

Department of Legislative Services
Maryland General Assembly
2011 Session

FISCAL AND POLICY NOTE

House Bill 767

(Delegate Conaway, *et al.*)

Environmental Matters

Public Information - Records of Citations Based on Recorded Images - Denial of
Inspection

This bill requires a custodian to deny the inspection of records of citations issued based on recorded images produced by a traffic control signal monitoring system, a speed monitoring system, or a work zone speed control system, except to a person who was issued a citation or the person's attorney, or as required by the relevant provisions under the Maryland Vehicle Law relating to the issuance of such citations and subsequent legal proceedings.

Fiscal Summary

State Effect: The bill's change is procedural only and not anticipated to materially affect State operations or finances.

Local Effect: The bill's change is procedural only and not anticipated to materially affect local operations or finances.

Small Business Effect: None.

Analysis

Current Law/Background: The Maryland Public Information Act grants the public a broad right of access to records that are in the possession of State and local government agencies. The Act's basic mandate is to enable people to have access to government records without unnecessary cost or delay. Custodians have a responsibility to provide such access unless the requested records fall within one of the exceptions in the statute.

One such exception requires a custodian to deny inspection of recorded images produced by a traffic control signal monitoring system, speed monitoring system, or work zone speed control system, except to a person who was issued a citation or the person's attorney, or as required by the relevant provisions under the Maryland Vehicle Law relating to the issuance of such citations and subsequent legal proceedings.

A "custodian" is defined under the Maryland Public Information Act as the official custodian or other authorized individual with physical custody and control of a public record.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Baltimore, Carroll, Cecil, Harford, Montgomery, Queen Anne's, and St. Mary's counties; Judiciary (Administrative Office of the Courts); Department of State Police; Maryland Department of Transportation; Department of Legislative Services

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mlm/ljm

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