

HOUSE BILL 829

R7

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CF SB 560

By: Delegates Jameson, G. Clagett, Barkley, Bates, Beitzel, Bohanan, Bronrott, Conway, DeBoy, Donoghue, Eckardt, Elliott, Elmore, Gilchrist, Guzzone, Haddaway, Hecht, Jenkins, Kach, Kelly, King, Kramer, Kullen, Levy, Love, Miller, Murphy, Myers, Rudolph, Serafini, Sossi, Stull, and Wood

Introduced and read first time: February 9, 2010

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Traffic Citations – Option to Request Trial**

3 FOR the purpose of requiring that a certain traffic citation issued to a person contain
4 a notice that, if the citation is a payable violation, the person must comply with
5 one of a certain list of options, including the option to request, within a certain
6 time period, a trial date at the date, time, and place established by the District
7 Court by writ or trial notice; making conforming changes; and generally relating
8 to traffic citations.

9 BY repealing and reenacting, with amendments,
10 Article – Transportation
11 Section 26–201(c)
12 Annotated Code of Maryland
13 (2009 Replacement Volume and 2009 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article – Transportation**

17 26–201.

18 (c) A traffic citation issued to a person under this section shall contain:

19 (1) [A notice to appear in court, including a notice that, if the offense
20 is not punishable by incarceration, the person may request a hearing regarding

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 sentencing and disposition in lieu of a trial as provided in § 26–204(b)(2) of this
2 subtitle] **A NOTICE THAT, IF THE CITATION IS A PAYABLE VIOLATION, THE**
3 **PERSON MUST COMPLY WITH ONE OF THE FOLLOWING:**

4 (I) **PAY THE FULL AMOUNT OF THE PRESET FINE;**

5 (II) **REQUEST A HEARING REGARDING SENTENCING AND**
6 **DISPOSITION IN LIEU OF A TRIAL AS PROVIDED IN § 26–204(B)(2) OF THIS**
7 **SUBTITLE; OR**

8 (III) **REQUEST, WITHIN 15 DAYS OF RECEIPT OF THE**
9 **CITATION, A TRIAL DATE AT THE DATE, TIME, AND PLACE ESTABLISHED BY THE**
10 **DISTRICT COURT BY WRIT OR TRIAL NOTICE;**

11 (2) **[A] IF THE CITATION IS FOR A MUST–APPEAR VIOLATION, A**
12 **notice that:**

13 (i) The citation is a summons to appear as notified by a circuit
14 court or the District Court through a trial notice setting the date, time, and place for
15 the person to appear; or

16 (ii) A circuit court or the District Court will issue a writ setting
17 the date, time, and place for the person to appear;

18 (3) The name and address of the person;

19 (4) The number of the person's license to drive, if applicable;

20 (5) The State registration number of the vehicle, if applicable;

21 (6) The violation or violations charged;

22 (7) An acknowledgment of receipt of the citation, to be executed by the
23 person as required under § 1–605 of the Courts Article;

24 (8) Near the acknowledgment, a clear and conspicuous statement that:

25 (i) Acknowledgment of the citation by the person does not
26 constitute an admission of guilt; and

27 (ii) The failure to acknowledge receipt of the citation may
28 subject the person to arrest; and

29 (9) Any other necessary information.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2010.