

# Annapolis Police Department



## GENERAL ORDER

**Number: E.7**

**Issue Date: April  
2001**

**TO:** All Personnel

**SUBJECT:** Voiding Traffic Citations

### PURPOSE

The purpose of this General Order is to establish guidelines and procedures in the voiding of traffic citations.

### POLICY

It shall be the policy of the Annapolis Police Department that members of this Department will not void traffic citations unless the procedures outlined in this policy are met.

#### **I. Issued Traffic Citations**

- A. The Transportation Article of the Annotated Code of Maryland addresses the disposition of issued traffic citations as follows. Dispositions of citations filed with the court - after the original copy of the traffic citation is filed with the District court, the citation may be disposed of only by:
1. Trial, dismissal of the charges, or other official action by the judge of the court;
  2. Forfeiture of the collateral, if authorized by the court; or
  3. Payment of a fine by the person to whom the traffic citation has been issued (Section 26-407(c)).
- B. Section 26-407 (g) of the Transportation Article of the Annotated Code of Maryland states "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. In addition to being unlawful, a violation of this subsection constitutes official misconduct".

- C. Section 26-408 (a) of the Transportation Article of the Annotated Code of Maryland states “A person may not cancel a traffic citation in any manner other than as provided in this subtitle” and section (b) states “A person may not solicit another person to cancel a traffic citation in any manner other than as provided in this subtitle”.

**II. Disposition of Non-Issued Citations.**

Once a traffic citation has been completed and issued by an officer, it will not be voided by the Police Department. If the citation has not yet been issued to the defendant (the defendant may have signed it), the following procedure will be followed:

- A. The officer will submit an Administrative Report to the Commander of the Administrative Services Division stating the reason for requesting that a particular citation be voided (include citation number) and indicating if another citation was issued in its place (include citation number).
- B. The voided citation will be attached to the Administrative Report. The citation must contain the void date in the “Violation date” area and all officer information must be entered. The officer must sign the citation in the appropriate block and write “VOID” across the face of the citation.
- C. The Commander of the Administrative Services Division will review the documents to ensure that the voided citations have the required information on the citations. The Commander of the Administrative Services Division will then sign the Administrative Report and forward the report(s) and citation(s) to the Traffic Clerk. The Traffic Clerk will then forward the citations to the Maryland Automated Traffic System (MATS) ticket room.
- D. If an officer makes an error while writing a citation and the violator’s copy has been given to the defendant, the citation must follow normal procedure and be disposed of in open court. It may not be voided. The State’s Attorney, on the day of the trial in open court, may amend or dismiss the citation.
- E. If the officer realizes the mistake before the violator is released, the officer may issue the violator a separate citation in the correct form. Otherwise, the officer will re-charge the violator in court following disposition of the original citation.

Joseph S. Johnson  
Chief of Police

References
1. Accreditation Standards: None
2. District Court Fine Schedule

**Revision:** This is a new General Order