

HB0516/513929/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 516

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “**Delegate Korman**” and substitute “**Delegates Korman, Boyce, Foley, Holmes, Lehman, R. Lewis, Ruth, Terrasa, and Ziegler**”; strike beginning with “without” in line 7 down through “purpose;” in line 8 and substitute “, subject to certain exceptions;”.

AMENDMENT NO. 2

On page 4, after line 11, insert:

“(6) “LAW ENFORCEMENT AGENCY” HAS THE MEANING STATED IN § 3-201 OF THE PUBLIC SAFETY ARTICLE.”;

in line 12, strike “**(6)**” and substitute “**(7)**”; in line 14, strike “**(7)**” and substitute “**(8)**”; and in line 21, strike “**(8)**” and substitute “**(9)**”.

On page 5, in lines 17 and 18, strike “**OR LAW ENFORCEMENT PURPOSE**”; strike beginning with “**AN**” in line 19 down through “**CIRCUMSTANCES.**” in line 21 and substitute:

“(I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A LAW ENFORCEMENT AGENCY MAY ACCESS AND USE A RECORDED IMAGE OR ASSOCIATED DATA ALREADY RETAINED BY THE LAW ENFORCEMENT AGENCY IF:

1. THE LAW ENFORCEMENT AGENCY DOCUMENTS A REQUEST TO ACCESS AND USE THE RECORDED IMAGE OR ASSOCIATED DATA

THAT ARTICULATES A SPECIFIC LEGITIMATE LAW ENFORCEMENT PURPOSE FOR ACCESSING AND USING THE RECORDED IMAGE OR ASSOCIATED DATA; AND

2. THE CUSTODIAN OF THE RECORDED IMAGE OR ASSOCIATED DATA MAINTAINS A WRITTEN RECORD OF THE REQUEST AND WHETHER OR NOT THE REQUEST WAS GRANTED.

(II) A LAW ENFORCEMENT AGENCY THAT ACCESSES A RECORDED IMAGE OR ASSOCIATED DATA UNDER THIS PARAGRAPH MAY USE THE RECORDED IMAGE OR ASSOCIATED DATA ONLY FOR THE LEGITIMATE LAW ENFORCEMENT PURPOSE DESCRIBED IN THE REQUEST REQUIRED BY SUBPARAGRAPH (I)1 OF THIS PARAGRAPH.”;

and in line 24, after “TO” insert “ADMINISTER AND PROCESS CITATIONS OR TO”.

On page 6, in line 11, after “INDIVIDUAL” insert “OR VEHICLE”; and in lines 21 and 22, strike “AND LAW ENFORCEMENT PURPOSES”.

On page 7, in line 19, after “INVESTIGATION” insert “, AFTER THE OTHER LAW ENFORCEMENT AGENCY HAS OBTAINED AN APPROPRIATE WARRANT, SUBPOENA, OR COURT ORDER”.

AMENDMENT NO. 3

On page 6, strike beginning with “FOR” in line 6 down through “DATA” in line 8 and substitute “UNTIL THE EARLIER OF:

(I) 1 YEAR FOLLOWING THE CONCLUSION OF ANY CRIMINAL INVESTIGATION OR THE EXHAUSTION OF ALL THE AVENUES OF ADJUDICATION FOR THE VIOLATION; OR

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**(II) 5 YEARS AFTER THE DAY ON WHICH THE RECORDED
IMAGE OR ASSOCIATED DATA WAS CAPTURED**".