

the defendant's attorney. However, a record or notation of a probation before judgment, or a first offense of driving with an alcohol concentration of 0.10 or more under § 16-205.1 of this [article] TITLE, may not be received or considered by the courts until a plea of guilty or nolo contendere is made by the defendant or a finding of guilty is made by the court.

(3) These records or notations shall be made so that they are readily available for consideration by the Administration of any license renewal application and at any other suitable time.

(4) Accident reports and abstracts of court convictions pertaining to driving an emergency vehicle, if received by a person who was driving an emergency vehicle pursuant to the provisions of § 21-106 of this article, shall be segregated by the Administration and shall be available only to the Administration.

(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 0.10 or more under § 16-205.1 of this [article] TITLE.

(c) 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.

(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:

(1) Who has not been convicted of a moving violation or criminal offense involving a motor vehicle for the preceding 3 years;

(2) Who has not been convicted of, or been granted probation before judgment for:

(i) A violation of § 20-102 of this article;

(ii) A violation of § 21-902 of this article; or

(iii) A moving violation identical or substantially similar to § 20-102 or § 21-902 of this article; and

(3) Whose license or privilege to drive never has been suspended or revoked.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1999.

Approved May 27, 1999.