I. Managing Your Docket and Courtroom Control

A. District Court of Maryland · Mission Statement [14-15]

1. Reads in part that its mission is "to provide equal and exact justice for all who are involved in litigation before the Court."
2. The statement continues, that it is "the sworn obligation of the judges of the Court to ensure that every case tried herein is adjudicated expeditiously, courteously, and according to law, and with the fullest protection for the rights of all who are involved, for the most extraordinary aspect of the judiciary in a free society is that even while exercising the vast authority entrusted to them, judges remain the servants, and not the masters, of those on whom they sit in judgment."

B. You Are The Face of the Judiciary [16]

"You have the ability in traffic court to influence how people perceive and view their government and the judicial system."

Judge [redacted] District Court Hennepin County, MN (ret)

C. Traffic, 370,000 Annually! [17]

1. Payable: preset fines for minor infractions
2. Must appear
3. Reckless driving / driving with a suspended license / driving without a license
4. TR §21-902: DUI / DWI
5. Parking / red light / camera / school bus / work zone

D. Promoting Public Confidence [18]

1. Public trust & confidence
2. Right to be heard
3. Impartiality
4. Fairness

E. The nature of judging: [19]

1. Is not calling balls & strikes
2. Is exercising discretion
3. "exactly what a judge should do cannot be fully described by specific formula"
4. Fundamental fairness consistency

[redacted] *Reaching Out or Overreaching: Judicial Ethics and Self Represented Litigants (AJS 2005)]*

F. Biased or Skewed Perspective? · Perceptions & Expectations [20-22]

"We don't see things as they are, we see them as we are."

Anaïs Nin

G. Language as a Tool [23]

"Language is the most powerful tool in the courtroom. The words we use have meanings beyond the obvious – they influence attitudes, behavior and perceptions."

Guidelines for Judicial Officers: Avoiding the Appearance of Bias, Judicial Council Advisory Committee on Access and Fairness, Orange County Bar Association Gender Equity Committee (August 2006).

1. Be mindful of the tone and tenor of your voice
2. Slow down, it's not a race

H. "Real communication is impossible without listening." [25]

Ralph C. Smedley

I. Importance of Effective Communication [26]

1. Provides opportunity to be heard
2. Promotes order, decorum & confidence in judiciary
3. Upholds integrity of the Court
4. Assures accurate decision making

J. Nonverbal Communication [27]

1. What do these judges project with their nonverbal communications & which judge would you like to appear before?

K. Courtroom Control · Judicial Demeanor [28-29]

1. Identifying in advance your source(s) of frustration will have a positive impact on maintaining your composure when you inevitably encounter "that" behavior/situation in the courtroom.
2. 3:00 p.m. · the bewitching hour

L. Courtroom Control: The Betari Box [30-31]

1. A "Betari Box" is… a visual model to show how your attitude affects your behavior, which then shapes another person's attitude and behavior, completing a repeating cycle that loops back to influence you
    a. My attitude → affects → my behavior → affects → your attitude → affects → your behavior → and the cycle repeats.

M. Opening Statements [32]

1. Best practice is to give one
2. Explain possible pleas
3. Explain PBJs
4. Explain opinion on potential defenses
5. Advise that MVA imposes those points, not the court
6. State post trial rights
7. State where the cashier's window is located
8. School bus cases / red light camera and work zone

Binder p. 22

N. How to Call a Docket [33]

1. The crying baby
2. The interpreter
3. The Sovereign Citizen/Disruptive Litigant

4. Waiver Hearing vs. Trial
5. Missing/late arriving Atty/Witness/Defendant
6. Fines & Court Costs (Deferred payments)
7. Consistency

Binder pp. 24–25

O. Disruptive Litigants Best Practices [39]

1. Refer to litigant by their name of choice
2. Afford the litigant all the rights they are due
3. Pick your battles (refusal to stand / take off hat etc…)
4. Keep calm & DO NOT RAISE YOUR VOICE
5. Hold the case until the end of the docket
6. Use contempt as last resort
7. Notify security: alert them to presence of DL

Binder p. 23

P. Mental Health Disorders: Potential Strategies [40]

1. Don't take anything the person says personally
2. Attempt to de-escalate if person is overly-excited
3. Allow person to speak; be patient
4. Be firm but kind
5. Know when it's time to redirect; when to disengage

Binder pp. 23, 26–27

Q. One Final Thought [41]

"Making a decision is a sign of authority; explaining a decision is a sign of respect."

