

Department of Legislative Services

Maryland General Assembly

2001 Session

FISCAL NOTE

Revised

House Bill 1105

(Delegate Rosenberg)

Commerce and Government Matters

Economic and Environmental Affairs

**Inspection of Public Records - Maryland Transportation Authority and Mass
Transit Administration**

This bill authorizes custodians to deny inspection of records obtained by or submitted to the Maryland Transportation Authority (MdTA) or its agents or employees in connection with any transaction system associated with any electronic toll collection system. Custodians must also deny inspection of records of persons or vehicles created, generated, obtained by, or submitted to the Mass Transit Administration (MTA) in connection with the use or purchase of electronic fare media from MTA or its contractors. However, an individual named in the record or the individual's attorney must be permitted inspection.

It also requires custodians to permit record inspection by: (1) MdTA employees or agents pursuant to an investigation or proceeding relating to a speeding violation; (2) employees or agents of a third party that has entered into an agreement with MdTA to use an electronic toll collection system for nontoll applications in the collection of revenues due to the third party; or (3) employees or agents of an entity in another state operating or having jurisdiction over a toll facility.

Fiscal Summary

State Effect: None. The bill would not directly affect State finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: A custodian is an officer or employee of the State or a political subdivision who is responsible for keeping the public record or any other authorized individual who has physical custody and control of a public record. Custodians must deny inspection of all photographs, videotapes, or electronically recorded images of vehicles, and vehicle movement records, as well as personal financial information, credit reports, or other personal or financial data recorded or obtained by MdTA in connection with any electronic toll collection system, with certain exceptions.

Custodians must permit inspection of these records by the individual named in the record, the individual's attorney, or MdTA employees or agents pursuant to an investigation or proceeding related to failure to pay a toll.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Transportation (Mass Transit Administration),
Department of Legislative Services

Fiscal Note History: First Reader – March 4, 2001
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