
By: Senator Frosh

Introduced and read first time: February 2, 1996

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicle Administration - Access to Public Records**

3 FOR the purpose of prohibiting the disclosure of Motor Vehicle Administration records
4 containing certain personal information, unless the information is used by certain
5 persons for certain purposes and under certain circumstances; prohibiting the
6 person who receives personal information from using it in certain ways; requiring
7 the Administration to provide certain notice to certain individuals under certain
8 circumstances; authorizing certain individuals to prohibit the disclosure of certain
9 personal information under certain circumstances; prohibiting the Administration
10 from making certain disclosures under certain circumstances; authorizing the
11 Administration to request a waiver of a prohibition of disclosure under certain
12 circumstances; authorizing the Administration to disclose personal information
13 under certain circumstances even if the individual has not received a certain notice
14 from the Administration; prohibiting the use of personal information disclosed by
15 the Administration for telephone solicitation; authorizing the Administration to
16 monitor compliance with a certain provision; authorizing individuals who suffer
17 damage due to a violation of certain provisions to recover their damages in a civil
18 action; authorizing a criminal penalty for certain misuse of disclosed personal
19 information under certain circumstances; authorizing the Administrator to adopt
20 certain regulations; defining certain terms; requiring the Administration to
21 implement this Act fully by a certain date; making stylistic and technical changes;
22 and generally relating to access to certain public records of the Motor Vehicle
23 Administration under certain circumstances.

24 BY repealing and reenacting, with amendments,
25 Article - State Government
26 Section 10-611, 10-626, and 10-627
27 Annotated Code of Maryland
28 (1995 Replacement Volume)

29 BY adding to
30 Article - State Government
31 Section 10-616(m)
32 Annotated Code of Maryland
33 (1995 Replacement Volume)

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1 BY repealing and reenacting, with amendments,
2 Article - Transportation
3 Section 12-111, 12-112, and 12-113
4 Annotated Code of Maryland
5 (1992 Replacement Volume and 1995 Supplement)

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

8 **Article - State Government**

9 10-611.

10 (a) In this Part III of this subtitle the following words have the meanings
11 indicated.

12 (b) "Applicant" means a person or governmental unit that asks to inspect a public
13 record.

14 (c) "Custodian" means:

15 (1) the official custodian; or

16 (2) any other authorized individual who has physical custody and control of
17 a public record.

18 (D) "MOTOR VEHICLE RECORD" MEANS A PUBLIC RECORD THAT PERTAINS
19 TO:

20 (1) A MOTOR VEHICLE DRIVER'S PERMIT OR LICENSE;

21 (2) A MOTOR VEHICLE TITLE;

22 (3) A MOTOR VEHICLE REGISTRATION; OR

23 (4) AN IDENTIFICATION CARD ISSUED BY THE MOTOR VEHICLE
24 ADMINISTRATION.

25 [(d)] (E) "Official custodian" means an officer or employee of the State or of a
26 political subdivision who, whether or not the officer or employee has physical custody and
27 control of a public record, is responsible for keeping the public record.

28 [(e)] (F) "Person in interest" means:

29 (1) a person or governmental unit that is the subject of a public record or a
30 designee of the person or governmental unit;

31 (2) if the person has a legal disability, the parent or legal representative of
32 the person; or

33 (3) as to requests for correction of certificates of death under § 5-310(d)(2)
34 of the Health - General Article, the spouse, adult child, parent, adultsibling,
35 grandparent, or guardian of the person of the deceased at the time of the deceased's
36 death.

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1 (G) (1) "PERSONAL INFORMATION" MEANS INFORMATION THAT
 2 IDENTIFIES AN INDIVIDUAL, INCLUDING AN INDIVIDUAL'S ADDRESS, DRIVER'S
 3 LICENSE NUMBER OR ANY OTHER DRIVER IDENTIFICATION NUMBER, MEDICAL OR
 4 DISABILITY INFORMATION, NAME, PHOTOGRAPH OR COMPUTER GENERATED
 5 IMAGE, SOCIAL SECURITY NUMBER, OR TELEPHONE NUMBER.

