

§ 16-111. *Appearance before magistrate having jurisdiction.*

*Whenever any person is taken before a magistrate or is given a written traffic citation containing a notice to appear before a magistrate as hereinbefore provided, the magistrate shall be a magistrate within the county in which the offense charged is alleged to have been committed and who has jurisdiction of the offense and is nearest or most accessible with reference to the place the alleged violation occurred, except that when the offense is alleged to have been committed within an incorporated municipality wherein there is an established court having jurisdiction of the offense, the person shall be taken without unnecessary delay before that court. For the purpose of this subtitle, the terms "magistrate" and "court" include magistrates and courts having jurisdiction of offenses under this article as committing magistrates and courts and those having jurisdiction of the trials of such offenses.*

§ 16-112. *Release of defendant when magistrate not available.*

*Whenever any person is taken into custody by an officer for the purpose of taking him before a magistrate or court as authorized or required in this subtitle, upon any charge other than a felony or the offenses enumerated in paragraphs (1), (2), (3), and (4) of subsection (a) of section 16-105, and no magistrate is available at the time of arrest, and there is no bail schedule established by any magistrate or court and no lawfully designated court clerk or other public officer who is available and authorized to accept bail upon behalf of the magistrate or court, the person shall be released from custody upon the issuance to him of a written traffic citation and his signing a promise to appear, as provided in section 16-109.*

§ 16-113. *Failure to obey citation.*

(a) *It shall be unlawful for any person to violate his written promise to appear given to an officer upon the issuance of a traffic citation regardless of the disposition of the charge for which the citation was originally issued.*

(b) *A written promise to appear in court may be complied with by an appearance by counsel.*

(c) *If any person fails to appear in accordance with his promise, the magistrate shall issue a warrant for the arrest of the person or in lieu of the warrant shall send, by registered mail with return receipt requested, a summons to the person at his last known address setting the case for trial on a date at least 2 weeks subsequent to the original date of trial. All costs and expenses incurred by the sheriff in the execution of the warrant shall be assessed against and collected from the person so arrested by the magistrate to whom the writ is returnable, and by him remitted to the sheriff who shall have executed the warrant.*

§ 16-114. *Omitted.*

§ 16-115. *Omitted.*

§ 16-116. *Omitted.*

§ 16-117. *Forms used to prosecute traffic offenses.*