

# HOUSE BILL 687

R7

71r1456

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By: **Delegates McComas, Bartlett, Dwyer, Eckardt, Elmore, Krebs, Kullen, and Stocksdale**

Introduced and read first time: February 8, 2007

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Driver and Vehicle Registration Records – Admissibility of**  
3 **Copies in Judicial Proceedings**

4 FOR the purpose of expanding the application of a provision of law to provide that  
5 certain copies of driver and vehicle registration records of the Motor Vehicle  
6 Administration obtained by certain law enforcement units in a certain manner  
7 are admissible in a judicial proceeding in the same manner as the original  
8 records; and generally relating to the admissibility of copies of driver and  
9 vehicle registration records in judicial proceedings.

10 BY repealing and reenacting, without amendments,  
11 Article – Criminal Procedure  
12 Section 10–101(f)  
13 Annotated Code of Maryland  
14 (2001 Volume and 2006 Supplement)

15 BY repealing and reenacting, with amendments,  
16 Article – Transportation  
17 Section 12–113  
18 Annotated Code of Maryland  
19 (2006 Replacement Volume and 2006 Supplement)

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



**Article - Criminal Procedure**

10-101.

(f) "Law enforcement unit" means a State, county, or municipal police department or unit, the office of a sheriff, the office of a State's Attorney, the Office of the State Prosecutor, or the Office of the Attorney General of the State.

**Article - Transportation**

12-113.

(a) (1) Subject to § 12-111 of this subtitle and § 10-616(p) of the State Government Article, the Administrator or any other officer or employee of the Administration designated by the Administrator may furnish on request a copy or a certified copy of any record of the Administration.

(2) The Administration may establish and charge a fee for each record it furnishes or certifies. The revenue from the fee shall not be subject to the distribution provisions of Title 8, Subtitle 4, of this article.

(3) No charge shall be made to a police agency, fire department, or court in this or any other state or a police agency or court of the United States government.

(4) The fee established and charged under this section may exceed the amounts authorized under § 10-621 of the State Government Article.

(b) (1) A certified copy of any record of the Administration or comparable agency of any state is admissible in any judicial proceeding in the same manner as the original of the record.

(2) (i) A computer printout of any driving record or vehicle registration record of the Administration that has been obtained by a [police agency] **LAW ENFORCEMENT UNIT, AS DEFINED IN § 10-101(F) OF THE CRIMINAL PROCEDURE ARTICLE**, or court through a computer terminal tied into the Administration is admissible in any judicial proceeding in the same manner as the original of the record.

(ii) The computer printout of the driving record or vehicle registration record shall contain:

- 1                                   1.     The date the record was printed; and
- 2                                   2.     A jurisdiction code identifying the site where the
- 3 record was printed.

4                           (3)     If a subpoena is issued to the Administrator or any other official or  
5 employee of the Administration for the production in any judicial proceeding of the  
6 original or a copy of any book, paper, entry, record, proceeding, or other document of  
7 the Administration:

8                                   (i)     The Administrator or other official or employee of the  
9 Administration need not appear personally; and

10                                   (ii)    Submission of a certified copy or photostat of the requested  
11 document is full compliance with the subpoena.

12                           (4)     On motion and for good cause shown, the court may compel the  
13 attendance of an authorized representative of the Administration to answer the  
14 subpoena for the production of documents.

15                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
16 October 1, 2007.