

SENATE BILL 727

L2, P3

4lr3349

By: **Senator Carter (By Request – Baltimore City Administration)**

Introduced and read first time: January 31, 2024

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicle Administration Records – Access to Digital Photographic Images**
3 **and Signatures – Baltimore City Agencies**

4 FOR the purpose of authorizing the Motor Vehicle Administration to make certain records
5 available to certain agencies in Baltimore City; and generally relating to access to
6 Motor Vehicle Administration records by Baltimore City agencies.

7 BY repealing and reenacting, with amendments,
8 Article – Transportation
9 Section 12–111
10 Annotated Code of Maryland
11 (2020 Replacement Volume and 2023 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
13 That the Laws of Maryland read as follows:

Article – Transportation

14 12–111.

16 (A) IN THIS SECTION, “CRIMINAL JUSTICE AGENCY” INCLUDES THE
17 BALTIMORE CITY DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
18 AND ANY OTHER AGENCY DESIGNATED BY THE MAYOR OF BALTIMORE CITY TO
19 ENFORCE THE STATE ILLEGAL DUMPING AND LITTER CONTROL LAW UNDER §
20 10–110 OF THE CRIMINAL LAW ARTICLE.

21 [(a)] (B) The Administration shall keep a record of each application or other
22 document filed with it and each certificate or other official document that it issues.

23 [(b)] (C) (1) Subject to § 4–320 of the General Provisions Article, and except

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 as otherwise provided by law, all records of the Administration are public records and open
2 to public inspection during office hours.

3 (2) Subject to paragraph (4) of this subsection, the Administrator may
4 classify as confidential and not open to public inspection any record or record entry:

5 (i) That is over 5 years old; or

6 (ii) That relates to any happening that occurred over 5 years earlier.

7 (3) Subject to § 4–320 of the General Provisions Article, a record or record
8 entry of any age shall be open to inspection by authorized representatives of any federal,
9 State, or local governmental agency.

10 (4) Subject to paragraph (3) of this subsection, the Administrator may not
11 open to public inspection any record or record entry that is:

12 (i) All or part of a licensed driver's public driving record; and

13 (ii) Over 3 years old.

14 (5) Subject to paragraph (6) of this subsection, the Administration may not
15 permit public inspection of a digital photographic image or signature of an individual, or
16 the actual stored data thereof, recorded by the Administration.

17 (6) The Administration may make a digital photographic image or
18 signature of an individual, or the actual stored data thereof, recorded by the Administration
19 available to:

20 (i) The courts;

21 (ii) Criminal justice agencies;

22 (iii) Driver license authorities;

23 (iv) The individual;

24 (v) The individual's attorney;

25 (vi) Third parties designated by the individual; and

26 (vii) The Child Support Administration.

27 **[(c)] (D)** Except for records required by law to be kept in their original or other
28 specified form, the Administrator may order any record of the Administration to be kept on
29 microfilm or in other microform, and the original destroyed.

1 **[(d) (E)]** Except for records required by law to be kept longer, the Administrator
2 may destroy any record of the Administration that it has kept for 3 years or more and that
3 the Administrator considers obsolete and unnecessary to the work of the Administration.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2024.