

Senate Bill 427 authorizes the Motor Vehicle Administration (MVA) to make digital photographic images of individuals available to private detective agencies licensed by the State Police. Under current law, the MVA may make digital photographic images and signatures available only to: (1) the courts; (2) criminal justice agencies; (3) driver license authorities; (4) the licensed individual; (5) the individual's attorney; (6) third parties designated by the individual; and (7) the Child Support Enforcement Administration.

The General Assembly has recently enacted legislation to increase the privacy protections for MVA records. In 1997, the General Assembly passed Senate Bill 260 and House Bill 710 (Chapters 338 and 339 of the Acts of 1997), which allowed the MVA to disclose personal information unless an individual requested that the MVA prohibit access to the individual's motor vehicle record. This legislation implemented the federal Driver's Privacy Protection Act. Senate Bill 387 and House Bill 722 of 1999 (Chapters 349 and 350 of the Acts of 1999) went a step further. Those bills changed the law to state that certain records were confidential unless the individual authorized access to the records in writing.

The protective measures taken by the General Assembly in 1997 and 1999 were appropriate. Senate Bill 427 swims against the tide of enhanced protection for motorist privacy. Currently, private detectives have access to certain personal information contained in MVA records. There is no need to provide enhanced access at this time.

For the above reasons, I have vetoed Senate Bill 427.

Sincerely,  
Parris N. Glendening  
Governor

**Senate Bill No. 427**

AN ACT concerning

**Motor Vehicle Administration - Digital Photographic Images - Private  
Detective Agencies**

FOR the purpose of authorizing the Motor Vehicle Administration to make a digital photographic image of an individual or the actual stored data of the image, recorded by the Administration, available to certain private detective agencies; making stylistic changes; and generally relating to digital photographic images and data stored by the Motor Vehicle Administration.

BY repealing and reenacting, with amendments,

Article - Transportation

Section 12-111(b)

Annotated Code of Maryland

(1999 Replacement Volume and 2001 Supplement)