

provisions of this section, he shall be taken without unnecessary delay before the [proper magistrate] *commissioner*, as specified in § 16-111.

§ 16-109. When person to be given five-day notice to appear in court.

(a) Whenever a person is halted by a police officer for an offense punishable as a misdemeanor and which is either a violation of this article or of §§ 231 or 232 of Article 27, as they may be amended from time to time, or of any of §§ 135 through 157 of Article 56, comprising the subtitle "Motor Vehicle Fuel Tax," as they may be amended from time to time, or of §§ 422 or 423 of Article 81, as they may be amended from time to time, or of § 66A of Article 89B as it may be amended from time to time or a traffic offense under local law, and is not taken before a [magistrate] *District Court commissioner* as hereinbefore required or permitted, the officer shall prepare a written traffic citation containing a notice to appear in court, the name and address of the person, his driver's license number, the State registration number of his vehicle, if any, the offense charged, the time and place the person shall appear in court, and such other pertinent information as necessary.

(c) The place specified in the notice to appear must be before a [magistrate] *judge of the District Court* as designated in § 16-111.

§ 16-109.1. Parking cases in Baltimore City.

In all cases of parking violations in Baltimore City the officer who discovers the vehicle illegally parked, in the absence of the operator, shall attach a summons to the vehicle in a conspicuous place or if the operator be present deliver the summons to him. A copy of the summons shall be retained by the officer and shall bear certification under penalty of perjury by the officer attesting the truth of the matters therein set forth. The recipient of a summons may waive a hearing before the traffic division [of the municipal court] *in the District Court in [of] Baltimore City* at least five days prior to the date of hearing set out in the summons. Provided that if the person so summoned desires a hearing he must notify the [chief] *deputy* clerk of the traffic division of the court of his desire at least five days prior to the date of hearing as set forth in the summons. At the time the notice of a desire for a hearing is given, the person summoned must also notify the supervisor that he desires the presence of the officer who issued the summons at the time of the hearing. If the person so summoned does not notify the [chief] *deputy* clerk of the traffic division of the court that he desires the presence of the officer at the time of the hearing as aforesaid, it shall not be necessary that the officer who issued the summons appear, and the copy of the summons bearing the certification by the officer shall be prima facie evidence of the matters therein set forth. The appropriate authority in Baltimore City shall cause notice of the provisions of this section to be printed clearly and in a conspicuous place in all summons for parking violations used in Baltimore City. Provided further that no summons shall be issued setting a trial date less than fifteen days from the date of the offense.

§ 16-111. Appearance before [magistrate] *commissioner of the District Court* having jurisdiction.

Whenever any person is taken before a [magistrate] *District Court commissioner* or is given a written traffic citation containing a