



## MONTGOMERY COUNTY DEPARTMENT OF POLICE

### MARYLAND UNIFORM COMPLAINT AND CITATION

**DIRECTIVE NO:**

**FC 0533**

**EFFECTIVE DATE:**

**September 25, 2025**

**REPLACES:**

FC 533 dated December 23, 2008

**CANCELS:**

APPENDIX B dated 10/2008

**ACCREDITATION STANDARDS:**

CALEA Standards: *6<sup>th</sup> Edition*

*61.1.2, 61.1.4, 61.1.5, and 61.3.2*

**PROPONENT UNITS:**

**District Court Liaison and Traffic  
Operations Division**

**AUTHORITY:**

**Marc R. Yamada, Chief of Police**

If a provision of a regulation, departmental directive, rule, or procedure conflicts with a provision of the contract, the contract prevails except where the contract provision conflicts with State law or the Police Collective Bargaining Law. (FOP Contract, Article 61).

#### **I. POLICY**

It is the policy of this department to adhere to Motor Vehicle Administration (MVA) regulations and state laws pertaining to the issuance and use of Maryland Uniform Complaint and Citations. All citations must be accounted for. Officers will not destroy or dispose of any citation in any manner inconsistent with State law. Officers appearing in court, who are unable to proceed for any reason other than the failure of witnesses to appear, **should** submit a memorandum to the Chief of Police, via the chain of command, indicating the reason(s) for their inability to proceed.

#### **II. CITATION ACCOUNTABILITY**

##### **A. Central Supply Section Responsibilities**

The Central Supply Section will provide citation books to personnel assigned accounting responsibility from each district/unit. The Central Supply Section will maintain a written record of all citation books released and will forward this information to the MVA.

B. District/Unit Responsibilities

Personnel assigned accounting responsibility at the district/unit level will provide citation books to **officers. Designated District /Unit Personnel** will keep unissued citation books in a locked cabinet and will issue citation books to officers **within their district/unit.**

C. Officer's Responsibilities Each citation book issued to an officer will only be used by that officer. Any unused citations will be turned in to be voided. (Refer to section XII).

D. Jurisdiction Codes

Jurisdiction codes are as follows:

7502	2D, Bethesda
7503	4D, Wheaton
7504	1D, Rockville
7505	3D, Silver Spring
7506	5D, Germantown
7571	6D, Montgomery Village
<b>7500</b>	<b>PSHQ</b>

E. District Station Responsibilities

Each district commander will ensure a copy of every citation is maintained at the district station for a period of three years from the date of issue. This includes citations issued by officers assigned to that station and by any other MCP officers who received their citation books from that station.

F. Transmittal Sheet

Personnel assigned accounting responsibility for citations will list all citation numbers, including voided citations, on a transmittal sheet. The complete citation numbers will be written on the transmittal form. The employee completing the logging procedure will sign the transmittal sheet and **follow the instructions listed on the sheet. The transmittal sheet can be located on the Maryland Courts website, under law enforcement forms and the internal SharePoint Admin Board, under Court Liaison.**

G. Distribution of Citation Copies

Copies of issued citations will be distributed as described in Appendix A.

### III. JUVENILE TRAFFIC OFFENSES

A. Form to Use

All traffic citations issued to juveniles will be written on the Maryland Uniform Complaint and Citation.

B. Incarcerable Offenses

Officers issuing traffic citations for incarcerationable offenses to persons, **16 or 17 years old**, will clearly mark the top of the citation, and all related citations, with the letters "JUV." Note the circumstances of the incident (e.g. probable cause, defendant attitude, etc.) on an **incident**

**report** in sufficient detail to enable disposition recommendation, then attach the **incident report to a copy of the citation.**

**C. Exception to Written Traffic Citation**

**No juvenile under the age of 16 years of age can be issued a traffic citation. Juveniles under the age of 16 will be charged via an incident report (refer to FC 0509).**

**D. Distribution**

The court copy(s) of citations for incarcerable offenses written to a person 16 years of age but under 18 years of age should be sent to the SAO, **Juvenile Traffic Division**, under a separate court transmittal sheet clearly marked "JUVENILE."