6 (2) "PERSONAL INFORMATION" DOES NOT INCLUDE AN INDIVIDUAL'S
 7 DRIVER'S STATUS, DRIVING OFFENSES, 5-DIGIT ZIP CODE, OR INFORMATION ON
 8 VEHICULAR ACCIDENTS.

9 [(f)] (H) (1) "Public record" means the original or any copy of any documentary
 10 material that:

11 (i) is made by a unit or instrumentality of the State government or of
 12 a political subdivision or received by the unit or instrumentality in connection with the
 13 transaction of public business; and

14 (ii) is in any form, including:

- 15 1. a card;
- 16 2. a computerized record;
- 17 3. correspondence;
- 18 4. a drawing;
- 19 5. film or microfilm;
- 20 6. a form;
- 21 7. a map;
- 22 8. a photograph or photostat;
- 23 9. a recording; or
- 24 10. a tape.

25 (2) "Public record" includes a document that lists the salary of an employee
 26 of a unit or instrumentality of the State government or of a political subdivision.

27 (3) "Public record" does not include a digital photographic image or
 28 signature of an individual, or the actual stored data thereof, recorded by the Motor
 29 Vehicle Administration.

30 10-616.

31 (M) (1) EXCEPT AS PROVIDED IN PARAGRAPHS (2) THROUGH (4) OF THIS
 32 SUBSECTION, A CUSTODIAN OF PUBLIC RECORDS OF THE MOTOR VEHICLE
 33 ADMINISTRATION MAY NOT KNOWINGLY DISCLOSE A MOTOR VEHICLE RECORD
 34 CONTAINING PERSONAL INFORMATION.

35 (2) A CUSTODIAN SHALL DISCLOSE PERSONAL INFORMATION FOR THE
 36 PURPOSE OF COMPLIANCE WITH FEDERAL LAW.

1 (3) (I) SUBJECT TO § 12-111(B) OF THE TRANSPORTATION ARTICLE, A
2 CUSTODIAN SHALL DISCLOSE PERSONAL INFORMATION IN RESPONSE TO A
3 REQUEST FOR AN INDIVIDUAL MOTOR VEHICLE RECORD, PROVIDED THAT:

4 1. THE CUSTODIAN HAS PROVIDED NOTICE IN A CLEAR AND
5 CONSPICUOUS MANNER ON FORMS FOR THE ISSUANCE OR RENEWAL OF A DRIVER'S
6 LICENSE, CERTIFICATE OF TITLE, REGISTRATION, OR IDENTIFICATION CARD THAT
7 PERSONAL INFORMATION MAY BE DISCLOSED TO A PERSON, AND HAS PROVIDED IN
8 A CLEAR AND CONSPICUOUS MANNER ON THE FORMS AN OPPORTUNITY TO
9 PROHIBIT DISCLOSURE; AND

10 2. THE PERSON IN INTEREST HAS NOT PROHIBITED
11 DISCLOSURE OF PERSONAL INFORMATION UNDER THIS PARAGRAPH WHEN
12 APPLYING FOR OR RENEWING A DRIVER'S LICENSE, CERTIFICATE OF TITLE,
13 REGISTRATION, OR IDENTIFICATION CARD OR BY NOTIFYING THE CUSTODIAN IN
14 WRITING AT ANY TIME.

15 (II) 1. THE CUSTODIAN MAY REQUEST THE PERSON IN
16 INTEREST TO WAIVE A PROHIBITION REQUESTED UNDER THIS PARAGRAPH, IF THE
17 CUSTODIAN DETERMINES THAT THE WAIVER IS IN THE BEST INTERESTS OF THE
18 PERSON IN INTEREST OR THE STATE.

