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By: **Senator Jimeno**  
Introduced and read first time: January 31, 2002  
Assigned to: Judicial Proceedings

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Committee Report: Favorable  
Senate action: Adopted  
Read second time: February 27, 2002

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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 of an individual or the actual stored data of the image,  
6 recorded by the Administration, available to certain private detective agencies;  
7 making stylistic changes; and generally relating to digital photographic images  
8 and data stored 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 2001 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) (I) The Administration may make a digital photographic image or  
15 signature of an [individual,] INDIVIDUAL or the actual stored data thereof, recorded  
16 by the [Administration] ADMINISTRATION, available to:

- 17 [(i)] 1. The courts;
- 18 [(ii)] 2. Criminal justice agencies;
- 19 [(iii)] 3. Driver license authorities;
- 20 [(iv)] 4. The individual;
- 21 [(v)] 5. The individual's attorney;
- 22 [(vi)] 6. Third parties designated by the individual; and
- 23 [(vii)] 7. The Child Support Enforcement Administration.

24 (II) THE ADMINISTRATION MAY MAKE A DIGITAL PHOTOGRAPHIC  
25 IMAGE OF AN INDIVIDUAL OR THE ACTUAL STORED DATA OF THE IMAGE, RECORDED  
26 BY THE ADMINISTRATION, AVAILABLE TO PRIVATE DETECTIVE AGENCIES LICENSED  
27 BY THE SECRETARY OF THE STATE POLICE UNDER TITLE 13 OF THE BUSINESS  
28 OCCUPATIONS AND PROFESSIONS ARTICLE, IN ACCORDANCE WITH § 10-616 OF THE  
29 STATE GOVERNMENT ARTICLE.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
31 October 1, 2002.

