

MARYLAND REGISTER

**Proposed Action on Regulations**

<b>Transmittal Sheet</b>  <b>PROPOSED OR REPROPOSED</b>  <b>Actions on Regulations</b>	<b>Date Filed with AELR Committee</b>	<b>TO BE COMPLETED BY DSD</b>
	06/19/2020	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

**1. Desired date of publication in Maryland Register: 7/31/2020**

**2. COMAR Codification**

**Title Subtitle Chapter Regulation**

11 11 16 02

**3. Name of Promulgating Authority**

Department of Transportation

**4. Name of Regulations Coordinator Telephone Number**  
Christian Skipper 410-865-1154

**Mailing Address**

7201 Corporate Center Drive

**City State Zip Code**  
Hanover MD 21076

**Email**  
cskipper1@mdot.state.md.us

**5. Name of Person to Call About this Document Telephone No.**  
Tracey Sheffield 410-768-7545

**Email Address**  
tsheffield@mdot.state.md.us

**6. Check applicable items:**

New Regulations

Amendments to Existing Regulations

Date when existing text was downloaded from COMAR online: August 22, 2019.

Repeal of Existing Regulations

- Recodification
- Incorporation by Reference of Documents Requiring DSD Approval
- Reproposal of Substantively Different Text:

: Md. R  
(vol.) (issue) (page nos) (date)

Under Maryland Register docket no.: --P.

**7. Is there emergency text which is identical to this proposal:**

Yes  No

**8. Incorporation by Reference**

Check if applicable: Incorporation by Reference (IBR) approval form(s) attached and 18 copies of documents proposed for incorporation submitted to DSD. (Submit 18 paper copies of IBR document to DSD and one copy to AELR.)

**9. Public Body - Open Meeting**

OPTIONAL - If promulgating authority is a public body, check to include a sentence in the Notice of Proposed Action that proposed action was considered at an open meeting held pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

OPTIONAL - If promulgating authority is a public body, check to include a paragraph that final action will be considered at an open meeting.

**10. Children's Environmental Health and Protection**

Check if the system should send a copy of the proposal to the Children's Environmental Health and Protection Advisory Council.

**11. Certificate of Authorized Officer**

I certify that the attached document is in compliance with the Administrative Procedure Act. I also certify that the attached text has been approved for legality by Damon Bell, Assistant Attorney General, (telephone #410-768-7415) on May 8, 2020. A written copy of the approval is on file at this agency.

**Name of Authorized Officer**

Christine Nizer

**Title**

Administrator

**Telephone No.**

410-768-7320

**Date**

May 9, 2020

**Title 11**

**DEPARTMENT OF TRANSPORTATION**

**Subtitle 11 DEPARTMENT OF TRANSPORTATION**

**11.11.16 Expungement of Public Motor Vehicle Administration Records**

Authority: Transportation Article, §§12-104(b) and 16-117.1, Annotated Code of Maryland

### **Notice of Proposed Action**

□

The Administrator of the Motor Vehicle Administration proposes to amend Regulation .02 under COMAR 11.11.16 Expungement of Public Motor Vehicle Administration Records.

### **Statement of Purpose**

The purpose of this action is to clarify procedures for the Motor Vehicle Administration to automatically expunge the public driving record of a license for non-driver safety suspensions.

### **Comparison to Federal Standards**

There is no corresponding federal standard to this proposed action.

### **Estimate of Economic Impact**

The proposed action has no economic impact.

### **Economic Impact on Small Businesses**

The proposed action has minimal or no economic impact on small businesses.

### **Impact on Individuals with Disabilities**

The proposed action has no impact on individuals with disabilities.

### **Opportunity for Public Comment**

Comments may be sent to Tracey C. Sheffield, Regulations Coordinator, MVA, 6601 Ritchie Highway N.E., Room 200, Glen Burnie, MD 21062, or call 410-768-7545, or email to [tshellfield@mdot.state.md.us](mailto:tshellfield@mdot.state.md.us), or fax to 410-768-7506. Comments will be accepted through 8/30/2020. A public hearing has not been scheduled.

### **Economic Impact Statement Part C**

A. Fiscal Year in which regulations will become effective: FY 2021

B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

Yes

C. If 'yes', state whether general, special (exact name), or federal funds will be used:  
Transportation Trust Fund

D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:

E. If these regulations have no economic impact under Part A, indicate reason briefly:  
These regulations have no economic impact under part A because they only clarify procedures for the Motor Vehicle Administration to automatically expunge the public driving record of a licensee for non-driver safety suspension.

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

These regulations have no economic impact on small businesses because they only affect an individual's public driving record with a non-driver safety suspension.

G. Small Business Worksheet:

a. Intended Beneficiaries: N/A

b. Intended Beneficiaries: Households: N/A

c. Intended Beneficiaries: Businesses: N/A

d. Other Direct or Indirect Impacts: Adverse: N/A

e. Other Direct or Indirect Impacts: Positive: N/A

f. Long-Term Impacts: N/A

g. Estimates of Economic Impact: N/A

Attached Document:

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11.11.16 (Online Download August 22, 2019)

## **Title 11 DEPARTMENT OF TRANSPORTATION**

### **Subtitle 11 MOTOR VEHICLE ADMINISTRATION — ADMINISTRATIVE PROCEDURES**

#### **Chapter 16 Expungement of Public Motor Vehicle Administration Records**

Authority: Transportation Article, §§12-104(b) and 16-117.1, Annotated Code of Maryland

##### **.02 Expungement of a Public Driving Record.**

A. — B. (text unchanged)

C. The Administration has determined that:

(1) The following driver's license suspensions are not related to driver safety *and become eligible for expungement 1 year after the suspension period ends.*

(a) — (l) (text unchanged)

(2) (text unchanged)

**CHRISTINE NIZER**

**Administrator**

**Motor Vehicle Administration**