

## Article - Natural Resources

[Previous][Next]

§1–205.

(a) If a Natural Resources police officer apprehends a person for violating any law punishable as a misdemeanor, the officer may prepare a written or electronic citation containing:

- (1) A notice to appear in court;
- (2) The name and address of the person charged;
- (3) Relevant license numbers, if any;
- (4) The offense charged;
- (5) The time and place the person shall appear in court;
- (6) An acknowledgment of receipt of the citation by the person charged made in a manner determined by the Department; and
- (7) Other pertinent information required by the Secretary.

(b) (1) The person charged may promise to appear in court by acknowledging receipt of the citation prepared by the officer in a manner determined by the Department.

(2) If the person charged acknowledges receipt of the citation, the officer is not required to take the person into physical custody for the violation unless:

- (i) The person charged does not furnish satisfactory evidence of identity; or
- (ii) The officer has reasonable grounds to believe the person charged will not appear.

(c) A person may not fail to comply with a notice to appear in a citation issued under this section unless:

- (1) Sufficient collateral for the offense is posted;
- (2) The fine is paid in advance of trial; or
- (3) The person is represented by counsel in court.

(d) (1) If a person fails to comply with the notice to appear in a citation issued under this section, the court may:

(i) Except as provided in paragraph (4) of this subsection, issue a warrant for the person's arrest; or

(ii) After 5 days, notify the court's clerk of the person's noncompliance.

(2) On receipt of notice of noncompliance from the court, the clerk shall notify the person by mail at the address indicated on the citation that a warrant for the person's arrest may be issued by the court unless, by the end of the 15th day after the date on which the notice is mailed, the person:

(i) Pays the fine on the original charge as provided for in the original citations and a fine of \$100 for failing to appear; or

(ii) Posts bond or a penalty deposit and requests a new trial date.

(3) If a person fails to pay the fines or post the bond or penalty deposit under paragraph (2) of this subsection, the court may issue a warrant.

(4) When the original offense is not punishable by incarceration, a warrant may not be issued for the person under this subsection until 20 days after the original trial date.

[Previous][Next]