19 2. EXCEPT IN EMERGENCY SITUATIONS, AS DEFINED BY
20 THE CUSTODIAN BY REGULATION, A WAIVER UNDER THIS SUBPARAGRAPH SHALL
21 BE MADE IN WRITING.

22 (4) A CUSTODIAN MAY DISCLOSE PERSONAL INFORMATION FOR USE:

23 (I) BY A FEDERAL, STATE, OR LOCAL GOVERNMENT, INCLUDING
24 A LAW ENFORCEMENT AGENCY, OR A COURT IN CARRYING OUT ITS FUNCTIONS;

25 (II) IN CONNECTION WITH MOTOR VEHICLE MATTERS INCLUDING
26 MOTOR VEHICLE OR DRIVER SAFETY, EMISSIONS, PRODUCT ALTERATIONS,
27 RECALLS, ADVISORIES, PERFORMANCE MONITORING OF MOTOR VEHICLES, PARTS
28 AND DEALERS, AND REMOVAL OF NON-OWNER RECORDS FROM THE ORIGINAL
29 RECORDS OF MOTOR VEHICLE MANUFACTURERS;

30 (III) BY A PRIVATE DETECTIVE AGENCY OR SECURITY GUARD
31 SERVICE LICENSED BY THE SECRETARY OF STATE POLICE UNDER TITLE 13 OF THE
32 BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE FOR A PURPOSE PERMITTED
33 UNDER THIS SUBSECTION OR FOR REDISCLOSURE TO A CLIENT FOR A PURPOSE
34 PERMITTED UNDER THIS SUBSECTION;

35 (IV) IN CONNECTION WITH A CIVIL, ADMINISTRATIVE, ARBITRAL,
36 OR CRIMINAL PROCEEDING IN ANY FEDERAL, STATE, OR LOCAL COURT OR
37 REGULATORY AGENCY FOR SERVICE OF PROCESS, INVESTIGATION IN
38 ANTICIPATION OF LITIGATION, AND EXECUTION OR ENFORCEMENT OF JUDGMENTS
39 OR ORDERS;

40 (V) FOR PURPOSES OF RESEARCH OR STATISTICAL REPORTING AS
41 APPROVED BY THE MOTOR VEHICLE ADMINISTRATION PROVIDED THAT THE
42 PERSONAL INFORMATION IS NOT PUBLISHED, REDISCLOSED, OR USED TO CONTACT

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1 THE INDIVIDUAL EXCEPT AS PROVIDED IN § 12-112(B) OF THE TRANSPORTATION
2 ARTICLE;

3 (VI) BY AN INSURER, INSURANCE SUPPORT ORGANIZATION, OR
4 SELF-INSURED ENTITY, OR ITS EMPLOYEES, AGENTS, OR CONTRACTORS, IN
5 CONNECTION WITH RATING, UNDERWRITING, CLAIMS INVESTIGATING, AND
6 ANTI-FRAUD ACTIVITIES;

7 (VII) FOR USE IN THE NORMAL COURSE OF BUSINESS BY A
8 LEGITIMATE BUSINESS ENTITY, ITS AGENTS, EMPLOYEES, OR CONTRACTORS, BUT
9 ONLY:

10 1. TO VERIFY THE ACCURACY OF PERSONAL INFORMATION
11 SUBMITTED BY THE INDIVIDUAL TO THAT ENTITY; AND

12 2. IF THE INFORMATION SUBMITTED IS NOT ACCURATE, TO
13 OBTAIN CORRECT INFORMATION ONLY FOR THE PURPOSES OF:

14 A. PREVENTING FRAUD BY THE INDIVIDUAL;

15 B. PURSUING LEGAL REMEDIES AGAINST THE INDIVIDUAL;
16 OR

17 C. RECOVERING ON A DEBT OR SECURITY INTEREST
18 AGAINST THE INDIVIDUAL;

19 (VIII) BY AN EMPLOYER OR INSURER TO OBTAIN OR VERIFY
20 INFORMATION RELATING TO A HOLDER OF A COMMERCIAL DRIVER'S LICENSE
21 THAT IS REQUIRED UNDER THE COMMERCIAL MOTOR VEHICLE SAFETY ACT OF 1986
22 (49 U.S.C. APP. 2701 ET SEQ);

