

CHAPTER 252

(House Bill 687)

AN ACT concerning

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

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

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

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

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

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

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

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

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

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

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

Approved by the Governor, April 24, 2007.