

# MARYLAND DRIVER PRIVACY ACT

## SUPPORT SB234/HB23



In 2013, the Maryland legislature voted to extend driving privileges to every qualified person regardless of immigration status. The purpose of that law was to ensure that everyone who needs to drive, in order to live their lives and take care of their families, can do so in a legal and regulated way - so that no one would end up in immigration court because they were forced to drive without a license.

Since then, research from several organizations including the Center on Privacy and Technology at the Georgetown Law Center has exposed rampant data sharing between the MVA and ICE. ICE has been targeting states like Maryland that have extended driving privileges to undocumented immigrants. ICE has been detaining and deporting residents in states like Maryland with laws that were meant to increase community safety.

Without any oversight or monitoring, ICE can log in to Maryland's law enforcement database and conduct wide ranging searches of MVA records, looking through information about anyone who applies for a Maryland driver's license. ICE can search for names, birthdates, addresses, and can even run facial recognition searches on MVA license photos.

**This bill protects vulnerable members of our community from misuse of their sensitive and private data by limiting ICE's ability to use the MVA database without oversight.**

### What does the Driver Privacy Act do?

- Requires federal authorities to obtain a warrant in order to access personal information that the MVA gathers about drivers.
  - In order for federal authorities to obtain any MVA data, they will have to present evidence that there is probable cause to believe a crime was committed and that the requested information is necessary for the investigation of the crime.
- Require state and local agencies like the MVA to report on requests that are made from ICE and other federal agencies.
- Keeps state agencies like the MVA from participating in federal immigration enforcement.
- Keeps ICE from running facial recognition technology searches to target immigrants.
- Ensures that state and local databases can not be abused - by requiring law enforcement using them have a valid reason for looking through the personal information of Marylanders.

### What does the Driver Privacy Act NOT do?

- It does not interfere with the ability of DHS or TSA to use MVA information to vet applications to expedited traveler programs like Global Entry.
- It does not conflict with 8 U.S.C. § 1373 or any other federal law related to information sharing, as MVA does not collect information specifically about immigration status.

**PROTECT THE PRIVACY OF MARYLAND DRIVERS!**

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