F. Schauer, Giving Reasons, 47 Stanford L.R. 633 (1995)

Notes

II. Sentencing Alternatives & Problem Drivers

A. Speeding-related deaths, United States [44-45]

1. In 2024, speeding-related crashes killed 11,288 people on United States roads: 29% of all traffic fatalities in 2024; +16% against 2015 (9,723 deaths); −5% against 2023 (11,913 deaths).
2. 12,498 peak, 2021. Speeding was involved in 26% to 27% of all traffic deaths from 2015 to 2019, 28% in 2022, and 29% in 2020, 2021, 2023 and 2024.

Source: NHTSA 2024 Report Quick Facts; NHTSA Speeding: 2024 Data (DOT HS 813 823), Table 1.

Full data: binder p. 29

B. Incoming traffic cases, 33 states [46]

1. 2020: 22,118,019 · 2024: 26,253,279 · +19%. Four million more cases arriving across the same 33 states.

Source: Court Statistics Project, Trial Court Caseload Overview.

C. Drivers in fatal crashes who were speeding, 2024 [47]

1. Percent of drivers involved in fatal crashes who were speeding. All ages: 21% of male drivers, 12% of female drivers. Not the share of all drivers who speed.

D. Drivers in fatal crashes with BAC .08 g/dL or higher, 2024 [48]

1. Share of drivers involved in fatal crashes with a BAC of .08 g/dL or higher. All ages: 37% of speeding drivers, 17% of non-speeding drivers. BAC values are NHTSA estimates.

E. Maryland traffic deaths, 2019 to 2025 [49]

1. A separate NHTSA count: 113 of 578 Maryland deaths in 2024 were speeding-related. MDOT reports 582 total for the same year.

**Preliminary: MDOT marks 2022, 2023 and 2025 preliminary. Sources: MDOT Highway Safety Office crash data and FY25 Annual Report; Governor's release, [redacted] NHTSA Speeding: 2024 Data, Table 6.*

Full tables for the three items above: binder p. 29

F. MADD Victim Impact Panel [51]

1. MADD Online Victim Impact Panel: online.maddvip.org

G. Positive Alternatives to Dangerous and Destructive Decisions (PADDD) [53-54]

1. 4-hour class. A class for impaired, distracted, speeding and reckless driving, described by the provider as court-approved. Online statewide since 1995.
2. Real-life impact: Participants hear directly from speakers whose personal experiences show the serious and lasting consequences of unsafe driving decisions.

3. Accountability: Participants complete all program requirements. The goal is meaningful participation, not simply registration and receipt of a certificate.

Source: PADDD flyer and trifold.

Binder p. 28 · A PADDD student's letter, before and after the class: binder pp. 33–35

H. MVA Driver Improvement Program [58-59]

MVA

1. Assignment: MVA (5–7 points); OAH; a District Court judge; or another state's MVA.
2. Providers & class options: Third-party providers in all 24 jurisdictions. In person or online (self-paced). Online classes in English and Spanish.
3. Time & cost: 4–8 hours. Approximately $60–$100, depending on provider.
4. Course content: Point system, traffic laws and regulations; Impaired, distracted, aggressive and fatigued driving; Safe and defensive driving practices
5. Final exam: At least 20 multiple-choice questions; 80% or higher to pass No same-day retest; follow the provider's retest schedule.

Comparison table: binder pp. 30–32

Notes

III. MVA: Provisional and Out-of-Country Licensing

A. The provisional license is the second step [63]

1. Learner's permit → Provisional license → Full license
2. Drive without a supervising driver, and build real-world driving experience.
3. Important restrictions remain, to protect the driver and others.

