

## 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:

## 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.

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

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

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**EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**

[Brackets] indicate matter deleted from existing law.



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- 1                   1.    [Published] **IS PUBLISHED** at least once a week;
- 2                   2.    Includes stories of general interest to the public; and
- 3                   3.    [Used] **IS USED** primarily for the dissemination of
- 4 news.

- 5                   (ii)    “Newspaper” does not include a publication:
  - 6                   1.    That is intended primarily for members of a
  - 7 particular profession or occupational group;
  - 8                   2.    With the primary purpose of distributing advertising;
  - 9 or
  - 10                  3.    With the primary purpose of publishing names and
  - 11 other personal identifying information regarding parties to a motor vehicle accident.

- 12                  (5)    “Report” means a report completed by an officer of a law
- 13 enforcement agency that:

- 14                  (i)    Indicates that a motor vehicle accident occurred; and
- 15                  (ii)    Includes information about the persons involved in the
- 16 motor vehicle accident including:
  - 17                  1.    Names;
  - 18                  2.    Telephone numbers; and
  - 19                  3.    Addresses.

- 20                  (b)    For 60 days following the date a report is filed with a law enforcement
- 21 agency, only the following persons may access the report:

- 22                  (1)    The individuals involved in the motor vehicle accident;
- 23                  (2)    The legal representative of an individual involved in the motor
- 24 vehicle accident;
- 25                  (3)    The insurance producer, insurer, or employee or agent of the
- 26 insurer of an individual involved in the motor vehicle accident;
- 27                  (4)    A State’s Attorney or other prosecutor;
- 28                  (5)    A representative of a victim services program;

(6) An employee of a radio or television station licensed by the Federal 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.

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:

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.

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