23 (IX) IN CONNECTION WITH THE OPERATION OF A PRIVATE TOLL
24 TRANSPORTATION FACILITY;

25 (X) FOR USE IN PROVIDING NOTICE TO THE OWNER OF A TOWED
26 OR IMPOUNDED MOTOR VEHICLE;

27 (XI) BY A PERSON WHO REQUESTS PERSONAL INFORMATION, IF
28 THE PERSON DEMONSTRATES THAT THE PERSON HAS OBTAINED THE WRITTEN
29 CONSENT OF THE INDIVIDUAL ABOUT WHOM THE INFORMATION PERTAINS WITHIN
30 THE SIX-MONTH PERIOD BEFORE THE DATE OF THE REQUEST FOR PERSONAL
31 INFORMATION; AND

32 (XII) FOR A USE SPECIFICALLY AUTHORIZED BY THE LAW OF THIS
33 STATE, IF THE USE IS RELATED TO THE OPERATION OF A MOTOR VEHICLE OR
34 PUBLIC SAFETY.

35 (5) A PERSON RECEIVING PERSONAL INFORMATION UNDER
36 PARAGRAPH (4) OF THIS SUBSECTION MAY NOT USE, REDISCLOSE, SELL, OR RENT
37 THE PERSONAL INFORMATION FOR ANY PURPOSE OTHER THAN THE PURPOSE FOR
38 WHICH THE CUSTODIAN DISCLOSED THE PERSONAL INFORMATION.

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1 (6) FOR THE PURPOSES OF PARAGRAPH (3) OF THIS SUBSECTION, THE
 2 CUSTODIAN SHALL PROVIDE NOTICE IN A CLEAR AND CONSPICUOUS MANNER ON
 3 FORMS FOR THE ISSUANCE OR RENEWAL OF A DRIVER'S LICENSE, CERTIFICATE OF
 4 TITLE, REGISTRATION, OR IDENTIFICATION CARD THAT PERSONAL INFORMATION
 5 MAY BE DISCLOSED TO A PERSON, AND SHALL PROVIDE IN A CLEAR AND
 6 CONSPICUOUS MANNER ON THE FORMS AN OPPORTUNITY TO PROHIBIT
 7 DISCLOSURE.

8 (7) THE CUSTODIAN MAY ADOPT REGULATIONS TO IMPLEMENT AND
 9 ENFORCE THE PROVISIONS OF THIS SUBSECTION.

10 10-626.

11 (a) A person, including an officer or employee of a governmental unit, is liable to
 12 an individual for actual damages and any punitive damages that the court considers
 13 appropriate if:

14 (1) (I) the person willfully and knowingly permits inspection or use of a
 15 public record in violation of this Part III of this subtitle; and

16 [(2)] (II) the public record names or, with reasonable certainty, otherwise
 17 identifies the individual by an identifying factor such as:

18 [(i)] 1. an address;

19 [(ii)] 2. a description;

20 [(iii)] 3. a finger or voice print;

21 [(iv)] 4. a number; or

22 [(v)] 5. a picture[.]; OR

23 (2) THE PERSON WILLFULLY AND KNOWINGLY OBTAINS, DISCLOSES, OR
 24 USES PERSONAL INFORMATION IN VIOLATION OF § 10-616(M) OF THIS SUBTITLE OR §
 25 12-112 OF THE TRANSPORTATION ARTICLE.

26 (b) If the court determines that the complainant has substantially prevailed, the
 27 court may assess against a defendant reasonable counsel fees and other litigation costs
 28 that the complainant reasonably incurred.