B. Qualifying for a provisional license [64-65]

1. Under 25: Under 18, or age 18 without a diploma or equivalent: at least 9 months after the first permit. Age 18 with a diploma or equivalent, or ages 19–24: at least 3 months after the first permit. A moving-violation conviction or PBJ also requires 9 months after the most recent disposition.
2. Ages 25+: No moving-violation conviction/PBJ: ≥45 days after the first permit. With a moving-violation conviction or PBJ: at least 9 months after the most recent disposition.
3. Driver education and practice: All applicants: ≥30 classroom hours + ≥6 hours of driving instruction. Under 25: 60 supervised practice hours, including 10 at night. Ages 25+: 14 supervised practice hours, including 3 at night.
4. Under-18 consent: A parent, guardian, or co-signer must consent. That consent may be withdrawn.

C. Under 18: five operating restrictions [66]

1. Passengers: For the first 151 days, no passengers under 18 unless they are immediate family members. Otherwise, a qualified supervising driver must be in the car.
2. Midnight–5 a.m.: No driving during this window unless accompanied by a licensed, experienced driver (at least 21 years old with 3 years of driving), or traveling to or from work, an official school activity, an organized volunteer program, or an athletic event or training.
3. Phones & devices: No handheld or hands-free wireless telephone use while driving, except to contact 911.
4. Safety belts: The driver and every passenger must use a seat belt or child safety seat.
5. Alcohol: No measurable alcohol in the driver's system.

D. Age 18+: alcohol restrictions [67]

1. Under 21: No measurable alcohol may be present in the driver's system.
2. Age 21+: The driver must follow Maryland's impaired-driving laws.

E. Breaking a provisional-license restriction [68]

1. Passengers or nighttime driving: MVA may suspend for up to 1 year or revoke.
2. Phone use: MVA may suspend for up to 90 days.
3. A hearing may be requested.
4. Alcohol restriction: 1st, ignition interlock or 6-month suspension; 2nd, license revoked.

Binder p. 36

F. Moving violations while provisionally licensed [69-72]

TR §16-213

1. First offense, any provisional driver: MVA must require attendance at a Driver Improvement Program. Points and fines may also apply.

A moving violation resulting in conviction or CP §6-220 PBJ, committed while provisionally licensed and before eligibility for a full license.

2. Second offense: MVA may suspend for up to 30 days.
3. Third offense: MVA may suspend for up to 180 days.
4. Fourth or subsequent offense: MVA may suspend or revoke for up to 180 days.
5. Under 18, second offense: MVA may suspend for up to 30 days and impose an education-and-employment-only restriction for 90 days after the suspension.
6. Under 18, third offense: MVA may suspend for up to 180 days, require a Young Driver Improvement Program, and impose an education-and-employment-only restriction for 180 days after the suspension.
7. Under 18, fourth or subsequent offense: MVA may revoke for at least 180 days and require the §16-110 examinations in addition to a reinstatement application.
8. Parental notification: When a new driver is cited for a moving violation, MVA notifies the adult who co-signed the application.

G. Required suspensions [73]

provisional licenses, under 18

1. 5 or more points in 12 months: first offense, 6 months; second or subsequent offense, 1 year.
2. High-risk driving conviction (reckless driving, negligent driving, aggressive driving, racing or a speed contest): first offense, 6 months; second or subsequent offense, 1 year.
3. MVA must suspend. A hearing may be requested.
4. Parental notification, under 18: when a new driver is cited for a moving violation, MVA notifies the adult who co-signed the application.

Binder p. 37

H. Getting the full license · After the eighteen months

[74-75]

1. At least 18 years old
2. Held provisional license at least 18 months

3. A conviction or PBJ restarts the clock from the date you were convicted or given PBJ, or from restoration after a suspension or revocation.
4. No convictions during those 18 months
5. Under 21: no alcohol-related offenses
6. Automatic conversion: MVA converts the license automatically and mails an attachment card. Carry it with the provisional license until the license expires.
7. New to Maryland: Licensed for fewer than 18 months → provisional for the remaining time.

I. Exchanging an out-of-country license [76]

1. Bring to your appointment: Your license, valid or expired; Proof of age, identity and residency; Vision screening results; Payment for required fees; An issuing-authority driving record, accompanied by an apostille or an embassy letter verifying the record.; An international driver's license or an English translation by an approved MVA translator.

