
By: **Delegate Zirkin**
Introduced and read first time: February 12, 1999
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Police Records - Motor Vehicle Accidents Involving Children -**
3 **Confidentiality**

4 FOR the purpose of creating certain exceptions to the rule of confidentiality regarding
5 police records; allowing access to and confidential use by certain adults, parents
6 or guardians of certain children, and certain owners of motor vehicles of a report
7 of a motor vehicle accident involving a child; and generally relating to police
8 records.

9 BY repealing and reenacting, with amendments,
10 Article - Courts and Judicial Proceedings
11 Section 3-828(a)
12 Annotated Code of Maryland
13 (1998 Replacement Volume)

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

16 **Article - Courts and Judicial Proceedings**

17 3-828.

18 (a) (1) A police record concerning a child is confidential and shall be
19 maintained separate from those of adults. Its contents may not be divulged, by
20 subpoena or otherwise, except by order of the court upon good cause shown or as
21 otherwise provided in § 7-303 of the Education Article.

22 (2) This subsection does not prohibit:

23 (i) Access to and confidential use of the record by the Department
24 of Juvenile Justice or in the investigation and prosecution of the child by any law
25 enforcement agency; [or]

26 (ii) A law enforcement agency of the State or of a political
27 subdivision of the State or the criminal justice information system from including, in
28 the law enforcement computer information system, information about an outstanding

1 juvenile court ordered writ of attachment, for the sole purpose of apprehending a child
2 named in the writ; OR

3 (III) ACCESS TO AND CONFIDENTIAL USE OF A REPORT OF A MOTOR
4 VEHICLE ACCIDENT INVOLVING A CHILD BY:

5 1. A PARENT OR GUARDIAN OF THE CHILD WHO WAS
6 INVOLVED IN THE MOTOR VEHICLE ACCIDENT;

7 2. AN ADULT OR AUTHORIZED REPRESENTATIVE OF AN
8 ADULT WHO WAS INVOLVED IN THE MOTOR VEHICLE ACCIDENT; OR

9 3. THE OWNER OF A MOTOR VEHICLE THAT WAS INVOLVED
10 IN THE MOTOR VEHICLE ACCIDENT.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 1999.