29 10-627.

30 (a) A person may not:

31 (1) willfully or knowingly violate any provision of this Part III of this subtitle
 32 OR § 12-112 OF THE TRANSPORTATION ARTICLE;

33 (2) fail to petition a court after temporarily denying inspection of a public
 34 record; or

35 (3) by false pretenses, bribery, or theft, gain access to or obtain a copy of a
 36 personal record whose disclosure to the person is prohibited by this Part III of this
 37 subtitle.

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1 (b) A person who violates any provision of this section is guilty of a misdemeanor
2 and on conviction is subject to a fine not exceeding \$1,000.

3 **Article - Transportation**

4 12-111.

5 (a) The Administration shall keep a record of each application or other document
6 filed with it and each certificate or other official document that it issues.

7 (b) (1) [Except] SUBJECT TO § 10-616(M) OF THE STATE GOVERNMENT
8 ARTICLE, AND EXCEPT as otherwise provided by law, all records of the Administration
9 are public records and open to public inspection during office hours.

10 (2) Subject to paragraph (4) of this subsection, in his discretion, the
11 Administrator may classify as confidential and not open to public inspection any record or
12 record entry:

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

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

15 (3) Any record or record entry of any age shall be open to inspection by
16 authorized representatives of any federal, State, or local governmental agency.

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

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

20 (ii) Over 3 years old.

21 (5) Subject to paragraph (6) of this subsection, the Administration may not
22 permit public inspection of AN IDENTIFYING NUMBER OF AN INDIVIDUAL, INCLUDING
23 A DRIVER'S LICENSE NUMBER OR a digital photographic image or signature of an
24 individual, or the actual stored data thereof, recorded by the Administration.

25 (6) The Administration may make AN IDENTIFYING NUMBER OF AN
26 INDIVIDUAL, INCLUDING A DRIVER'S LICENSE NUMBER OR a digital photographic
27 image or signature of an individual, or the actual stored data thereof, recorded by the
28 Administration available to:

29 (i) The courts;

30 (ii) Criminal justice agencies;

31 (iii) Driver license authorities;

32 (iv) The individual;

33 (v) The individual's attorney; and

34 (vi) Third parties designated by the individual.

35 (7) THE ADMINISTRATION MAY NOT DISCLOSE INFORMATION
36 CONCERNING THE PHYSICAL CHARACTERISTICS, MEDICAL CONDITION, OR

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1 DISABILITY OF AN INDIVIDUAL UNLESS THE ADMINISTRATION DETERMINES THAT
2 DISCLOSURE AND USE OF THE INFORMATION IS IN THE PUBLIC INTEREST.

3 (c) Except for records required by law to be kept in their original or other
4 specified form, the Administrator may order any record of the Administration to be kept
5 on microfilm or in other microform, and the original destroyed.

6 (d) Except for records required by law to be kept longer, the Administrator may
7 destroy any record of the Administration that it has kept for 3 years or more and that the
8 Administrator considers obsolete and unnecessary to the work of the Administration.

9 12-112.

10 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
11 INDICATED.

12 (2) "PERSONAL INFORMATION" MEANS PERSONAL INFORMATION AS
13 DEFINED IN § 10-611(G) OF THE STATE GOVERNMENT ARTICLE.

14 (3) (I) "TELEPHONE SOLICITATION" MEANS THE INITIATION OF A
15 TELEPHONE CALL TO AN INDIVIDUAL OR TO THE RESIDENCE OR BUSINESS OF AN
16 INDIVIDUAL FOR THE PURPOSE OF ENCOURAGING THE PURCHASE OR RENTAL OF
17 OR INVESTMENT IN PROPERTY, GOODS, OR SERVICES.

