

## CHAPTER 886

(House Bill 1609)

AN ACT to add new Section 16-109.2 to Article 66-1/2 of the Annotated Code of Maryland (1970 Replacement Volume), title "Vehicle Laws," subtitle "16. Parties and Procedure Upon Arrest, Trial, Citation and Appeal," subheading "Part 1. Parties and Procedure Upon Arrest and Citation," to follow immediately after Section 16-109.1 thereof, to provide procedures for parking violation offenses in Anne Arundel County.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That new Section 16-109.2 be and it is hereby added to Article 66-1/2 of the Annotated Code of Maryland (1970 Replacement Volume), title "Vehicle Laws," subtitle "16. Parties and Procedure Upon Arrest, Trial, Citation and Appeal," subheading "Part 1. Parties and Procedure Upon Arrest and Citation," to follow immediately after Section 16-109.1 thereof, and to read as follows:

## 16-109.2

IN ALL CASES OF PARKING VIOLATIONS IN ANNE ARUNDEL COUNTY OUTSIDE THE CITY OF ANNAPOLIS, 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 DISTRICT COURT AT LEAST FIVE DAYS PRIOR TO THE DATE OF HEARING SET OUT IN THE SUMMONS. IF THE PERSON SO SUMMONED DESIRES A HEARING, HE MUST NOTIFY THE CLERK OF THE COURT AT LEAST FIVE DAYS PRIOR TO THE DATE OF HEARING THAT HE DESIRES THE PRESENCE OF THE OFFICER AT THE TIME OF THE HEARING AS AFORESAID. UNTIL SUCH NOTIFICATION, 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 SET THEREIN. THE APPROPRIATE AUTHORITY IN ANNE ARUNDEL COUNTY SHALL CAUSE NOTICE OF THE PROVISIONS OF THIS SECTION TO BE PRINTED CLEARLY AND IN A CONSPICUOUS PLACE IN ALL SUMMONSES FOR PARKING VIOLATIONS USED IN ANNE ARUNDEL COUNTY. NO SUMMONS SHALL BE ISSUED SETTING A TRIAL DATE LESS THAN FIFTEEN DAYS FROM THE DATE OF THE OFFENSE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1973.

Approved May 24, 1973.

-----