

**Department of Legislative Services**  
Maryland General Assembly  
2008 Session

**FISCAL AND POLICY NOTE**

Senate Bill 30

(Senators Astle and Pipkin)

Judicial Proceedings

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

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This bill adds a member of the General Assembly to the list of persons that may access a motor vehicle accident report within 60 days following the date that the report is filed with a law enforcement agency.

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**Fiscal Summary**

**State Effect:** Any change in State activities would not materially affect State finances.

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** A “motor vehicle accident” is defined as an occurrence involving a motor vehicle that results in damage to property or injury to a person. “Report” is defined as a report completed by an officer of a law enforcement agency that indicates that a motor vehicle accident has occurred and includes information about the persons involved in the accident, specifically their names, telephone numbers, and addresses.

For 60 days following a report’s filing date, it may be accessed only by • the individuals involved in the accident or their legal representatives; • the insurance producer, insurer, or employee or agent of the insurer of an individual involved in the accident; • a State’s Attorney or other prosecutor; • a representative of a victim services program; • an employee of a radio or television station licensed by the Federal Communications

Commission; • an employee of a newspaper; or • a unit of local, State, or federal government that is otherwise authorized to have access to a report in furtherance of its duties.

With specified exceptions, a person that accesses a report within 60 days must present a valid driver's license or other identification and proof that the person is authorized to receive the report. The person also has to present a statement indicating that from the time the person is granted access until 60 days after the report's filing date • the report will not be used for any commercial solicitation of an individual listed in the report; and • the person will not knowingly disclose any information in the report to a third party for commercial solicitation of an individual listed in the report.

The dissemination or publication of news to the general public by legitimate media entitled to access reports is not prohibited.

A violator is guilty of a felony and on conviction is subject to a fine of up to \$10,000 and/or imprisonment for up to 15 years.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Judiciary (Administrative Office of the Courts), Department of State Police, Maryland Department of Transportation, Department of Legislative Services

**Fiscal Note History:** First Reader - January 14, 2008  
mam/ljm

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Analysis by: Karen D. Morgan

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510