J. Screening, education and testing [77]

1. Complete vision screening at an MVA branch, or submit a DL-043A report that meets MVA's requirements for the application.
2. Complete a 3 Hour Roadway Safety Driving Education Program if never licensed in the U.S.
3. Pass knowledge and driving tests in a vehicle you provide.
4. The reference lists circumstances in which tests may be waived.

K. Testing waivers [78]

1. Testing may be waived for these licenses if valid or expired less than one year: American Samoa, Guam, Puerto Rico, U.S. Virgin Islands, Northern [redacted] Canada, [redacted] Territory, France, Panama Canal Zone, Born before [redacted]

L. Expired licenses and license type [79]

1. Expired licenses from South Korea, Germany or Taiwan require all tests.
2. For an expired Japanese license, confirm the applicable testing requirements with MVA under the reciprocity agreement.

M. Federally noncompliant credentials [80-81]

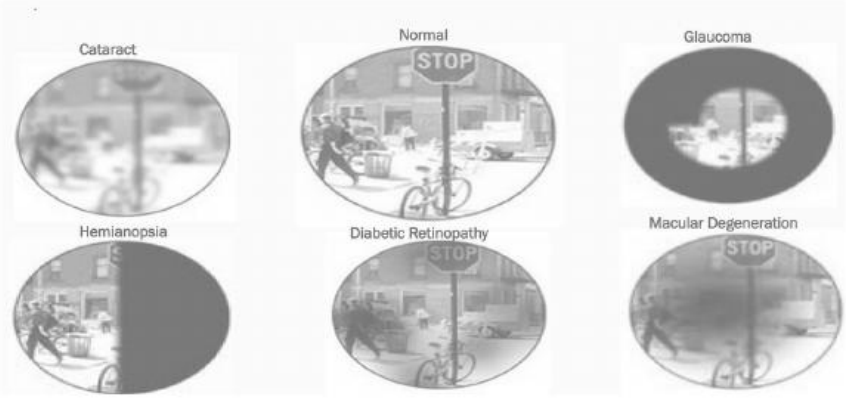
1. File Maryland income taxes for two years before seeking a driver's license.
2. Request a Comptroller tax certification letter online or through a branch appointment.
3. Foreign license not suspended or revoked: present it and complete the 3-Hour Roadway Safety program.
4. No foreign license: learner's permit, Maryland Driver Education and other requirements.

Binder p. 38

IV. Medical Review of At-Risk Drivers

A. Driving Limitations [84-97]

1. **Driving Limitations** [85-86]
   a. A safe driver can reason, remember, react in a timely manner to avoid a crash
   b. Fit driver: Reason · Remember · React. Essential cognitive and physical functions are required to make appropriate decisions in a dynamic environment and avoid a collision
2. **Medical Limitations** [87]
   a. Cognitive limitations → poor response · Physical limitations → diminished awareness · Visual limitations → delayed reaction
3. **Cognitive Limitations · Cognitive Impairments** [88-89]
   a. Limitations: Memory · Attention · Visual Processing · Insight · Executive Function
   b. Impairments: Mild Cognitive Impairment · Dementia · Psychiatric Illness · Substance Abuse · Metabolic Imbalance · Infection · Sleep Disorder · Traumatic Brain Injury
4. **Physical Limitations · Physical Impairments** [90-91]
   a. Limitations: Motor Skills · Range of Motion · Proprioception
   b. Degenerative (Parkinson's Disease, Multiple Sclerosis): poor coordination/weakness
   c. Musculoskeletal (Arthritis, Pain, Injury): limited range of motion/imbalance
   d. Neurological (Stroke, Neuropathy): loss of limb function
5. **Visual Limitations · Visual Impairments** [92-94]
   a. Limitations: Visual Acuity · Field of Vision · Contrast Sensitivity
   b. Impairments: Cataracts · Glaucoma · Macular Degeneration · Retinopathy · Anopsia



