

[In the event an appeal is taken from a conviction for a violation of the motor vehicle laws, the trial magistrate shall transmit the fine, costs, or other monetary penalty levied in such case to the clerk of the circuit court to which said appeal is taken. In the event of acquittal or the levy of a fine (including costs) by the circuit court in a sum less than that levied by the magistrate, the entire fine or the surplus held by the clerk in excess of the fine levied by the circuit court, as the case may be, shall be returned to the defendant. All fines levied by the circuit court for motor vehicle violations shall be paid by the clerk of the circuit court to the Department of Motor Vehicles. In the event of the dismissal of an appeal by the defendant before trial in the circuit court the said clerk shall pay the fine, costs, or other monetary penalty so deposited with him to the Department of Motor Vehicles.]

(b) *In a criminal or traffic case heard de novo by the appellate court, any fine imposed by that court shall be paid to the county commissioners of the county in which the court sits or to the mayor and City Council of Baltimore if the court sits there. In a criminal or traffic case heard non-de novo by the appellate court or if a criminal or traffic case is dismissed, any fine previously paid shall be disposed of pursuant to the provisions of law pertaining to disposition of fines of the District Court.*

(c) *In a criminal or traffic case in which the appeal is dismissed, there is a conviction in the appellate court, or the judgment of the District Court is affirmed, any costs forwarded pursuant to the Maryland Rules shall be disposed of as are other costs in criminal cases heard by the appellate court in the exercise of its original jurisdiction.*

(d) *In a civil case, the costs forwarded by the District Court pursuant to the Maryland Rules shall be disposed of as are other costs in civil cases heard by the appellate court in the exercise of its original jurisdiction.*

39. Commitment for nonpayment of fine.

Where any judgment of [a justice of the peace] *the District Court*, imposing any fine or penalty for the violation of any law or ordinance, shall be affirmed upon appeal, the court to which such appeal is taken shall have the power to commit the defendant or appellant in case of nonpayment of such fine or penalty, in accordance with Article 38, § 4.

42. Meaning of term, "county commissioners. [and "justice of the peace."]"

Whenever the words "county commissioners" appear in § [§] 30 [to 41, inclusive,] of this article, they shall be taken to include a county council [, and wherever the words "justice of the peace" appear they shall include "trial magistrates."].

§ 43. [Right of appeal by defendant generally] *Imposition of sentence on an appeal de novo from District Court.*

[A defendant in a criminal or traffic action in the Municipal Court of Baltimore City may appeal to the Criminal Court of Baltimore from any conviction or sentence, including suspension of a license to operate a motor vehicle, imposed by the Municipal Court of Baltimore