina Themelis, Director of Mayor's Office of Government Relations

RE: Senate Bill SB 0727 – Motor Vehicle Administration Records – Access to Digital Photographic Images 3 and Signatures – Baltimore City Agencies

POSITION: Support

Chair Smith, Vice Chair Waldstreicher and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **supports** Senate Bill (SB) 0727

SB 0727 will provide better access to MVA photos for Baltimore City's Special Investigations Unit (SIU) within the Department of Housing and Community Development (DHCD). This legislation will decrease the amount of time it takes to obtain a photo through the MVA which will aid in the identification of illegal dumpers.

Baltimore City received over 15,000 service requests in calendar year 2023 specific to illegal dumping and over 20,000 additional complaints were received for other sanitation related issues. Baltimore City's SIU, who are charged with investigating illegal dumping, currently has access to MVA driver and vehicle records. These records are utilized for investigative purposes to identify individuals and vehicles used in illegal dumping as well as locating individuals, estates, landlords, and agents associated with properties DHCD is seeking to investigate and/or serve. However, our investigators currently need to put in a request through Baltimore City Police Department (BPD) to obtain an individual's photo from their MVA record and this can cause significant delays.

SIU is currently unable to directly access MVA driver's license photos per a specific provision of MD Transportation Article specifying the sharing of digital photos. Trans., § 12-111(b)(6). "The Administration may make a digital photographic image or signature of an individual, or the actual stored data thereof, recorded by the Administration available to: (i) The courts; (ii) Criminal justice agencies; (iii) Driver license authorities; (iv) The individual; (v) The individual's attorney; (vi) Third parties designated by the individual; and (vii) The Child Support Administration."

This legislation would clarify that, for only the purposes of this section, DHCD/SIU is deemed a “criminal justice agency” that can receive photo images. By adding “criminal justice agency” to include Baltimore City Department of Housing and Community Development and any other agency designated by the mayor to enforce the State illegal dumping and litter control article under §10–110 of the criminal law article.

Having access to the MVA photos would assist SIU investigators in identifying suspects in illegal dumping cases as well as positively identifying individuals being served subpoenas for upcoming DHCD court hearings.

As an example, we had a single individual dump on nine separate occasions over a four-month period. It wasn’t until after the eighth dumping action that we obtained their MVA photo and were able to identify them and file criminal charges. The individual performed a ninth illegal dumping action on the same day that charges were filed for the first eight cases. In our experience, the ability for SIU investigators to make contact with an illegal dumper once identified has an immediate positive impact on that individual’s future illegal dumping behavior and reduces the likelihood they will repeat this behavior in the future.

Being able to quickly identify individuals who are performing illegal dumping activity and contacting them will significantly decrease illegal dumping in Baltimore City. Having direct access to MVA photos will greatly cut down on the investigation time and will assist in identifying the individuals performing these illegal actions in a timely manner.

For these reasons, the BCA respectfully request a **favorable** report on SB 0727.