6. **Medications** [95]
    a. Benzodiazepines (Valium, Xanax) · Narcotics (Oxycodone) · Antihistamines (Benadryl) · Psychotropics · Sleep Aids
    b. Effects: Drowsiness · Delayed Reaction · Confusion · Poor Concentration
7. **Driving Observations of an Unfit Driver** [96]
    a. Getting Lost · Confusing Gas and [redacted] Accidents and Near Misses · Drifting Across Lanes · Slow to Make Decisions · Poor Distance Judging · Driving Too Fast/Slow · Parking Difficulties
8. **Non-Driving Observations of an Unfit Driver** [97]
    a. Forgetful · Confusion · Poor coordination · Dizziness · Fatigue · Difficulty walking · Difficulty following instructions

DC-215 Red Flag Referral Card: binder p. 45

B. MVA Medical Referral and Review: Reporting, Review, and Regulations [98-118]

1. **Regulations** [99]
    a. COMAR Chapter 11.17.03 Physical and Mental Condition
    b. CFR Title 49
    c. 11.17.03.02-1 Reportable Medical Conditions
    d. 11.17.03.04 Medical Advisory Board Guidelines
    e. 11.17.03.08 Emergency Suspension
    f. 391.41 Physical Qualifications for Drivers [Commercial Driving]

Governing regulations: binder p. 42

2. **Maryland Reportable Conditions** [100]
    a. Weakness, Shaking, Numbness In Extremities · Diabetes Wth Low Blood Sugar Requiring Assistance (6 months) · Epilepsy · Seizure · Visual Acuity < 20/70 In At Lease One Eye Or Fov < 110 Degrees · Alcohol Use Problem · Drug Use Problem · Heart Condition With Loc (6 months) · Stroke · Dizzy Spells, Fainting, Blackout · Mental Condition Affecting Ability To Ability Drive · Schizophrenia · Dementia · Sleep Apnea Or Narcolepsy · Traumatic Brain Injury

Binder p. 39

3. **Lapse/Loss of Consciousness** [101-103]
    a. COMAR 11.17.03.02 B(1): Lapse of consciousness is failure to be oriented to time, place, person, situation
    b. COMAR 11.17.03.04 B(1)(k): Loss of or impaired consciousness due to, but not limited to, uncontrolled arrhythmias, pacemaker failures, and cardiomyopathy
    c. Arrhythmia · Situational · Seizure Epilepsy · Metabolic

   d. Known etiology: AICD: symptom within 6 months after discharge of an automatic implantable cardioverter defibrillator 11.17.03.04 B(1)(l)
   e. Seizure: suspended or refused for a period of 90 days or more from the date of the last seizure 11.17.03.04 E(2)(a)
   f. Narcolepsy: free of symptoms for at least 6 months 11.17.03.04 F
   g. Hypoglycemia: ...recurrent severe uncontrolled attacks of hypoglycemia may not operate any type of motor vehicle and may not be considered for any class license 11.17.03.04 C(2)
   h. Unknown etiology, 11.17.03.02 B(3): A judgment of significant risk shall be based on: (a) Knowledge of an individual's past history of lapses of consciousness and the present state of the individual's health; (b) How well the individual's disorder is controlled; or (c) How much the individual's condition has improved.

Binder pp. 40, 43

4. **Referral Sources** [104]
   a. Law Enforcement · Healthcare Professional · Branch Referral · Self-Report · Court Referral · Concerned Citizen

eReferrals by indicator, 2025: binder p. 44

5. **MVA Medical Review** [107]
   a. Referral to Driver Wellness and Safety
   b. Review medical reports/refer for appropriate testing
   c. Referral to the Medical Advisory Board
   d. Recommendation regarding driving qualification
   e. Specialties: Cardiology, Internal Medicine, Neurology, Ophthalmology, Preventive Medicine, Psychiatry, Pulmonary, Sleep Medicine

