

SENATE BILL 30

R7

8lr1011

(PRE-FILED)

By: **Senators Astle and Pipkin**

Requested: November 8, 2007

Introduced and read first time: January 9, 2008

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicle Accident Reports - Access - Members of the General Assembly**

3 FOR the purpose of authorizing a member of the General Assembly to access a motor
4 vehicle accident report under certain circumstances; making stylistic changes;
5 and generally relating to access to motor vehicle accident reports.

6 BY repealing and reenacting, with amendments,

7 Article - Transportation

8 Section 20-110

9 Annotated Code of Maryland

10 (2006 Replacement Volume and 2007 Supplement)

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

13 **Article - Transportation**

14 20-110.

15 (a) (1) In this section the following words have the meanings indicated.

16 (2) "Law enforcement agency" means an agency that is listed in §
17 3-101(e) of the Public Safety Article.

18 (3) "Motor vehicle accident" has the meaning stated in § 27-401 of the
19 Insurance Article.

20 (4) (i) "Newspaper" includes a newspaper of general circulation
21 that [is]:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (6) An employee of a radio or television station licensed by the Federal
2 Communications Commission;

3 (7) An employee of a newspaper; [and]

4 (8) A unit of local, State, or federal government that is otherwise
5 authorized to have access to a report in furtherance of the unit's duties; **AND**

6 **(9) A MEMBER OF THE GENERAL ASSEMBLY.**

7 (c) (1) Except as provided in paragraph (2) of this subsection, a person
8 that accesses a report within 60 days after the date a report is filed shall present to
9 the officer of a law enforcement agency in which the report is filed:

10 (i) A valid driver's license or other State-issued identification
11 card;

12 (ii) Proof that the person is a person authorized to receive the
13 report under subsection (b) of this section; and

14 (iii) A statement indicating that from the time the person is
15 granted access to the report until 60 days after the date the report is filed:

16 1. The report will not be used for any commercial
17 solicitation of an individual listed in the report; and

18 2. The person will not knowingly disclose any
19 information contained in the report to a third party for commercial solicitation of an
20 individual listed in the report.

21 (2) Paragraph (1) of this subsection does not apply to an insurance
22 producer, insurer, or employee or agent of the insurer of an individual involved in the
23 motor vehicle accident.

24 (d) This section does not prohibit the dissemination or publication of news to
25 the general public by any legitimate media entitled to access reports.

26 (e) (1) A person who obtains a report in violation of this subsection is
27 guilty of a felony and on conviction is subject to a fine not exceeding \$10,000 or
28 imprisonment not exceeding 15 years or both.

29 (2) An officer of a law enforcement agency who knowingly discloses a
30 report to a person not entitled to access the report under this section is guilty of a
31 felony and on conviction is subject to a fine not exceeding \$10,000 or imprisonment not
32 exceeding 15 years or both.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2008.