

February 28, 2024

The Honorable Luke Clippinger
Chair, House Judiciary Committee
101 House Office Building
Annapolis Maryland 21401

RE: Letter of Information – House Bill 1448 – Motor Vehicle Administration – Driving Records – Expungement

Dear Chair Clippinger and Committee Members:

The Maryland Department of Transportation (MDOT) offers the following information on House Bill 1448 for the Committee’s consideration.

House Bill 1448 would require the Motor Vehicle Administration (MVA) to expunge certain driving record entries under certain circumstances, when the related court and/or police records are expunged. Driving records and their expungement have always been separate and distinct from either court or police records. The proposal seeks to eliminate some of that difference by requiring the Administration to automatically expunge a driving record entry of a conviction when the same conviction is expunged from the court and police records under the Criminal Procedure Article, §10-101, et seq.

The MVA’s driving records are managed under the Transportation Article because driving records are distinct from that of criminal and court records, and their purposes are different. For example, the MVA maintains records for several offenses that have subsequent offender penalties, including Driving Under the Influence/Driving While Intoxicated violations. Those entries would not be affected by the passage of House Bill 1448. In addition, record entries for convictions involving the death of a person, and records for Commercial Driver’s License holders would similarly not be affected by House Bill 1448. MVA’s unhindered maintenance of these records are important measures for compliance with federal commercial driving licensing requirements and for ensuring safe driving behavior as Maryland works towards its goal of Vision Zero by 2030.

It is important to note that MVA already automatically expunges driving records when customers become eligible under the existing statute. Because House Bill 1448 results in the expungement of MVA records if the conviction is expunged from the court and police records, it could change the calculation of future points and the application of increasing sanctions.

The Maryland Department of Transportation respectfully requests that the Committee consider this information when deliberating House Bill 1448.

Respectfully submitted,

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