

(8) A FORM FOR THE WRITTEN PROMISE OF THE PERSON CHARGED TO APPEAR IN COURT; AND

(9) ANY OTHER NECESSARY INFORMATION .

(D) FIVE DAYS NOTICE REQUIRED.

THE TIME SPECIFIED IN THE NOTICE TO APPEAR MUST BE AT LEAST 5 DAYS AFTER THE ALLEGED VIOLATION, UNLESS THE PERSON CHARGED WITH THE VIOLATION DEMANDS AN EARLIER HEARING.

(E) APPEARANCE TO BE IN DISTRICT COURT.

THE PLACE SPECIFIED IN THE NOTICE TO APPEAR MUST BE BEFORE A JUDGE OF THE DISTRICT COURT, AS SPECIFIED IN §26-401 OF THIS TITLE.

(F) WRITTEN PROMISE TO APPEAR.

THE PERSON CHARGED WITH THE VIOLATION MAY GIVE HIS WRITTEN PROMISE TO APPEAR IN COURT BY SIGNING THE FORM FOR WRITTEN PROMISE ON AT LEAST ONE COPY OF THE TRAFFIC CITATION PREPARED BY THE OFFICER. IN THIS EVENT, THE POLICE OFFICER SHALL DELIVER A COPY OF THE CITATION TO THE PERSON AND THE OFFICER MAY NOT TAKE THE PERSON INTO PHYSICAL CUSTODY FOR THE VIOLATION.

REVISOR'S NOTE: This section presently appears as Art. 66 1/2, §16-109.

In subsection (a) of this section, the short title "Maryland Vehicle Law" is substituted for the present reference to "this article"; see §11-206 of this article. The present reference to "Art. 89B, §66A" is deleted as obsolete since that section is now part of the Maryland Vehicle Law; see §21-1119 of this article. Catchlines to the referenced provisions are added as an aid to the reader only; they are not intended to be part of the substantive law (cf., Art.1, §18 of the Code) and, for this reason, are placed in brackets.

In subsection (c) (8) of this section, new language is added to require expressly that a "form for the written promise ... to appear in court" be included in the citation. The present law states simply that " {t}he person charged ... may give his written promise to appear in court by signing ... the ... citation" Literally, this gives rise to an argument that signing any citation serves as a promise to appear, even if there is no notice to the person charged of the consequences of that act; certainly, the citation should be required to give that notice and, in fact, it is current practice to