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**By: Senator Frosh**

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Assigned to: Judicial Proceedings

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Committee Report: Favorable with amendments  
Senate action: Adopted  
Read second time: March 19, 1996

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CHAPTER \_\_\_\_

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

25 BY repealing and reenacting, with amendments,  
26 Article - State Government  
27 Section 10-611, 10-626, and 10-627

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1 Annotated Code of Maryland  
2 (1995 Replacement Volume)

3 BY adding to

4 Article - State Government  
5 Section 10-616(m)  
6 Annotated Code of Maryland  
7 (1995 Replacement Volume)

8 BY repealing and reenacting, with amendments,

9 Article - Transportation  
10 Section 12-111, 12-112, and 12-113  
11 Annotated Code of Maryland  
12 (1992 Replacement Volume and 1995 Supplement)

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

15 **Article - State Government**

16 10-611.

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

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

21 (c) "Custodian" means:

22 (1) the official custodian; or

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

25 (D) "MOTOR VEHICLE RECORD" MEANS A PUBLIC RECORD THAT PERTAINS  
26 TO:

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

28 (2) A MOTOR VEHICLE TITLE;

29 (3) A MOTOR VEHICLE REGISTRATION; OR

30 (4) AN IDENTIFICATION CARD ISSUED BY THE MOTOR VEHICLE  
31 ADMINISTRATION.

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

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

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

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

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

9 (G) (1) "PERSONAL INFORMATION" MEANS INFORMATION THAT  
10 IDENTIFIES AN INDIVIDUAL, INCLUDING AN INDIVIDUAL'S ADDRESS, DRIVER'S  
11 LICENSE NUMBER OR ANY OTHER DRIVER IDENTIFICATION NUMBER, MEDICAL OR  
12 DISABILITY INFORMATION, NAME, PHOTOGRAPH OR COMPUTER GENERATED  
13 IMAGE, SOCIAL SECURITY NUMBER, OR TELEPHONE NUMBER.

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

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

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

22 (ii) is in any form, including:

- 23 1. a card;
- 24 2. a computerized record;
- 25 3. correspondence;
- 26 4. a drawing;
- 27 5. film or microfilm;
- 28 6. a form;
- 29 7. a map;
- 30 8. a photograph or photostat;
- 31 9. a recording; or
- 32 10. a tape.

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

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

4 10-616.

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

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

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

14 1. THE CUSTODIAN HAS PROVIDED NOTICE IN A CLEAR AND  
15 CONSPICUOUS MANNER ON FORMS FOR THE ISSUANCE OR RENEWAL OF A DRIVER'S  
16 LICENSE, CERTIFICATE OF TITLE, REGISTRATION, OR IDENTIFICATION CARD THAT  
17 PERSONAL INFORMATION MAY BE DISCLOSED TO A PERSON, AND HAS PROVIDED IN  
18 A CLEAR AND CONSPICUOUS MANNER ON THE FORMS AN OPPORTUNITY TO  
19 PROHIBIT DISCLOSURE; AND

20 2. THE PERSON IN INTEREST HAS NOT PROHIBITED  
21 DISCLOSURE OF PERSONAL INFORMATION UNDER THIS PARAGRAPH WHEN  
22 APPLYING FOR OR RENEWING A DRIVER'S LICENSE, CERTIFICATE OF TITLE,  
23 REGISTRATION, OR IDENTIFICATION CARD OR BY NOTIFYING THE CUSTODIAN IN  
24 WRITING AT ANY TIME.

25 (II) 1. THE CUSTODIAN MAY REQUEST THE PERSON IN  
26 INTEREST TO WAIVE A PROHIBITION REQUESTED UNDER THIS PARAGRAPH, IF THE  
27 CUSTODIAN DETERMINES THAT THE WAIVER IS IN THE BEST INTERESTS OF THE  
28 PERSON IN INTEREST OR THE STATE.

29 2. EXCEPT IN EMERGENCY SITUATIONS, AS DEFINED BY  
30 THE CUSTODIAN BY REGULATION, A WAIVER UNDER THIS SUBPARAGRAPH SHALL  
31 BE MADE IN WRITING.

32 (4) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (3) OF THIS  
33 SUBSECTION, A CUSTODIAN ~~MAY~~ SHALL DISCLOSE PERSONAL INFORMATION FOR  
34 USE:

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

37 (II) IN CONNECTION WITH MOTOR VEHICLE MATTERS INCLUDING  
38 MOTOR VEHICLE OR DRIVER SAFETY, EMISSIONS, PRODUCT ALTERATIONS,  
39 RECALLS, ADVISORIES, PERFORMANCE MONITORING OF MOTOR VEHICLES, PARTS  
40 AND DEALERS, AND REMOVAL OF NON-OWNER RECORDS FROM THE ORIGINAL  
41 RECORDS OF MOTOR VEHICLE MANUFACTURERS;

