
By: Delegate Hutchins

Introduced and read first time: January 29, 1997

Assigned to: Commerce and Government Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 25, 1997

CHAPTER ____

1 AN ACT concerning

2 **Vehicle Laws - Confidentiality of Records - Private Motor Vehicles of Police Employees of**
3 **the Department of State Police**4 FOR the purpose of authorizing the Motor Vehicle Administrator to classify as
5 confidential and not open to public inspection, records relating to the private motor
6 vehicles of police employees or the Secretary of the State Police, subject to a
7 specified exception; and making a stylistic change.8 BY repealing and reenacting, without amendments,
9 Article - Transportation
10 Section 12-111(a)
11 Annotated Code of Maryland
12 (1992 Replacement Volume and 1996 Supplement)13 BY repealing and reenacting, with amendments,
14 Article - Transportation
15 Section 12-111(b)
16 Annotated Code of Maryland
17 (1992 Replacement Volume and 1996 Supplement)18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, That the Laws of Maryland read as follows:20 **Article - Transportation**

21 12-111.

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

2

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

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

6 (i) That is over 5 years old; [or]

7 (ii) That relates to any happening that occurred over 5 years earlier;

8 OR

9 (III) THAT RELATES TO THE PRIVATE MOTOR VEHICLES OF A
10 POLICE EMPLOYEE OR THE SECRETARY OF THE STATE POLICE EXCEPT FOR
11 PURPOSES OF EXECUTION OF A JUDGMENT.

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

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

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

17 (ii) Over 3 years old.

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

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

24 (i) The courts;

25 (ii) Criminal justice agencies;

26 (iii) Driver license authorities;

27 (iv) The individual;

28 (v) The individual's attorney; and

29 (vi) Third parties designated by the individual.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 1997.

