

E-Tix, Safety Equipment Repair Orders (SERO), Traffic and Parking Citations

504.1 PURPOSE AND SCOPE

This policy outlines the responsibilities for issuing, correcting, voiding, and dismissing Safety Equipment Repair Order (SERO), traffic and parking citations.

For procedures related to E-Tix, see the St. Mary's County Sheriff's Office LE Procedures Manual: [E-Tix](#)

504.2 POLICY

It is the policy of the St. Mary's County Sheriff's Office to enforce traffic laws fairly and equally. Authorized members may issue a SERO, traffic citation, parking citation, written or verbal warning based upon the circumstances of the contact and in the best interest of the motoring public and community safety.

504.3 RESPONSIBILITIES

The Records Section shall be responsible for traffic citation books issued to members of this office using Motor Vehicle Administration (MVA) inventory withdrawal forms (COMAR 11.17.18.01; COMAR 11.17.18.02). Citations and SERO forms will be kept in a secure location and issued to members by the Records Section staff. SERO forms (MSP Form 157) may be obtained from the Maryland State Police (MSP) Automotive Safety Enforcement Division (ASED).

The Records Sections will gather all old books at the end of the year and submit them to MVA as voided. Any voided, outdated or unused citations need to be accounted for and destroyed. A traffic citation book may not be reassigned to another member or another law enforcement agency without the prior authorization of the MVA. Members may not lend, borrow, or share traffic citations (COMAR 11.17.18.03).

The Sheriff or the authorized designee shall submit a report on official letterhead advising the MVA within five days of any lost, stolen, mutilated, or destroyed traffic citations (COMAR 11.17.18.04(B)).

Upon request, the Sheriff or the authorized designee shall account for the disposition of traffic citations in a format and within the time required by MVA (COMAR 11.17.18.04(D)).

504.3.1 WRITTEN OR VERBAL WARNINGS

Written or verbal warnings may be issued when the office member believes it is appropriate. The Records Section should maintain information relating to traffic stops in which a written warning is issued. Written warnings are retained by this office in accordance with the established records retention schedule.

504.4 TRAFFIC CITATIONS

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504.4.1 ISSUANCE

Upon issuing a handwritten traffic citation, members shall ask the person to acknowledge receipt of a copy of the citation and advise the person that failure to acknowledge receipt may lead to the person's arrest (Md. Code TR § 26-201(b); Md. Code TR § 26-203).

Following issuance of a traffic citation, members shall promptly file an electronic or written copy of the citation with the District Court. If the person acknowledges receipt of a written copy of the citation, members shall keep that copy to produce as evidence if required in court and dispose of the other copies of the citation in accordance with the regulations adopted by the MVA (Md. Code TR § 26-407(b)).

504.4.2 CORRECTION

When a traffic citation is issued but needs a correction, the member issuing the citation shall submit the citation and a letter to his/her immediate supervisor requesting a specific correction. Once approved, the citation and letter shall then be forwarded to the Records Section. The Records Supervisor or the authorized designee shall prepare a letter of correction to the District Court having jurisdiction and notify the citation recipient in writing.

504.4.3 VOIDING

Voiding a traffic citation may occur when the citation has not been completed or when it is completed but not issued. All copies of the voided citation shall be presented to a supervisor for approval. The citation and copies shall then be forwarded to the Records Section.

504.4.4 DISMISSAL

Members of this office do not have the authority to dismiss a traffic citation once it has been issued. Upon a review of the circumstances involving the issuance of the traffic citation, the member's Division Commander may request dismissal. If approved, the citation will be forwarded to the appropriate prosecutor with a request for dismissal (Md. Code TR § 26-407(c); Md. Code TR § 26-407(g)).

Any request from a recipient to dismiss a citation shall be referred to the District Court (Md. Code TR § 26-408).

Prior to a court hearing, a member may submit a request for dismissal of a traffic citation to his/her supervisor. The request must be in writing and should include the reason for dismissal (i.e., in the interest of justice, prosecution is deemed inappropriate). Upon a review of the circumstances involving the issuance of the traffic citation, the supervisor may forward the request to the member's Division Commander to recommend dismissal. If approved, the citation will be forwarded to the appropriate prosecutor with a request for dismissal.

Should a member determine during a court proceeding that a traffic citation should be dismissed in the interest of justice or where prosecution is deemed inappropriate, the member may request the court to dismiss the citation. Upon such dismissal, the member shall notify his/her immediate supervisor of the circumstances surrounding the dismissal and shall complete any paperwork as directed or required and forward it to the member's Division Commander for review.

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504.4.5 DISPOSITION

The court and file copies of all handwritten traffic citations issued by members of this office shall be forwarded to the member's immediate supervisor for review at the end of each shift. The citation copies shall then be filed with the Records Section.

Upon separation from appointment or employment with this office, all members who were issued traffic citation books shall return any unused citations to the Records Section.

504.4.6 JUVENILE CITATIONS

Completion of traffic citation forms for juveniles may vary slightly from the procedure for adults. The juvenile's age, place of residency and the type of offense should be considered before issuing a juvenile a citation.

504.4.7 DATA COLLECTION

Whenever a deputy conducts a traffic stop and detains the driver for any period of time for a violation of the Maryland Vehicle Law, he/she shall document the stop as required by law (Md. Code TR § 25-113(d)).

The following are exempt from the reporting requirement:

- Checkpoint or roadblock stops
- Stops of multiple vehicles due to a traffic accident or emergency situation requiring vehicles to stop for public safety purposes
- Stops based on the use of radar, laser or Visual Average Speed Computer and Recorder (VASCAR) technology
- Stops based on the use of automated license plate reader (ALPR) technology

Traffic stop data shall be reported and reviewed as specified in the Bias-Based Policing Policy.

504.5 SERO

A deputy may issue a SERO for defective safety equipment on all classes of Maryland registered motor vehicles, trailers and semi-trailers except those vehicles displaying historic license plates (unless the presence was required by statute as a condition of sale when the vehicle was manufactured (TA 13-936(g)), interchangeable license plates and temporary registration plates. The list of specific equipment violations subject to a SERO is maintained by the MSP and is included on the SERO form (Md. Code TR § 23-105(a)).

When feasible and safe to do so, officers should utilize their BWC to capture evidence of any defective equipment (i.e. tag light, taillight, headlight, etc.) that was the probable cause for the traffic stop, or that is discovered during the stop.

A deputy shall complete a visual inspection and certification of a SERO upon contact by a member of the public or as assigned (Md. Code TR § 23-105(c)).

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504.6 RECORDS

This office shall keep every citation, or a record of every citation, for at least three years after issuance (COMAR 11.17.18.04).