

HOUSE BILL 91

Unofficial Copy  
R7

2004 Regular Session  
4r0031

(PRE-FILED)

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By: **Chairman, Environmental Matters Committee (By Request -  
Departmental - Transportation)**

Requested: November 17, 2003

Introduced and read first time: January 14, 2004

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Public Records - Motor Vehicles - Electronic Screening**

3 FOR the purpose of prohibiting the release of certain records created, recorded, or  
4 obtained by a State agency in connection with the electronic screening of motor  
5 vehicles; providing for certain exceptions to the prohibition; and generally  
6 relating to the release of information concerning the electronic screening of  
7 motor vehicles.

8 BY adding to

9 Article - State Government

10 Section 10-616(s)

11 Annotated Code of Maryland

12 (1999 Replacement Volume and 2003 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - State Government**

16 10-616.

17 (S) (1) SUBJECT TO THE PROVISIONS OF PARAGRAPHS (2) AND (3) OF THIS  
18 SUBSECTION, A CUSTODIAN SHALL DENY INSPECTION OF ALL PHOTOGRAPHS,  
19 VIDEOTAPES, OR ELECTRONICALLY RECORDED IMAGES OF VEHICLES OR VEHICLE  
20 MOVEMENT RECORDS CREATED, RECORDED, OR OBTAINED BY AN AGENCY OF THE  
21 STATE OR ITS AGENTS OR EMPLOYEES, INCLUDING THE DEPARTMENT OF STATE  
22 POLICE, THE MARYLAND TRANSPORTATION AUTHORITY, AND THE DEPARTMENT OF  
23 TRANSPORTATION, IN CONNECTION WITH THE ELECTRONIC SCREENING OF MOTOR  
24 VEHICLES.

25 (2) A CUSTODIAN MAY RELEASE DATA IN STUDIES AND REPORTS THAT  
26 IS COMPILED FROM THE RECORDS SPECIFIED IN PARAGRAPH (1) OF THIS  
27 SUBSECTION, PROVIDED THAT THE STUDIES AND REPORTS DO NOT IDENTIFY

1 DETAILS OF MOVEMENT RECORDS OF SPECIFIC DRIVERS OR SPECIFIC VEHICLES OR  
2 THEIR OWNERS OR LESSEES.

3 (3) A CUSTODIAN SHALL PERMIT INSPECTION OF THE RECORDS  
4 SPECIFIED IN PARAGRAPH (1) OF THIS SUBSECTION BY:

5 (I) THE VEHICLE OWNER OR LESSEE IDENTIFIED IN THE RECORD;

6 (II) THE ATTORNEY OF RECORD OF THE VEHICLE OWNER OR  
7 LESSEE IDENTIFIED IN THE RECORD;

8 (III) AN AUTHORIZED EMPLOYEE OR AUTHORIZED AGENT OF THE  
9 VEHICLE OWNER OR LESSEE IDENTIFIED IN THE RECORD; AND

10 (IV) AN AGENT OR EMPLOYEE OF THE FEDERAL OR STATE  
11 GOVERNMENT OR A LOCAL GOVERNMENT, INCLUDING A LAW ENFORCEMENT  
12 AGENCY OR A COURT, IN PERFORMING THE FUNCTIONS OF THE AGENCY.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
14 effect October 1, 2004.