18 (II) "TELEPHONE SOLICITATION" DOES NOT INCLUDE A
19 TELEPHONE CALL OR MESSAGE:

20 1. TO AN INDIVIDUAL WHO HAS GIVEN EXPRESS
21 PERMISSION TO THE PERSON MAKING THE TELEPHONE CALL;

22 2. TO AN INDIVIDUAL WITH WHOM THE PERSON HAS AN
23 ESTABLISHED BUSINESS RELATIONSHIP; OR

24 3. BY A TAX-EXEMPT, NONPROFIT ORGANIZATION.

25 [(a)] (B) Unless the information is classified as confidential under§ 12-111 of
26 this subtitle or otherwise as provided by law, [and subject to the provisions of subsection
27 (d) of this section,] the Administration may furnish listings of vehicle registration and
28 other public OR PERSONAL information in its records to those persons who request them
29 SOLELY FOR USE IN SURVEYS, MARKETING, OR SOLICITATIONS, but only if the
30 Administration approves of the purpose for which the information is requested.

31 [(b)] (C) The Administration shall charge a fee for any listing furnished under
32 this section. The fee charged may not be less than the cost to this State of preparing that
33 listing. The revenue from the fee shall not be subject to the distribution provisions of Title
34 8, Subtitle 4, of this article.

35 [(c)] (D) A person furnished any information under this section is prohibited
36 from REDISCLOSING, SELLING, RENTING, distributing or otherwise using the
37 information for any purpose other than that for which it was [requested and] furnished.

38 [(d) (1) Except as provided in paragraph (2), upon written request by an
39 individual holding a license as defined in § 11-128, or by the owner of a vehicle registered
40 under this article, that information about that person not be disclosed, the

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1 Administration may not, under this section, furnish to any person the name, address, or
2 other identifying information about the licensee or owner of the registered vehicle.]

3 (E) A PERSON RECEIVING PERSONAL INFORMATION UNDER THIS
4 SUBSECTION MAY NOT USE THE PERSONAL INFORMATION FOR THE PURPOSE OF
5 TELEPHONE SOLICITATION.

6 (F) (1) THE ADMINISTRATOR SHALL PROVIDE NOTICE IN A CLEAR AND
7 CONSPICUOUS MANNER ON FORMS FOR THE ISSUANCE OR RENEWAL OF A DRIVER'S
8 LICENSE, CERTIFICATE OF TITLE, REGISTRATION, OR IDENTIFICATION CARD THAT
9 PERSONAL INFORMATION MAY BE DISCLOSED IN LISTINGS OF INFORMATION FOR
10 USE IN SURVEYS, MARKETING, OR SOLICITATIONS AND PROVIDE IN A CLEAR AND
11 CONSPICUOUS MANNER ON THE FORMS AN OPPORTUNITY TO PROHIBIT
12 DISCLOSURE.

13 (2) THE PERSON IN INTEREST MAY PROHIBIT DISCLOSURE OF
14 PERSONAL INFORMATION UNDER THIS SECTION WHEN APPLYING FOR OR
15 RENEWING A DRIVER'S LICENSE, CERTIFICATE OF TITLE, REGISTRATION, OR
16 IDENTIFICATION CARD OR BY NOTIFYING THE CUSTODIAN IN WRITING AT ANY
17 TIME.

18 [(2)] (3) This subsection does not prevent the Administration from
19 furnishing PERSONAL information under this section:

20 (i) To another governmental agency; OR

21 (ii) FOR ANY OTHER PURPOSE PERMISSIBLE UNDER § 10-616(M) OF
22 THE STATE GOVERNMENT ARTICLE. [If not requested for the purpose of preparing a
23 mailing list, to a person requesting the information in connection with the compilation of
24 statistical data; or

25 (iii) As to the owners of vehicles registered under this article, to a
26 person whose request for the information is determined by the Administration to be
27 limited to, and necessary for, the protection of the ownership, safe operation, proper
28 maintenance, or repair of the vehicle.]

29 (G) (1) THE ADMINISTRATION MAY ADOPT REGULATIONS TO IMPLEMENT
30 AND ENFORCE THE PROVISIONS OF THIS SECTION.

