HOUSE BILL 1448

R4 4lr3036

By: Delegate Conaway

Introduced and read first time: February 9, 2024

Motor Vohiala Administration

Assigned to: Judiciary

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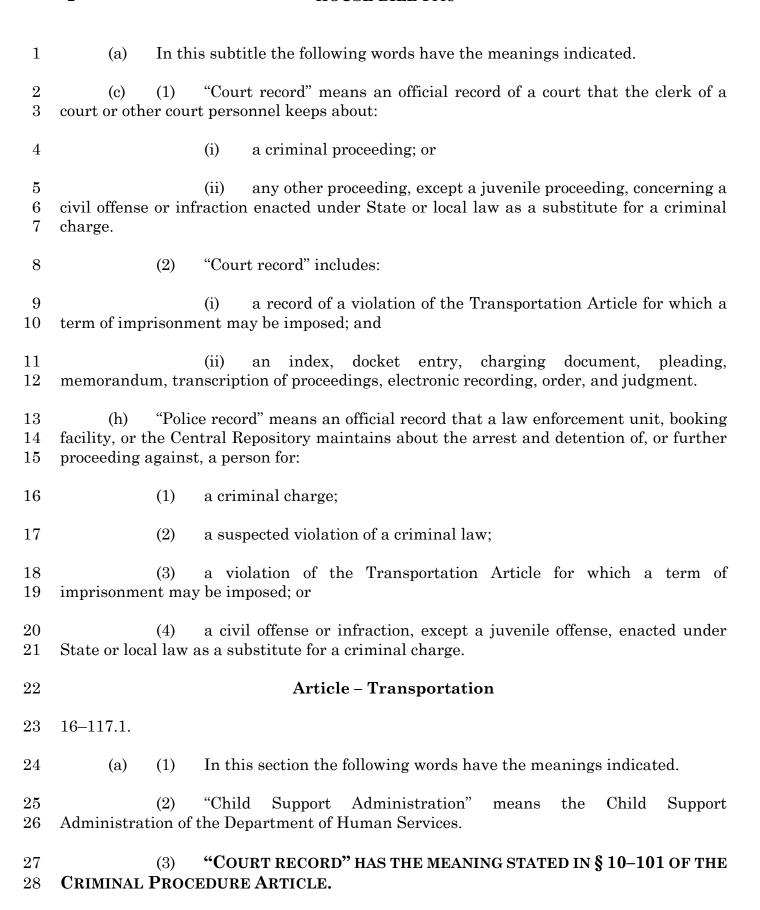
A BILL ENTITLED

1 AN ACT concerning

MIOTOI	venicle Aummistration	- Dilving Records -	Expungement

- 3 FOR the purpose of requiring the Motor Vehicle Administration to automatically expunge
- 4 information in the public driving record of a licensee if the information has been
- 5 expunged from a court record or a police record; and generally relating to the
- 6 expungement of public driving records.
- 7 BY repealing and reenacting, without amendments,
- 8 Article Criminal Procedure
- 9 Section 10–101(a), (c), and (h)
- 10 Annotated Code of Maryland
- 11 (2018 Replacement Volume and 2023 Supplement)
- 12 BY repealing and reenacting, with amendments,
- 13 Article Transportation
- 14 Section 16–117.1(a) and (b)
- 15 Annotated Code of Maryland
- 16 (2020 Replacement Volume and 2023 Supplement)
- 17 BY repealing and reenacting, without amendments,
- 18 Article Transportation
- 19 Section 16–117.1(e)
- 20 Annotated Code of Maryland
- 21 (2020 Replacement Volume and 2023 Supplement)
- 22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND.
- 23 That the Laws of Maryland read as follows:
- 24 Article Criminal Procedure
- 25 10–101.





- 1 (4) "Criminal offense" does not include any violation of the Maryland 2 Vehicle Law.
- 3 (5) "POLICE RECORD" HAS THE MEANING STATED IN § 10–101 OF THE 4 CRIMINAL PROCEDURE ARTICLE.
- 5 (b) **(1)** The Administration shall expunge the public driving record of a licensee 6 if:
- [(1)] (I) 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)] (II) 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
- 15 [(3)] (III) Within the preceding 10 years:
- 16 **[(i)] 1.** The licensee has not been granted probation before 17 judgment for a violation of § 20–102 or § 21–902 of this article; and
- 18 **[**(ii)**] 2.** 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.
- 21 (2) THE ADMINISTRATION SHALL AUTOMATICALLY EXPUNGE ANY
 22 INFORMATION IN THE PUBLIC DRIVING RECORD OF A LICENSEE IF THE
 23 INFORMATION HAS BEEN EXPUNGED FROM A COURT RECORD OR A POLICE RECORD
 24 OF THE LICENSEE UNDER TITLE 10, SUBTITLE 1 OF THE CRIMINAL PROCEDURE
 25 ARTICLE.
- 26 (e) Notwithstanding any other provision of this section, the Administration may 27 not expunge:
- 28 (1) Any driving records before the expiration of the time they are required 29 to be retained under § 16–819 of this title;
- 30 (2) Any driving record entries required for assessment of subsequent 31 offender penalties; and
- 32 (3) Any driving record entries related to a moving violation or an accident 33 that resulted in the death of another person.

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SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2024.