



MARYLAND STATE POLICE OPERATIONS DIRECTIVE



Traffic Citations & Summonses

Distribution: All Troopers	Index: OPS 03.03
DLI Reference: N/A	Rescinds: Chapter 25, Sec. IV
Issued: 06/15/2014	Revised: N/A

.01 Purpose

To provide troopers with guidance when issuing traffic-related charging documents.

.02 Policy

Troopers will issue traffic citations and summonses in accordance with Maryland Law and MSP policy.

.03 Definitions

CITATION: a written charging document issued by the police and ordering the defendant to appear before a judge to defend against the stated charge; in certain cases, the defendant may take other action (e.g., pre-payment of a fine) to avoid the need to appear in court; the defendant is required to sign a citation to acknowledge receipt.

SUMMONS: in this directive, summons includes the term citation unless specified otherwise; a defendant is not required to sign a summons.

.04 CALEA Standards

LE: 61.1.2 61.1.4 1.2.5 **TA:** N/A **CM:** N/A

.05 References

[FINE OF PENALTY DEPOSIT SCHEDULE \(DC/CR-90\).](#)

[MD. CODE ANN., TRANSP. §§26-201 – §26-203.](#)

.06 Procedures

A. Authorization

1. The issuance of traffic citations and summonses is authorized by [TRANSP. §26–201](#).
2. Unique enforcement situations (e.g., juveniles, non-residents) are addressed in [OPS 03.06](#).

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B. Completing the Citation or Summons**1. Hand-Written Citation**

- a. Troopers who are not equipped with or trained in E-TIX will issue a hand-written DR-49, Maryland Uniform Complaint and Citation.
- b. Instructions for completing the citation can be found in the [DC/CR-90, Fine of Penalty Deposit Schedule](#), which is issued by the district court.

2. Electronic Summonses

- a. Troopers who have completed the appropriate training may use E-TIX to issue traffic summonses, warnings and Safety Equipment Repair Orders.
- b. E-TIX is designed to ensure that all required information is included based on the type of document that is being issued.

C. Issuing the Summons

1. When a summons is complete, the trooper will issue the appropriate copies of the document to the violator.
2. For a hand-written citation:
 - a. [TRANSP. §26-203](#), requires the violator's signature on the citation in certain instances.
 - b. The signature is not an admission of guilt, it is an acknowledgement of receipt of the citation and an agreement to comply with the terms set forth in the citation.
 - c. Should a violator refuse to sign a citation, the trooper will inform the violator that his refusal to sign may result in his arrest; the arrest is discretionary, not mandatory.
 - d. After obtaining the required signatures for each citation, the trooper will issue Copy #4 (Return to Court Copy) and Copy #5 (Defendant's Copy) to the violator.
3. For an electronic summons:
 - a. Violators are not required to sign a summons that is issued via E-TIX.
 - b. Troopers still have discretion to arrest the violator should they have reason to believe the violator will disregard the summons.
4. Equipment Malfunctions
 - a. Troopers will not submit an E-TIX stop more than once.
 - b. Troopers will NOT issue a hand-written citation once an electronic stop has been submitted.
 - c. In the event that a trooper is unable to print an electronic summons after it has been submitted due to equipment malfunction, he will:
 - (1) request that another trooper or officer equipped with E-TIX respond to the scene to print the summons from another computer;
 - (2) request that the violator respond to the barrack and print the summons there;
 - (3) print the summons later and personally deliver it to the violator; or
 - (4) only if the other options were unsuccessful, print the summons and send it to the violator via certified mail.

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D. Informing the Violator

1. When issuing summons, the trooper will inform the defendant:
 - a. of each charge;
 - b. of the method and timeline for complying with the terms of the summons;¹
 - c. whether or not a court appearance is mandatory (i.e., must appear violations);²
 - d. that court dates are scheduled automatically through the Maryland Automated Traffic System and must be requested by the violator;³ and
 - e. of any other pertinent information regarding the stop.⁴
2. The instructions on how to comply with the summons are listed on the summons itself.
3. A Citizen's Informational Brochure (MSP Form 225) will accompany all summonses unless an E-TIX warning is issued at the same time.

E. Arrest for Traffic Offenses ^{5,6}

1. [TRANSP. §26-202](#), lists the circumstances in which a trooper may arrest a defendant for a traffic violation.
2. The defendant will be immediately taken before a District Court commissioner.
3. In general, *Miranda* warnings must be provided prior to questioning defendants who are:
 - a. arrested for traffic violations; or
 - b. in a custodial environment.

Approved:	
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Colonel Marcus L. Brown	
Superintendent	06/15/2014

¹ LE: 61.1.4(c)	TA: N/A	CM: N/A
² LE: 61.1.4(b)	TA: N/A	CM: N/A
³ LE: 61.1.4(a)	TA: N/A	CM: N/A
⁴ LE: 61.1.4(d)	TA: N/A	CM: N/A
⁵ LE: 61.1.2(a)	TA: N/A	CM: N/A
⁶ LE: 1.2.5	TA: N/A	CM: N/A