

## New Law Changes for Maryland District Court Procedures for Traffic Tickets: After January 1, 2011, Drivers Must Ask for Trial

(ANNAPOLIS, Md. – Dec. 1, 2010) When a new state law goes into effect on January 1, drivers who get a payable traffic ticket in Maryland will no longer be given an automatic trial date to appear in court. Instead, any driver wanting to go to trial to dispute a ticket will have to request a trial date from the District Court of Maryland.

Currently, Maryland law requires that a driver who gets a payable traffic ticket for an offense that does not require incarceration/jail time *automatically* receives a court trial date. When the new law takes effect Jan. 1, drivers who get a payable traffic ticket will have three options:

- 1) Pay the full amount of the fine;
- 2) Ask the District Court for a waiver hearing for sentencing instead of a trial; or
- 3) Ask for a trial date at the District Court.

Payable traffic violations include speeding, failure to obey traffic signs or signals, or failure to stop for a school bus. The new law includes all payable traffic violations for which no incarceration/jail time is required.

The other type of traffic violation in Maryland is “Must Appear.” Examples of these violations are driving while under the influence of alcohol or drugs or driving on a suspended license. “Must Appear” violations are not affected by the new law.

Drivers who get a payable traffic ticket must comply with the new law within 30 days by paying the fine, asking for a waiver hearing or asking for a trial. If drivers do not choose one of these options within 30 days, they risk having their license suspended by the Motor Vehicle Administration.

Waiver hearings are for drivers who don’t dispute the traffic ticket, and want to plead guilty, but want to have a judge hear an explanation before being sentenced. A waiver hearing is held before a judge in District Court, but it is not a trial and the law enforcement officer and witnesses will not be summoned to appear. At the hearing, the judge will hear from the ticketed driver only for the purpose of imposing a sentence.

Drivers who want to dispute their traffic ticket must ask for a trial date. Drivers must come to court for the trial, and all witnesses are summoned to appear to testify. The officer who wrote the traffic ticket also attends the trial.

Traffic tickets issued after Jan. 1 will have instructions about how to pay the fine, ask for a waiver hearing, or ask for a trial date. Drivers can ask for a waiver hearing or a trial date by marking that option on the ticket and mailing it to the District Court location in the city or county where the traffic violation occurred.

If drivers opt to pay the traffic ticket fine, they may do so by mail, online by credit card at [www.mdcourts.gov](http://www.mdcourts.gov), by phone with a credit card at 1-800-492-2656, or in person at any District Court of Maryland location. The Judiciary’s website also has more information about how the new law works, including a list of frequently asked questions and a link to District Court locations by county.