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1 (III) BY A PRIVATE DETECTIVE AGENCY OR SECURITY GUARD  
2 SERVICE LICENSED BY THE SECRETARY OF STATE POLICE UNDER TITLE 13 OF THE  
3 BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE FOR A PURPOSE PERMITTED  
4 UNDER THIS SUBSECTION OR FOR REDISCLOSURE TO A CLIENT FOR A PURPOSE  
5 PERMITTED UNDER THIS SUBSECTION;

6 (IV) IN CONNECTION WITH A CIVIL, ADMINISTRATIVE, ARBITRAL,  
7 OR CRIMINAL PROCEEDING IN ANY FEDERAL, STATE, OR LOCAL COURT OR  
8 REGULATORY AGENCY FOR SERVICE OF PROCESS, INVESTIGATION IN  
9 ANTICIPATION OF LITIGATION, AND EXECUTION OR ENFORCEMENT OF JUDGMENTS  
10 OR ORDERS;

11 (V) FOR PURPOSES OF RESEARCH OR STATISTICAL REPORTING AS  
12 APPROVED BY THE MOTOR VEHICLE ADMINISTRATION PROVIDED THAT THE  
13 PERSONAL INFORMATION IS NOT PUBLISHED, REDISCLOSED, OR USED TO CONTACT  
14 THE INDIVIDUAL EXCEPT AS PROVIDED IN § 12-112(B) OF THE TRANSPORTATION  
15 ARTICLE;

16 (VI) BY AN INSURER, INSURANCE SUPPORT ORGANIZATION, OR  
17 SELF-INSURED ENTITY, OR ITS EMPLOYEES, AGENTS, OR CONTRACTORS, IN  
18 CONNECTION WITH RATING, UNDERWRITING, CLAIMS INVESTIGATING, AND  
19 ANTI-FRAUD ACTIVITIES;

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

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

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

27 A. PREVENTING FRAUD BY THE INDIVIDUAL;

28 B. PURSUING LEGAL REMEDIES AGAINST THE INDIVIDUAL;  
29 OR

30 C. RECOVERING ON A DEBT OR SECURITY INTEREST  
31 AGAINST THE INDIVIDUAL;

32 (VIII) BY AN EMPLOYER OR INSURER TO OBTAIN OR VERIFY  
33 INFORMATION RELATING TO A HOLDER OF A COMMERCIAL DRIVER'S LICENSE  
34 THAT IS REQUIRED UNDER THE COMMERCIAL MOTOR VEHICLE SAFETY ACT OF 1986  
35 (49 U.S.C. APP. 2701 ET SEQ);

36 (IX) IN CONNECTION WITH THE OPERATION OF A PRIVATE TOLL  
37 TRANSPORTATION FACILITY;

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

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1 (XI) BY A PERSON WHO REQUESTS PERSONAL INFORMATION, IF  
2 THE PERSON DEMONSTRATES THAT THE PERSON HAS OBTAINED THE WRITTEN  
3 CONSENT OF THE INDIVIDUAL ABOUT WHOM THE INFORMATION PERTAINS WITHIN  
4 THE SIX-MONTH PERIOD BEFORE THE DATE OF THE REQUEST FOR PERSONAL  
5 INFORMATION; AND

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

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

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

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

22 10-626.

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

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

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

30 [(i)] 1. an address;

31 [(ii)] 2. a description;

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

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

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

35 (2) THE PERSON WILLFULLY AND KNOWINGLY OBTAINS, DISCLOSES, OR  
36 USES PERSONAL INFORMATION IN VIOLATION OF § 10-616(M) OF THIS SUBTITLE OR §  
37 12-112 OF THE TRANSPORTATION ARTICLE.

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

4 10-627.

5 (a) A person may not:

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

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

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

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

15 **Article - Transportation**

16 12-111.

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

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

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

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

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

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

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

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

32 (ii) Over 3 years old.

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

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

- 5 (i) The courts;
- 6 (ii) Criminal justice agencies;
- 7 (iii) Driver license authorities;
- 8 (iv) The individual;
- 9 (v) The individual's attorney; and
- 10 (vi) Third parties designated by the individual.

11 ~~(7) THE ADMINISTRATION MAY NOT DISCLOSE INFORMATION~~  
12 ~~CONCERNING THE PHYSICAL CHARACTERISTICS, MEDICAL CONDITION, OR~~  
13 ~~DISABILITY OF AN INDIVIDUAL UNLESS THE ADMINISTRATION DETERMINES THAT~~  
14 ~~DISCLOSURE AND USE OF THE INFORMATION IS IN THE PUBLIC INTEREST.~~

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

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

21 12-112.

22 (A) ~~(1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS~~  
23 ~~INDICATED.~~

24 ~~(2)~~<sub>2</sub> "PERSONAL INFORMATION" MEANS PERSONAL INFORMATION AS  
25 DEFINED IN § 10-611(G) OF THE STATE GOVERNMENT ARTICLE.

