

the vehicle laws.

As to the duty of a sheriff to serve process in traffic cases, see §2-606 of the Courts Article.

26-411. WITNESS FEES FOR OFFICERS PROHIBITED.

A CONSTABLE OR POLICE OFFICER IS NOT ENTITLED TO ANY FEE FOR TESTIFYING AS A WITNESS IN ANY CASE INVOLVING A VIOLATION OF THE VEHICLE LAWS OF THIS STATE.

REVISOR'S NOTE: This section presently appears as Art. 66 1/2, §16-208.

The present references to a "sheriff", "deputy sheriff" and "other peace officer" are deleted as unnecessary in light of the broad definition of "police officer" in §11-147 of this article.

The only other changes are in style.

26-412. CONFLICT WITH COURTS ARTICLE.

IF A PROVISION OF THIS TITLE AND A PROVISION OF TITLE 4 OF THE COURTS ARTICLE CONFLICT, THE PROVISION IN THE COURTS ARTICLE PREVAILS.

REVISOR'S NOTE: This section presently appears as Art. 66 1/2, §16-209.

The only changes are in style.

GENERAL REVISOR'S NOTE:

In revising this title, the Commission to Revise the Annotated Code encountered particularly difficult problems in its review of those sections of present Art. 66 1/2 that relate to citation and arrest - now contained in Subtitle 2 of this title.

Some of the difficulties are the result of the attempt to maintain uniformity with the Uniform Vehicle Code. The Uniform Vehicle Code provisions are not well drafted and, more significantly, the underlying assumptions made in them in many instances are not applicable in this State. For example, the Uniform Vehicle Code speaks of the issuance of a uniform traffic citation as a procedure for release in lieu of arrest. This premise - that the procedures of arrest and release on citation are mutually exclusive alternatives - is basic to several sections. However, in this State it is not proper to speak of these procedures as alternative since a traffic citation is used as the charging document even if a person is not released.