

~~(5) Except as provided in this section, an employee of the Administration may not disclose any records or information regarding probation before judgment, or a first offense of driving with an alcohol concentration of 0.08 or more under § 16-205.1 of this title.~~

~~(e) If a charge of a Maryland Vehicle Law violation against any individual is dismissed by a court of competent jurisdiction, a record of the charge and dismissal may not be included in the individual's driving record.~~

~~16-117.1.~~

~~(a) In this section, "criminal offense" does not include any violation of the Maryland Vehicle Law.~~

~~(b) Except as provided in subsection (c) of this section and in Subtitle 8 of this title, if a licensee applies for the expungement of the licensee's public driving record, the Administration shall expunge the record if, at the time of application:~~

~~(1) The licensee does not have charges pending for allegedly committing a moving violation or a criminal offense involving a motor vehicle; and~~

~~(2) (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 or revoked;~~

~~(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 and no revocations; or~~

~~(iii) Within the preceding 10 years:~~

~~1. The licensee has not been convicted of [nor], been granted probation before judgment FOR, OR HAD A CHARGE DISMISSED BY NOLLE PROSEQUI WITH THE REQUIREMENT OF DRUG OR ALCOHOL TREATMENT OR POSTPONED INDEFINITELY BY THE COURT MARKING THE CHARGE STET WITH THE REQUIREMENT OF DRUG OR ALCOHOL ABUSE TREATMENT for a violation of § 20-102 or § 21-902 of this article;~~

~~2. The licensee's driving record shows no convictions from another jurisdiction of a moving violation identical or substantially similar to § 20-102 or § 21-902 of this article; and~~

~~3. The licensee has not been convicted of any other moving violation or criminal offense involving a motor vehicle, regardless of the number of suspensions or revocations.~~

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

~~(d) The Administration shall expunge from its driver record data base the driving record of an individual or a probation before judgment disposition of an individual:~~