

Federal Immigration Enforcement Requests for Data
General Provisions Article § 4-320.1(b)(3)
HB 23/Ch. 18, 2021

A Report to the Maryland General Assembly

MSAR #13860

July 2023

Maryland Department of Transportation
Motor Vehicle Administration

The Maryland Motor Vehicle Administration report was prepared in response to language contained in House Bill 23, Ch. 18, Acts of 2021. Specifically, the language directs:

“On or before June 1, 2023, and each June 1 thereafter, the Motor Vehicle Administration, the Department of State Police, and the Department of Public Safety and Correctional Services shall, with respect to requests from federal agencies seeking access for the purpose of federal immigration enforcement for personal information, a photograph of an individual, or a facial recognition search, whether or not the request was initiated through a State or local law enforcement agency, report to the General Assembly, in accordance with § 2-1257 of the State Government Article, the following information for the immediately preceding calendar year:

- (i) The number of requests received from any federal agency for personal information, a photograph of an individual, or a facial recognition search;*
- (ii) The number of requests received from any federal agency for personal information, a photograph of an individual, or a facial recognition search for which a valid warrant issue by a federal court or a court of this State was provided;*
- (iii) The number and purpose of facial recognition searches completed for any federal agency based on personal information or a photograph of an individual provided to the federal agency by the Motor Vehicle Administration, the Department of State Police, or the Department of Public Safety and Correctional Services; and*
- (iv) The number of individuals whose personal information or photograph was provided to any federal agency by agency, respectively, the Motor Vehicle Administration, the Department of State Police, and the Department of Public Safety and Correctional Services.”*

As noted in written testimony submitted by the MVA for the public hearings on House Bill 23 in 2021, law enforcement access to MVA records occurs via the Department of Public Safety and Correctional Services (DPSCS), through either the Local Law Enforcement Dashboard (Dashboard) or the Maryland Electronic Telecommunications Enforcement Dashboard (METERS). Law enforcement access to these databases is certified by the Maryland State Police for state and local agencies, and by the Federal Bureau of Investigations for federal agencies. The MVA does not control or monitor the access of approved end-users in the law enforcement systems, nor does the MVA possess a viable mechanism for how to selectively limit access of its records to law enforcement as set forth in the legislation.

As a result of this, the MVA is unable to provide the count for any such requests originating via DPSCS, Dashboard, or METERS. However, any such requests made directly to the MVA are tracked each year as required by House Bill 23, Chapter 18, Acts of 2021. Those requests were as follows:

There were no such requests submitted that met the criteria laid out in Maryland General Provisions Article § 4-320 or 4-320.1 during calendar year 2022.