31 (2) THE ADMINISTRATION MAY DEVELOP AND IMPLEMENT METHODS
32 FOR MONITORING COMPLIANCE WITH THIS SECTION AND ENSURING THAT
33 INFORMATION IS USED ONLY FOR PURPOSES FOR WHICH IT IS FURNISHED.

34 (H) A PERSON USING INFORMATION DISCLOSED UNDER THIS SECTION FOR
35 ANY PURPOSE OTHER THAN THE PURPOSE FOR WHICH IT WAS DISCLOSED, IS
36 SUBJECT TO THE PROVISIONS OF §§ 10-626 AND 10-627 OF THE STATE GOVERNMENT
37 ARTICLE.

38 12-113.

39 (a) (1) [The] SUBJECT TO § 12-111 OF THIS SUBTITLE AND § 10-616(M) OF
40 THE STATE GOVERNMENT ARTICLE, THE Administrator or any other officer or

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1 employee of the Administration designated by the Administrator may furnish on request
2 a copy or a certified copy of any record of the Administration.

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(2) The Administration may establish and charge a fee for each record it
4 furnishes or certifies. The revenue from the fee shall not be subject to the distribution
5 provisions of Title 8, Subtitle 4, of this article.

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(3) No charge shall be made to a police agency, fire department, or court in
7 this or any other state or a police agency or court of the United States government.

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(4) The fee established and charged under this section may exceed the
9 amounts authorized under § 10-621 of the State Government Article.

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(b) (1) A certified copy of any record of the Administration or comparable
11 agency of any state is admissible in any judicial proceeding in the same manner as the
12 original of the record.

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(2) (i) A computer printout of any driving record or vehicle registration
14 record of the Administration that has been obtained by a police agency or court through
15 a computer terminal tied into the Administration is admissible in any judicial proceeding
16 in the same manner as the original of the record.

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(ii) The computer printout of the driving record or vehicle registration
18 record shall contain:

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1. The date the record was printed; and

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2. A jurisdiction code identifying the site where therecord was
21 printed.

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(3) If a subpoena is issued to the Administrator or any other official or
23 employee of the Administration for the production in any judicial proceeding of the
24 original or a copy of any book, paper, entry, record, proceeding, or other document of the
25 Administration:

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(i) The Administrator or other official or employee of the
27 Administration need not appear personally; and

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(ii) Submission of a certified copy or photostat of the requested
29 document is IN full compliance with the subpoena.

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(4) On motion and for good cause shown, the court may compel the
31 attendance of an authorized representative of the Administration to answer the subpoena
32 for the production of documents.

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SECTION 2. AND BE IT FURTHER ENACTED, That the Motor Vehicle
34 Administration shall establish a procedure to allow an individual who, on the effective
35 date of this Act, has a current driver's license, certificate of title, registration, or
36 identification card, to contact the Administration for the purpose of prohibiting the
37 disclosure of personal information as provided in § 10-616(m)(3)(i) of the State
38 Government Article or § 12-112(f) of the Transportation Article. Nothing in this Act
39 requires the Administration to provide the notices under § 10-616(m)(3)(i) of the State
40 Government Article and § 12-112(f) of the Transportation Article beforean individual

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1 applies for renewal of a driver's license, certificate of title, registration, or identification
2 card. Unless an individual has objected to a disclosure of personal information in
3 accordance with the procedures established by the Administration, the Administration
4 may disclose personal information as provided by law, notwithstanding that the individual
5 has not received the notices under § 10-616(m)(3)(i) of the State Government Article or
6 § 12-112(f) of the Transportation Article because the individual has not renewed a
7 driver's license, certificate of title, registration, or identificationcard.

8 SECTION 3. AND BE IT FURTHER ENACTED, That the Motor Vehicle
9 Administration shall fully implement the provisions of this Act on or before July 1, 1997.

10 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 1996.