BY: Commerce and Government Matters Committee

<u>AMENDMENTS TO HOUSE BILL NO. 710</u>
(First Reading File Bill)

<u>AMENDMENT NO. 1</u>

On page 1, in line 5, after "circumstances;" insert "<u>requiring the Administration to disclose certain personal information under certain circumstances;</u>".

<u>AMENDMENT NO. 2</u>

On page 4, in line 7, strike "AND (3)" and substitute "<u>THROUGH (5)</u>"; and after line 11 insert:

"<u>(3) (I) THIS PARAGRAPH APPLIES ONLY TO THE DISCLOSURE OF PERSONAL INFORMATION FOR ANY USE IN RESPONSE TO A REQUEST FOR AN INDIVIDUAL MOTOR VEHICLE RECORD.</u>

<u>(II) THE CUSTODIAN SHALL PROVIDE NOTICE IN A CLEAR AND CONSPICUOUS MANNER ON THE FORMS FOR THE ISSUANCE OR RENEWAL OF A DRIVER'S LICENSE, CERTIFICATE OF TITLE, REGISTRATION, OR IDENTIFICATION CARD THAT PERSONAL INFORMATION MAY BE DISCLOSED TO ANY PERSON.</u>

<u>(III) THE CUSTODIAN SHALL PROVIDE AN OPPORTUNITY TO PROHIBIT DISCLOSURE UNDER THIS PARAGRAPH IN A CLEAR AND CONSPICUOUS MANNER ON THE FORMS FOR THE ISSUANCE OR RENEWAL OF A DRIVER'S LICENSE, CERTIFICATE OF TITLE, REGISTRATION, OR IDENTIFICATION CARD.</u>

<u>(IV) THE CUSTODIAN MAY NOT DISCLOSE PERSONAL INFORMATION UNDER THIS PARAGRAPH IF A PERSON IN INTEREST PROHIBITED DISCLOSURE UNDER THIS PARAGRAPH OR BY NOTIFYING THE CUSTODIAN IN WRITING.</u>

(Over)

(V) IF THE PERSON IN INTEREST DOES NOT PROHIBIT DISCLOSURE OF THE PERSONAL INFORMATION AS PROVIDED IN SUBPARAGRAPH (IV) OF THIS PARAGRAPH, THE CUSTODIAN SHALL DISCLOSE THE PERSONAL INFORMATION.

(4) (I) THIS PARAGRAPH APPLIES ONLY TO THE DISCLOSURE OF PERSONAL INFORMATION FOR INCLUSION IN LISTS OF INFORMATION TO BE USED FOR SURVEYS, MARKETING, AND SOLICITATIONS.

(II) THE CUSTODIAN SHALL PROVIDE NOTICE IN A CLEAR AND CONSPICUOUS MANNER ON THE FORMS FOR THE ISSUANCE OR RENEWAL OF A DRIVER'S LICENSE, CERTIFICATE OF TITLE, REGISTRATION, OR IDENTIFICATION CARD THAT PERSONAL INFORMATION MAY BE DISCLOSED FOR SURVEYS, MARKETING, AND SOLICITATIONS.

(III) THE CUSTODIAN SHALL PROVIDE AN OPPORTUNITY TO PROHIBIT DISCLOSURE UNDER THIS PARAGRAPH IN A CLEAR AND CONSPICUOUS MANNER ON THE FORMS FOR THE ISSUANCE OR RENEWAL OF A DRIVER'S LICENSE, CERTIFICATE OF TITLE, REGISTRATION, OR IDENTIFICATION CARD.

(IV) THE CUSTODIAN MAY NOT DISCLOSE PERSONAL INFORMATION UNDER THIS PARAGRAPH IF A PERSON IN INTEREST PROHIBITED DISCLOSURE UNDER THIS PARAGRAPH OR BY NOTIFYING THE CUSTODIAN IN WRITING.

