

10 AN ACT concerning

20 **Vehicle Laws – Procedure on Citation – Notification of Penalties**

30 FOR the purpose of providing more accurate information about traffic penalties to individuals  
40 receiving traffic citations.

50 BY repealing and reenacting, with amendments,  
60 Article – Transportation  
70 Section 21-601  
80 Annotated Code of Maryland  
90 (2002 Replacement Volume)

100 SECTION 1. BE IT ENACTED BY THE MARYLAND STUDENT LEGISLATURE, That the  
110 laws of Maryland read as follows:

120 **Article - Transportation**

130 § 26-201. Authority to charge; issuance and contents of traffic citations.

140 (a) *Authority of police officer to charge.*- A police officer may charge a person with a  
150 violation of any of the following, if the officer has probable cause to believe that the person has  
160 committed or is committing the violation:

- 170 (1) The Maryland Vehicle Law, including any rule or regulation adopted under any  
180 of its provisions;
- 190 (2) A traffic law or ordinance of any local authority;
- 200 (3) Title 9, Subtitle 2 of the Tax-General Article;
- 210 (4) Title 9, Subtitle 3 of the Tax-General Article; or
- 220 (5) Title 10, Subtitle 4 of the Business Regulation Article

230 (b) *Issuance of citation.*- A police officer who charges a person under this section shall issue  
240 a written traffic citation to the person charged.

250 (c) *Contents of citation.*- A traffic citation issued to a person under this section shall contain:

- 260 (1) A notice to appear in court, including a notice that, if the offense is not  
270 punishable by incarceration, the person may request a hearing regarding sentencing and  
280 disposition in lieu of a trial as provided in § 26-204 (b) (2) of this subtitle;
- 290 (2) The name and address of the person;
- 300 (3) The number of the person's license to drive, if applicable;
- 310 (4) The State registration number of the vehicle, if applicable;
- 320 (5) The violation charged;
- 330 (6) A LISTING OF PENALTIES ASSOCIATED WITH THE CITED TRAFFIC  
340 OFFENSE, SHOULD THE PERSON BE FOUND GUILTY, INCLUDING:

- 350 (I) THE AMOUNT OF FINE TO BE PAID, IF ANY; AND,  
360 (II) THE NUMBER OF POINTS TO BE ASSESSED ON THE  
370 PERSON'S DRIVING RECORD, IF ANY;
- 380 (6) (7) Unless otherwise to be determined by the court, the time when and  
390 place where the person is required to appear in court;
- 400 (7) (8) A statement acknowledging receipt of the citation, to be signed by the  
410 person;
- 420 (8) (9) On the side of the citation to be signed by the person, a clear and  
430 conspicuous statement that:
- 440 (i) The signing of the citation by the person does not constitute an  
450 admission of guilt; and
- 460 (ii) The failure to sign may subject the person to arrest; and
- 470 (9) (10) Any other necessary information.

480 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2003.

490 MANDATES: Governor Robert Ehrlich  
500 State Senator John Hafer  
510 Delegate Kevin Kelly

Sponsor:

Holly E. Harrington  
Frostburg State University  
26 Taylor Street  
Apartment D  
Frostburg, Maryland 21532  
(301) 687-0481  
hharrington0@frostburg.edu