26 ~~(3) (1) "TELEPHONE SOLICITATION" MEANS THE INITIATION OF A~~  
27 ~~TELEPHONE CALL TO AN INDIVIDUAL OR TO THE RESIDENCE OR BUSINESS OF AN~~  
28 ~~INDIVIDUAL FOR THE PURPOSE OF ENCOURAGING THE PURCHASE OR RENTAL OF~~  
29 ~~OR INVESTMENT IN PROPERTY, GOODS, OR SERVICES.~~

30 ~~(H) "TELEPHONE SOLICITATION" DOES NOT INCLUDE A~~  
31 ~~TELEPHONE CALL OR MESSAGE:~~

32 ~~1. TO AN INDIVIDUAL WHO HAS GIVEN EXPRESS~~  
33 ~~PERMISSION TO THE PERSON MAKING THE TELEPHONE CALL;~~

34 ~~2. TO AN INDIVIDUAL WITH WHOM THE PERSON HAS AN~~  
35 ~~ESTABLISHED BUSINESS RELATIONSHIP; OR~~

36 ~~3. BY A TAX EXEMPT, NONPROFIT ORGANIZATION.~~



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

7 [(b)] (C) The Administration shall charge a fee for any listing furnished under  
 8 this section. The fee charged may not be less than the cost to this State of preparing that  
 9 listing. The revenue from the fee shall not be subject to the distribution provisions of Title  
 10 8, Subtitle 4, of this article.

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

14 [(d) (1) Except as provided in paragraph (2), upon written request by an  
 15 individual holding a license as defined in § 11-128, or by the owner of a vehicle registered  
 16 under this article, that information about that person not be disclosed, the  
 17 Administration may not, under this section, furnish to any person the name, address, or  
 18 other identifying information about the licensee or owner of the registered vehicle.]

19 ~~(E) A PERSON RECEIVING PERSONAL INFORMATION UNDER THIS~~  
 20 ~~SUBSECTION MAY NOT USE THE PERSONAL INFORMATION FOR THE PURPOSE OF~~  
 21 ~~TELEPHONE SOLICITATION.~~

22 ~~(E)~~ (E) (1) THE ADMINISTRATOR SHALL PROVIDE NOTICE IN A CLEAR  
 23 AND CONSPICUOUS MANNER ON FORMS FOR THE ISSUANCE OR RENEWAL OF A  
 24 DRIVER'S LICENSE, CERTIFICATE OF TITLE, REGISTRATION, OR IDENTIFICATION  
 25 CARD THAT PERSONAL INFORMATION MAY BE DISCLOSED IN LISTINGS OF  
 26 INFORMATION FOR USE IN SURVEYS, MARKETING, OR SOLICITATIONS AND  
 27 PROVIDE IN A CLEAR AND CONSPICUOUS MANNER ON THE FORMS AN  
 28 OPPORTUNITY TO PROHIBIT DISCLOSURE.

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

34 [(2)] (3) This subsection does not prevent the Administration from  
 35 furnishing PERSONAL information under this section:

36 (i) To another governmental agency; OR

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

41 (iii) As to the owners of vehicles registered under this article, to a  
 42 person whose request for the information is determined by the Administration to be

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1 limited to, and necessary for, the protection of the ownership, safe operation, proper  
2 maintenance, or repair of the vehicle.]

3 ~~(G)~~ (F) (1) THE ADMINISTRATION MAY ADOPT REGULATIONS TO  
4 IMPLEMENT AND ENFORCE THE PROVISIONS OF THIS SECTION.

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

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

12 12-113.

13 (a) (1) [The] SUBJECT TO § 12-111 OF THIS SUBTITLE AND § 10-616(M) OF  
14 THE STATE GOVERNMENT ARTICLE, THE Administrator or any other officer or  
15 employee of the Administration designated by the Administrator may furnish on request  
16 a copy or a certified copy of any record of the Administration.

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

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

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

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

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

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

33 1. The date the record was printed; and

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

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

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

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

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

8 SECTION 2. AND BE IT FURTHER ENACTED, That the Motor Vehicle  
9 Administration shall establish a procedure to allow an individual who, on the effective  
10 date of this Act, has a current driver's license, certificate of title, registration, or  
11 identification card, to contact the Administration for the purpose of prohibiting the  
12 disclosure of personal information as provided in § 10-616(m)(3)(i) of the State  
13 Government Article or § 12-112~~(f)~~(e) of the Transportation Article. Nothing in this Act  
14 requires the Administration to provide the notices under § 10-616(m)(3)(i) of the State  
15 Government Article and § 12-112~~(f)~~(e) of the Transportation Article before an individual  
16 applies for renewal of a driver's license, certificate of title, registration, or identification  
17 card. Unless an individual has objected to a disclosure of personal information in  
18 accordance with the procedures established by the Administration, the Administration  
19 may disclose personal information as provided by law, notwithstanding that the individual  
20 has not received the notices under § 10-616(m)(3)(i) of the State Government Article or  
21 § 12-112~~(f)~~(e) of the Transportation Article because the individual has not renewed a  
22 driver's license, certificate of title, registration, or identification card.

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

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