**IV. INSTRUCTIONS FOR COMPLETING THE CITATION**

- A. All applicable blocks on the citation must be completed accurately and legibly. Officers will follow instructions found in the District Court of Maryland's "Fine or Penalty Deposit Schedule" (DC/CR 90). Additionally, below the "Officer Signature" block, the following codes will be used:

DISTRICT: 6

NO.: 1 Rockville District Court  
2 Silver Spring District Court

AGENCY: MCP

SUB-AGENCY: R15 1D, Rockville  
B15 2D, Bethesda  
SS15 3D, Silver Spring  
WG15 4D, Wheaton  
G15 5D, Germantown  
M15 6D, Montgomery Village  
**HQ15 Officers Assigned to Headquarters**

- B. **Officers issuing handwritten citations are to ensure they are using the most up to date MD Uniform and Complaint Citation [DR-049] and fine book revisions. Revision dates are printed in the lower left corner. Updates and latest revisions can be found on the District Court of Maryland website [www.mdcourts.gov](http://www.mdcourts.gov) or via DCLO. Fine books are revised yearly. Any changes in the fine book will be noted in red text.**

**V. MUST APPEAR VIOLATIONS BY MARYLAND RESIDENTS**

A resident violator, who commits a serious, must-appear violation, i.e. DWI, Hit-and-Run, Fleeing-and-Eluding, Driving on Revoked or Suspended License, should be taken to a Commissioner if the officer has reason to believe the violator may not appear in court.

## VI. NON-RESIDENT VIOLATOR COMPACT

### A. Reciprocal Agreements

A reciprocal agreement between most states, including Maryland, concerning the issuance of traffic citations to non-residents for traffic violations has been established (states are listed on the inner flap of the citation book).

### B. Issuing Citations to Non-Residents

Under the provisions of the reciprocal agreement, a non-resident is entitled to receive a traffic citation and acknowledge receipt by signature to the same extent as a Maryland resident, with some exceptions. **Citations issued via Etix do not require a signature.** A non-resident is not entitled to acknowledge receipt of a traffic citation by signature and should be taken to a commissioner if the person:

1. Does not possess a valid driver's license from the state where the person resides.
2. Commits any violation for which a conviction or forfeiture of collateral would require the revocation of the motorist's license under Maryland law.
3. Is charged with a weight limit violation.
4. Is charged with a parking violation.
5. Is charged with any violation pertaining to the transportation of hazardous materials.
6. Commits an offense for which an issuance of a citation in lieu of a hearing or posting of collateral or bond is prohibited by law.

### C. Violators from Non-Reciprocity States

When a citation is issued to a violator from a non-reciprocity state, the violator should be taken to the Commissioner. The issuing officer will not have the violator sign the citation. The issuing officer will fill out a DC/CR 4, "Statement of Probable Cause." All of the documents will be submitted to the commissioner.

## VII. SECOND OR SUBSEQUENT VIOLATIONS FOLLOWING PREVIOUS CONVICTIONS UNDER SECTION §27-101, TRANSPORTATION ARTICLE

If an officer charges a person with a violation having increased penalties for subsequent convictions, the officer will check the individual's driving record. If the record lists a previous conviction for the same violation that is presently pending, the officer will forward a department computer printout (including the date) or a certified copy of the driving record to the State's Attorney's Office (SAO) along with an MCP Form 562, "Repeat Offender Notification". No further action is required of the officer.

### **VIII. TRAFFIC COLLISIONS INVOLVING INCARCERABLE TRAFFIC VIOLATIONS**

When an individual is charged with an incarcerable traffic violation as a result of a traffic collision, the officer will forward, via inter-office mail, a copy of the "State of Maryland Motor Vehicle Accident Report, MSP 1," and any subsequent supplement reports to Traffic Intake, SAO.

