

(I) THAT THE DRIVER OF THE VEHICLE PASSED THROUGH THE INTERSECTION IN VIOLATION OF § 21-202(H) OF THIS SUBTITLE:

1. IN ORDER TO YIELD THE RIGHT-OF-WAY TO AN EMERGENCY VEHICLE; OR

2. AS PART OF A FUNERAL PROCESSION IN ACCORDANCE WITH § 21-207 OF THIS SUBTITLE;

(II) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THAT THE MOTOR VEHICLE OR REGISTRATION PLATES OF THE MOTOR VEHICLE WERE STOLEN BEFORE THE VIOLATION OCCURRED AND WERE NOT UNDER THE CONTROL OR POSSESSION OF THE OWNER AT THE TIME OF THE VIOLATION;

(III) THAT UNDER § 21-201 OF THIS SUBTITLE, THIS SECTION IS UNENFORCEABLE AGAINST THE OWNER BECAUSE AT THE TIME AND PLACE OF THE ALLEGED VIOLATION, THE TRAFFIC CONTROL SIGNAL WAS NOT IN PROPER POSITION AND LEGIBLE ENOUGH TO BE SEEN BY AN ORDINARILY OBSERVANT INDIVIDUAL;

(IV) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, EVIDENCE THAT THE PERSON NAMED IN THE CITATION WAS NOT OPERATING THE VEHICLE AT THE TIME OF THE VIOLATION; AND

(V) ANY OTHER ISSUES AND EVIDENCE THAT THE DISTRICT COURT DEEMS PERTINENT.

(2) IN ORDER TO DEMONSTRATE THAT THE MOTOR VEHICLE OR THE REGISTRATION PLATES WERE STOLEN BEFORE THE VIOLATION OCCURRED AND WERE NOT UNDER THE CONTROL OR POSSESSION OF THE OWNER AT THE TIME OF THE VIOLATION, THE OWNER MUST SUBMIT PROOF THAT A POLICE REPORT ABOUT THE STOLEN MOTOR VEHICLE OR REGISTRATION PLATES WAS FILED IN A TIMELY MANNER.

(3) TO SATISFY THE EVIDENTIARY BURDEN UNDER PARAGRAPH (1)(IV) OF THIS SUBSECTION, THE PERSON NAMED IN THE CITATION SHALL PROVIDE TO THE DISTRICT COURT EVIDENCE TO THE SATISFACTION OF THE COURT OF WHO WAS OPERATING THE VEHICLE AT THE TIME OF THE VIOLATION, INCLUDING, AT A MINIMUM, THE OPERATOR'S NAME AND CURRENT ADDRESS.

(4) (I) THE PROVISIONS OF THIS PARAGRAPH APPLY ONLY TO A CITATION THAT INVOLVES A CLASS E (TRUCK) VEHICLE WITH A REGISTERED GROSS WEIGHT OF 26,001 POUNDS OR MORE, CLASS F (TRACTOR) VEHICLE, CLASS G (TRAILER) VEHICLE OPERATED IN COMBINATION WITH A CLASS F (TRACTOR) VEHICLE, AND CLASS P (PASSENGER BUS) VEHICLE.

(II) TO SATISFY THE EVIDENTIARY BURDEN UNDER PARAGRAPH (1)(IV) OF THIS SUBSECTION, THE PERSON NAMED IN A CITATION DESCRIBED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY PROVIDE TO THE DISTRICT COURT A LETTER, SWORN TO OR AFFIRMED BY THE PERSON AND MAILED BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, THAT:

1. STATES THAT THE PERSON NAMED IN THE CITATION WAS NOT OPERATING THE VEHICLE AT THE TIME OF THE VIOLATION; AND