

1. OF THE MANNER AND TIME IN WHICH LIABILITY AS ALLEGED IN THE CITATION MAY BE CONTESTED IN THE DISTRICT COURT; AND

2. WARNING THAT FAILURE TO PAY THE CIVIL PENALTY OR TO CONTEST LIABILITY IN A TIMELY MANNER IS AN ADMISSION OF LIABILITY AND MAY RESULT IN REFUSAL OR SUSPENSION OF THE MOTOR VEHICLE REGISTRATION.

(2) THE AGENCY MAY MAIL A WARNING NOTICE IN LIEU OF A CITATION TO THE OWNER LIABLE UNDER SUBSECTION (E) OF THIS SECTION.

(3) EXCEPT AS PROVIDED IN SUBSECTION (H)(5) OF THIS SECTION, A CITATION ISSUED UNDER THIS SECTION SHALL BE MAILED NO LATER THAN 2 WEEKS AFTER THE ALLEGED VIOLATION.

(4) A PERSON WHO RECEIVES A CITATION UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY:

(I) PAY THE CIVIL PENALTY, IN ACCORDANCE WITH INSTRUCTIONS ON THE CITATION, DIRECTLY TO PRINCE GEORGE'S COUNTY OR TO THE DISTRICT COURT; OR

(II) ELECT TO STAND TRIAL FOR THE ALLEGED VIOLATION.

(G) (1) A CERTIFICATE ALLEGING THAT A VIOLATION OCCURRED, SWORN TO OR AFFIRMED BY A DULY AUTHORIZED AGENT OF THE AGENCY, BASED ON INSPECTION OF RECORDED IMAGES PRODUCED BY AN AUTOMATED RAILROAD GRADE CROSSING ENFORCEMENT SYSTEM SHALL BE EVIDENCE OF THE FACTS CONTAINED IN THE CERTIFICATE AND SHALL BE ADMISSIBLE IN ANY PROCEEDING CONCERNING THE ALLEGED VIOLATION.

(2) ADJUDICATION OF LIABILITY SHALL BE BASED ON A PREPONDERANCE OF EVIDENCE.

(H) (1) THE DISTRICT COURT MAY CONSIDER IN DEFENSE OF A VIOLATION:

(I) THAT THE DRIVER OF THE VEHICLE PASSED THROUGH THE RAILROAD GRADE CROSSING IN A MANNER THAT WOULD CONSTITUTE A VIOLATION: