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§16–117.1.

(a) (1) In this section the following words have the meanings indicated.

(2) "Child Support Administration" means the Child Support Administration of the Department of Human Services.

(3) "Criminal offense" does not include any violation of the Maryland Vehicle Law.

(b) The Administration shall expunge the public driving record of a licensee if:

(1) The licensee has not been convicted of a moving violation or a criminal offense involving a motor vehicle for the preceding 3 years, and the licensee's license never has been suspended for reasons related to driver safety, as defined by the Administration, or revoked;

(2) The licensee has not been convicted of a moving violation or a criminal offense involving a motor vehicle for the preceding 5 years, and the licensee's record shows not more than one suspension for reasons related to driver safety, as defined by the Administration, and no revocations; or

(3) Within the preceding 10 years:

(i) The licensee has not been granted probation before judgment for a violation of § 20–102 or § 21–902 of this article; and

(ii) The licensee has not been convicted of any moving violation or criminal offense involving a motor vehicle, regardless of the number of suspensions or revocations.

(c) (1) On request of the Child Support Administration, the Administration shall expunge a record of a suspension for failure to pay child support:

(i) For a licensee who is enrolled in and compliant with an employment program approved by the Child Support Administration, if the licensee:

1. Has not been convicted of driving on a license that was suspended for failure to pay child support; and

2. Does not have charges related to the suspension for failure to pay child support pending against the licensee; or

(ii) If the Child Support Administration notifies the Administration that the information reported by the Child Support Administration that led to the suspension was inaccurate.

(2) A request by the Child Support Administration to expunge a record under this subsection may not affect any suspension unrelated to child support.

(d) The Administration may refuse to expunge a driving record if it determines that the licensee has not driven a motor vehicle on the highways during the particular conviction–free period on which the expungement is based.

(e) Notwithstanding any other provision of this section, the Administration may not expunge:

(1) Any driving records before the expiration of the time they are required to be retained under § 16–819 of this title;

(2) Any driving record entries required for assessment of subsequent offender penalties; and

(3) Any driving record entries related to a moving violation or an accident that resulted in the death of another person.

(f) (1) Subject to paragraph (2) of this subsection, the Administration shall adopt regulations to carry out this section.

(2) The Secretary, in cooperation with the Secretary of Human Services, may adopt regulations to implement the provisions of subsection (c) of this section.

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