
By: **Delegates McClenahan, Donoghue, DeCarlo, and Snodgrass**
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Assigned to: Commerce and Government Matters

Committee Report: Favorable
House action: Adopted
Read second time: March 6, 2001

CHAPTER _____

1 AN ACT concerning

2 **Motor Vehicle Administration - Digital Photographic Images - Private**
3 **Detective Agencies**

4 FOR the purpose of authorizing the Motor Vehicle Administration to make a digital
5 photographic image or signature of an individual, or the actual stored image or
6 signature, recorded by the Administration available to certain private detective
7 agencies; and generally relating to digital photographic images and data stored
8 by the Motor Vehicle Administration.

9 BY repealing and reenacting, with amendments,
10 Article - Transportation
11 Section 12-111(b)
12 Annotated Code of Maryland
13 (1999 Replacement Volume and 2000 Supplement)

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

16 **Article - Transportation**

17 12-111.

18 (b) (1) Subject to § 10-616(p) of the State Government Article, and except as
19 otherwise provided by law, all records of the Administration are public records and
20 open to public inspection during office hours.

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

- 1 (i) That is over 5 years old; or
2 (ii) That relates to any happening that occurred over 5 years
3 earlier.

4 (3) Subject to § 10-616(p) of the State Government Article, a record or
5 record entry of any age shall be open to inspection by authorized representatives of
6 any federal, State, or local governmental agency.

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

- 9 (i) All or part of a licensed driver's public driving record; and
10 (ii) Over 3 years old.

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

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

- 17 (i) The courts;
18 (ii) Criminal justice agencies;
19 (iii) Driver license authorities;
20 (iv) The individual;
21 (v) The individual's attorney;
22 (vi) Third parties designated by the individual; [and]
23 (vii) The Child Support Enforcement Administration; AND

24 (VIII) PRIVATE DETECTIVE AGENCIES LICENSED BY THE SECRETARY
25 OF THE STATE POLICE UNDER TITLE 13 OF THE BUSINESS OCCUPATIONS AND
26 PROFESSIONS ARTICLE IN ACCORDANCE WITH § 10-616 OF THE STATE GOVERNMENT
27 ARTICLE.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2001.