### **IX. ISSUANCE OF TRAFFIC CITATIONS TO LEGISLATORS AND MILITARY PERSONNEL**

At the officer's discretion, a legislator, at any level of government, or a member of the United States Armed Forces may be issued a traffic citation. No special processing requirements are necessary in these cases. An officer should make every reasonable effort to expedite the issuance of a citation to a legislator who claims to be en route to cast a particularly important or significant vote.

### **X. FICTITIOUS OR ALTERED MVA DOCUMENTS**

Any officer investigating or charging a person with possession of a fictitious or fraudulently altered license or other MVA document will contact one of the MVA investigators listed in Appendix A.

### **XI. DISPOSITION OF CITATIONS**

A. The Maryland Transportation Article states:

1. Section §26-407(b):  
"Each police officer who issues a traffic citation to an alleged violator of any State or local law :
  - a. **Shall file an electronic or written copy of the citation promptly with the District Court;**
  - b. **If the person charged acknowledges receipt on a written copy of the citation, shall keep that copy to produce as evidence in court if required; and**
  - c. **Shall dispose of the other copies of the citation in existence with the regulations adopted by the Administration.**
2. Section §26-407(c):  
"After the original copy of the traffic citation is filed with the District Court, the citation may be disposed of only by:
  - a. Trial, dismissal of the charges, or other official action by a judge of the court;

- b. Forfeiture of the collateral, if authorized by the court; or
- c. Payment of a fine by the person to whom the traffic citation has been issued.”

3. Section §26-407(g):

- a. No police officer or other public employee may dispose of a traffic citation, its copies, or the record of the issuance of a traffic citation in any manner other than as required by this section and the rules and regulations adopted by the Administration.
- b. In addition to being unlawful, a violation of this subsection constitutes official misconduct.”

4. Section §26-408:

“A person may not (a) cancel or (b) solicit another to cancel a traffic citation in any manner other than as provided in this subtitle.”

B. Issued Citations

Any citation issued to and signed by a defendant must be forwarded to District Court on the appropriate transmittal sheet.

C. Nolle Prosequi of Citations

If the officer has reason to believe that the charge is not proper, **i.e. the citation was issued to the wrong person or it is later determined that an infraction did not occur**, a memorandum should be sent to the SAO, detailing the reasons why the charge should be dropped (Appendix C). This request must be endorsed by the district/unit commander. No request to nolle a citation will be made directly to anyone in the SAO. **For E-tix citation and warning Delta Plus system removals, a second memorandum must be written. The memorandum will be sent to the Maryland State Police E-tix Coordinator through the officer’s chain of command, including the MCPD ACRS Coordinator, of the Traffic Operations Division. The memorandum will contain the purpose and reason for the issuance of the citation and why the citation needs to be removed from Delta Plus. Contact the ACRS Coordinator, of the Traffic Operations Division, for further guidance.**

## **XII. ADMINISTRATIVE VOIDANCE OF HANDWRITTEN CITATIONS**

A. Reasons for Voiding

The department may only administratively void a citation that:

- 1. Was filled out in error and not issued to the defendant;
- 2. Was not used and was returned due to the resignation, retirement, or termination of an officer; or
- 3. Was lost or damaged.

B. Officer's Responsibility

The officer requesting that a citation be voided will forward it to the District Commander with a memorandum explaining the reason for the voidance (Appendix D). The officer must include the original citation, the #2 copy, and both defendant copies. **Void must be written across the citation with the void date written in the violation date area and the officer must enter all officer information and sign the citation.**

C. District/Unit Commander Responsibilities

The district/unit commander or other executive officer will forward the citation(s) to the **District Court Traffic Processing Center (TPC)** with an explanation of the reason for voiding the citation (Appendix D) **and a completed transmittal sheet. Additional instructions and the address of the TPC can be found on the transmittal sheet.**

**APPENDIX LIST**

FC 533 Appendix A - Distribution of Citation Copies, Related Citation Block Examples, and MVA Contact Numbers

FC 533 Appendix C - Request to Nolle Prosequi

FC 533 Appendix D - Sample Request to MVA to Void Citations