
By: Senator Boozer

Requested: July 3, 1995

Introduced and read first time: January 10, 1996

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: January 31, 1996

CHAPTER ____

1 AN ACT concerning

2 **Criminal Records - Expungement - Criminal and Traffic Offenses**

3 [TAG ftpo]FOR the purpose of prohibiting a violation of ~~a~~ the Maryland Vehicle Law or any other
4 traffic law that is not punishable by a term of imprisonment from being considered
5 as part of a certain unit for purposes of expungement of criminal records;
6 ~~prohibiting a certain violation of a traffic law~~ precluding such violations from
7 preventing expungement of any criminal charge that arises from the same incident,
8 transaction, or set of facts as the ~~traffic~~ violation if the person who is charged with
9 the ~~traffic~~ violation is otherwise entitled to an expungement on any other criminal
10 charge; and generally relating to expungement of criminal records.

11 BY repealing and reenacting, with amendments,

12 Article 27 - Crimes and Punishments

13 Section 738

14 Annotated Code of Maryland

15 (1992 Replacement Volume and 1995 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article 27 - Crimes and Punishments**

19 738.

20 (A) [For] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, FOR
21 purposes of this subtitle, two or more charges arising from the same incident, transaction,
22 or set of facts, shall be considered as a unit. If a person is not entitled to an expungement

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1 of any one charge of a unit, he is not entitled to expungement of the other charges in the
2 unit.

3 (B) IF A PERSON IS CHARGED WITH A VIOLATION OF ANY ~~TRAFFIC LAW,~~
4 ~~INCLUDING THE MARYLAND VEHICLE LAW, PROVISION OF THE MARYLAND~~
5 ~~VEHICLE LAW THAT IS NOT PUNISHABLE BY A TERM OF IMPRISONMENT OR ANY~~
6 ~~OTHER TRAFFIC LAW, ORDINANCE, OR REGULATION~~ THAT IS NOT PUNISHABLE BY A
7 TERM OF IMPRISONMENT:

8 (1) THE VIOLATION MAY NOT BE CONSIDERED AS PART OF A UNIT
9 UNDER SUBSECTION (A) OF THIS SECTION; AND

10 (2) THE DISPOSITION ENTERED ON THE VIOLATION MAY NOT ~~PROHIBIT~~
11 PRECLUDE EXPUNGEMENT OF ANY CRIMINAL CHARGE THAT ARISES FROM THE
12 SAME INCIDENT, TRANSACTION, OR SET OF FACTS IF THE PERSON IS OTHERWISE
13 ENTITLED TO AN EXPUNGEMENT ~~ON ANY OTHER CHARGE OF THE CHARGE.~~

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 1996.