

(2) THE DISPOSITION OF A CHARGE FOR A MINOR TRAFFIC VIOLATION THAT ARISES FROM THE SAME INCIDENT, TRANSACTION, OR SET OF FACTS AS A CHARGE IN THE UNIT DOES NOT AFFECT ANY RIGHT TO EXPUNGEMENT OF A CHARGE IN THE UNIT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 738.

In subsection (b)(2) of this section, the former reference to the fact that a disposition does not affect any right to expungement "if the person is otherwise entitled to an expungement of the charge" is deleted as implied in the reference to the "right to expungement".

Defined terms: "Expungement" § 10-101

"Minor traffic violation" § 10-101

"Person" § 1-101

10-108. OPENING, REVIEW, OR DISCLOSURE OF EXPUNGED RECORDS.

(A) GENERAL PROHIBITION; EXCEPTIONS.

A PERSON MAY NOT OPEN OR REVIEW AN EXPUNGED RECORD OR DISCLOSE TO ANOTHER PERSON ANY INFORMATION FROM THAT RECORD WITHOUT A COURT ORDER FROM:

(1) THE COURT THAT ORDERED THE RECORD EXPUNGED; OR

(2) THE DISTRICT COURT THAT HAS VENUE IN THE CASE OF A POLICE RECORD EXPUNGED UNDER § 10-103 OF THIS SUBTITLE.

(B) PROCEDURE FOR OPENING, REVIEW, OR DISCLOSURE.

A COURT MAY ORDER THE OPENING OR REVIEW OF AN EXPUNGED RECORD OR THE DISCLOSURE OF INFORMATION FROM THAT RECORD:

(1) AFTER NOTICE TO THE PERSON WHOM THE RECORD CONCERNS, A HEARING, AND THE SHOWING OF GOOD CAUSE; OR

(2) ON AN EX PARTE ORDER, AS PROVIDED IN SUBSECTION (C) OF THIS SECTION.

(C) EX PARTE ORDER.

(1) THE COURT MAY PASS AN EX PARTE ORDER ALLOWING ACCESS TO AN EXPUNGED RECORD, WITHOUT NOTICE TO THE PERSON WHO IS THE SUBJECT OF THAT RECORD, ON A VERIFIED PETITION FILED BY A STATE'S ATTORNEY ALLEGING THAT:

(I) THE EXPUNGED RECORD IS NEEDED BY A LAW ENFORCEMENT UNIT FOR A PENDING CRIMINAL INVESTIGATION; AND

(II) THE INVESTIGATION WILL BE JEOPARDIZED OR LIFE OR PROPERTY WILL BE ENDANGERED WITHOUT IMMEDIATE ACCESS TO THE EXPUNGED RECORD.