

Department of Legislative Services  
Maryland General Assembly  
2009 Session

FISCAL AND POLICY NOTE

Senate Bill 534 (Senator Zirkin)  
Judicial Proceedings

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Motor Vehicle Administration - Driving Records - Online Access for Attorneys

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This bill requires the Motor Vehicle Administration (MVA) to make an individual's driving record available online to the attorney representing the individual. The attorney must certify his or her representation, and MVA may develop a system that establishes a password or personal identification number (PIN) to ensure that access is exclusive to Maryland attorneys.

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Fiscal Summary

**State Effect:** The bill does not materially affect State operations or finances.

**Local Effect:** None.

**Small Business Effect:** Minimal.

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Analysis

**Current Law/Background:** MVA is required to keep each driver's license, application for a license, records of licenses that have been suspended or revoked, as well as each accident report and abstract of a court disposition that it receives pursuant to Maryland law.

MVA allows certain individuals and businesses to order driving records for a fee of \$9 and to view a driving record online. An individual may view a driving record online by providing their driver's license number, Social Security number, and a PIN that can be obtained online. A business must submit a certain form and accompanying fee to MVA in order to obtain driving records.

Records of probation before judgment and a first offense of driving with an alcohol concentration of 0.08 or more are required to be segregated by MVA, and are available exclusively to a defendant-licensee, his or her attorney, and a few additional authorities. These records are restricted and not available to businesses.

**State Fiscal Effect:** Transportation Trust Fund revenues may increase minimally, but only to the extent that there are more requests by attorneys for their clients' records once made available online. Expenditures are not affected as expansion of the MVA computer system for access by attorneys can be accomplished with existing resources.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

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

**Fiscal Note History:** First Reader - February 27, 2009  
mcp/ljm

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