(V) EXCEPT AS PROVIDED IN SUBPARAGRAPH (VI) OF THIS PARAGRAPH, IF THE PERSON IN INTEREST DOES NOT PROHIBIT DISCLOSURE OF THE PERSONAL INFORMATION AS PROVIDED IN SUBPARAGRAPH (IV) OF THIS PARAGRAPH, THE CUSTODIAN MAY DISCLOSE THE PERSONAL INFORMATION.

(VI) THE CUSTODIAN MAY NOT DISCLOSE PERSONAL INFORMATION UNDER THIS PARAGRAPH FOR USE IN TELEPHONE SOLICITATIONS.

(VII) PERSONAL INFORMATION DISCLOSED UNDER THIS PARAGRAPH MAY BE USED ONLY FOR SURVEYS, MARKETING, OR SOLICITATIONS AND ONLY FOR A PURPOSE APPROVED BY THE MOTOR VEHICLE ADMINISTRATION.".

On page 5, in line 28, after "INFORMATION;" insert "<u>AND</u>". On pages 5 and 6, strike beginning with "; AND" in line 31 on page 5 through "INDIVIDUAL" in line 15 on page 6.

On page 6, in line 16, strike "(5)" and substitute "<u>(6)</u>"; in lines 17 and 21, in each instance, strike "PARAGRAPH (3)" and substitute "<u>PARAGRAPH (4) OR (5)</u>"; in line 28, strike "(6)" and substitute "<u>(7)</u>"; and in line 34, strike "PARAGRAPH (2) OR (3)" and substitute "<u>PARAGRAPHS (2) THROUGH (5)</u>".

On page 7, in line 1, strike "(7)" and substitute "<u>(8)</u>".

<u>AMENDMENT NO. 3</u>
On page 4, in line 12, strike "(3)" and substitute:

"<u>(5) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (3) OR (4) OF THIS SUBSECTION,</u>";

and in the same line, strike "MAY" and substitute "<u>SHALL</u>".

<u>AMENDMENT NO. 4</u>
On page 9, strike beginning with "FOR" in line 16 down through "SUBSECTION," in line 17 and substitute:

"<u>(I) IN THIS SUBSECTION THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.</u>

<u>(II)</u>";

after line 18, insert:

"<u>(III) "TELEPHONE SOLICITATION" HAS THE MEANING INDICATED IN § 10-611(H) OF THE STATE GOVERNMENT ARTICLE.</u>";

in line 19, after "(2)" insert "<u>THE ADMINISTRATION SHALL PROVIDE NOTICE IN A CLEAR AND CONSPICUOUS MANNER ON THE FORMS FOR THE ISSUANCE OR RENEWAL OF A DRIVER'S LICENSE, CERTIFICATE OF TITLE, REGISTRATION, OR IDENTIFICATION CARD THAT PERSONAL INFORMATION MAY BE DISCLOSED FOR INCLUSION IN LISTINGS OF INFORMATION FOR USE IN SURVEYS, MARKETING, OR SOLICITATIONS.</u>

<u>(3)</u>";

after line 22, insert:

"<u>(4) THE ADMINISTRATION MAY NOT DISCLOSE PERSONAL INFORMATION UNDER THIS SECTION FOR USE IN TELEPHONE SOLICITATIONS.</u>";

and in line 23, strike "(3)" and substitute "<u>(5)</u>".

On page 10, in lines 32, 34, and 40, strike "10-616(n)(3)(xiii)1" and substitute "<u>10-616(n)(3) and (4)</u>" .

<u>AMENDMENT NO. 5</u>
On page 11, in line 3, after "That" insert "<u>the Motor Vehicle Administration shall promulgate, in consultation with appropriate members of the public and private sectors, regulations and procedures to implement this Act in a timely and cost effective manner.</u>

<u>SECTION 4. AND BE IT FURTHER ENACTED, That</u>";

and in line 4, strike "July 1," and substitute "<u>September 1,</u>".

<u>AMENDMENT NO. 6</u>
On page 4, strike beginning with "OR" in line 26 down through "SERVICE" in line 27; and in line 28, after "ARTICLE" insert "<u>OR A SECURITY GUARD SERVICE LICENSED BY THE SECRETARY OF STATE POLICE UNDER TITLE 19 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE</u>".