

(1) A DEFENDANT WHO HAS BEEN FOUND GUILTY OF A CODE VIOLATION HAS THE RIGHT TO APPEAL OR TO FILE A MOTION FOR A NEW TRIAL OR A MOTION FOR A REVISION OF A JUDGMENT PROVIDED BY LAW IN THE TRIAL OF A CRIMINAL CASE.

(2) A MOTION SHALL BE MADE IN THE SAME MANNER AS PROVIDED IN THE TRIAL OF CRIMINAL CASES, AND THE COURT, IN RULING ON THE MOTION HAS THE SAME AUTHORITY PROVIDED IN THE TRIAL OF CRIMINAL CASES.

(M) AUTHORITY OF STATE'S ATTORNEY.

(1) THE STATE'S ATTORNEY FOR ANY COUNTY MAY PROSECUTE A CODE VIOLATION IN THE SAME MANNER AS PROSECUTION OF A VIOLATION OF THE CRIMINAL LAWS OF THIS STATE.

(2) IN A CODE VIOLATION CASE THE STATE'S ATTORNEY MAY:

(I) ENTER A NOLLE PROSEQUI IN OR PLACE THE CASE ON THE STET DOCKET; AND

(II) EXERCISE AUTHORITY IN THE SAME MANNER AS PRESCRIBED BY LAW FOR VIOLATION OF THE CRIMINAL LAWS OF THIS STATE.

REVISOR'S NOTE: Chapter 26, Acts of 2002, which enacted the Criminal Law Article, also added this section, which is new language derived without substantive change from former Art. 27, §§ 402 and 403.

In subsections (a) and (b) of this section, the references to this "subtitle" are substituted for the former references to this "subheading" to reflect the reorganization of material derived from the former "Alcoholic Beverages Offenses and Misrepresentation of Age" subheading of Article 27 in this subtitle. Similarly, in subsection (b) of this section, the reference to "this section" is substituted for the former reference to "§ 403 of this subheading".

In subsection (b)(2) of this section, the reference to the exercise of authority by a forest or park warden in State "reservations" is substituted for the former archaic reference to the exercise of that authority in State "preservations" for consistency with NR § 5-206, which establishes the authority and jurisdiction of State forest and park wardens.

In subsection (b)(3) of this section, the reference to "this article" is substituted for the former reference to "Article 2B of the Code" to reflect the reorganization of material derived from the former "Alcoholic Beverages Offenses and Misrepresentation of Age" subheading of Article 27 in this article. Although "this article" is defined in § 1-102(a)(25) of this article to include portions of the Tax-General Article derived from Article 2B, none of those provisions affects any provision revised in this subtitle. No substantive change is intended.

In subsection (c) of this section, the references to a "person authorized under this section to issue a citation" and the "person" are substituted for