

§ 10-611. Definitions.

(a) *In general.*- In this Part III of this subtitle the following words have the meanings indicated.

(b) *Applicant.*- "Applicant" means a person or governmental unit that asks to inspect a public record.

(c) *Custodian.*- "Custodian" means:

(1) the official custodian; or

(2) any other authorized individual who has physical custody and control of a public record.

(d) *Official custodian.*- "Official custodian" means an officer or employee of the State or of a political subdivision who, whether or not the officer or employee has physical custody and control of a public record, is responsible for keeping the public record.

(e) *Person in interest.*- "Person in interest" means:

(1) a person or governmental unit that is the subject of a public record or a designee of the person or governmental unit;

(2) if the person has a legal disability, the parent or legal representative of the person; or

(3) as to requests for correction of certificates of death under § 5-310 (d) (2) of the Health - General Article, the spouse, adult child, parent, adult sibling, grandparent, or guardian of the person of the deceased at the time of the deceased's death.

(f) *Personal information.*-

(1) Except as otherwise provided in this Part III, "personal information" means information that identifies an individual including an individual's address, driver's license number or any other identification number, medical or disability information, name, photograph or computer generated image, Social Security number, or telephone number.

(2) "Personal information" does not include an individual's driver's status, driving offenses, 5-digit zip code, or information on vehicular accidents.

(g) *Public record.*-

(1) "Public record" means the original or any copy of any documentary material that:

(i) is made by a unit or instrumentality of the State government or of a political subdivision or received by the unit or instrumentality in connection with the transaction of public business; and

(ii) is in any form, including:

1. a card;

2. a computerized record;

3. correspondence;
4. a drawing;
5. film or microfilm;
6. a form;
7. a map;
8. a photograph or photostat;
9. a recording; or
10. a tape.

(2) "Public record" includes a document that lists the salary of an employee of a unit or instrumentality of the State government or of a political subdivision.

(3) "Public record" does not include a digital photographic image or signature of an individual, or the actual stored data thereof, recorded by the Motor Vehicle Administration.

(h) *Telephone solicitation.*-

(1) "Telephone solicitation" means the initiation of a telephone call to an individual or to the residence or business of an individual for the purpose of encouraging the purchase or rental of or investment in property, goods, or services.

(2) "Telephone solicitation" does not include a telephone call or message:

- (i) to an individual who has given express permission to the person making the telephone call;
- (ii) to an individual with whom the person has an established business relationship; or
- (iii) by a tax-exempt, nonprofit organization.

[An. Code 1957, art. 76A, § 1; 1984, ch. 284, § 1; ch. 285, § 8; 1992, ch. 547; 1994, ch. 365; 1997, chs. 338, 339; 1999, chs. 349, 350; 2003, ch. 324; 2008, ch. 83.]