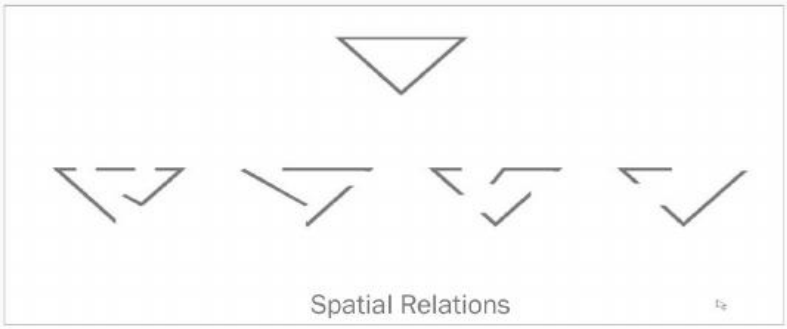
6. **Diagnoses and Limitations** [108]
   a. Temporary: Seizure, Arrhythmia, Hypoglycemia, Cataract
   b. Permanent: Stroke residual, Limb impairment, Cardiomyopathy
   c. Progressive: Dementia, Parkinson's disease, Macular degeneration

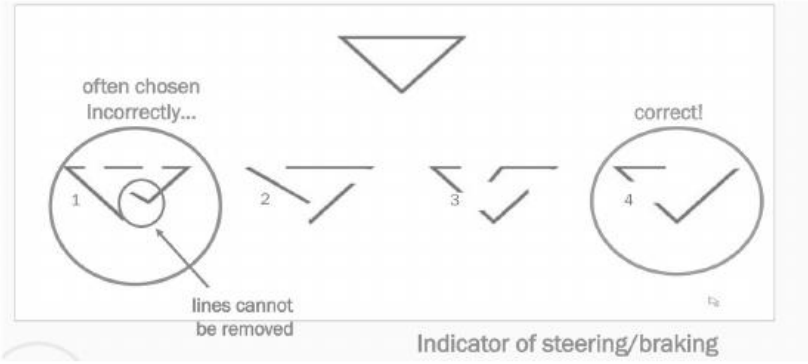
7. **Driving Assessments** [109]
   a. Informal: MaDRS (MVA Cognitive Screening) · MVA Drive Test
   b. Formal: Driving School · Occupational Therapy and Clinical and Behind-the-Wheel assessment (Driver Rehab)

8. **Tests** [110]
    a. Vision · Law · Drive
    b. Maryland Driver Risk Screening (MaDRS): Rapid Walk · Visualization of Missing Information · Four Choice Reaction Time

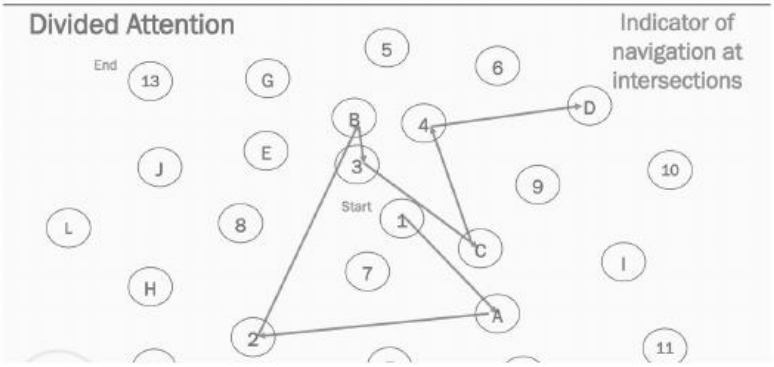
MaDRS flyer: binder p. 46

9. **Visualization of Missing Information** [111-112]
    a. Spatial Relations. Indicator of steering/braking.



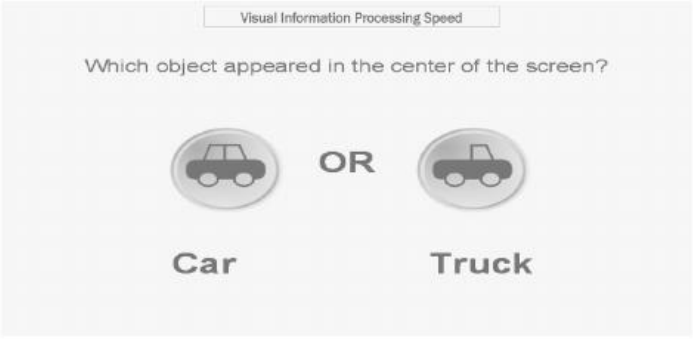


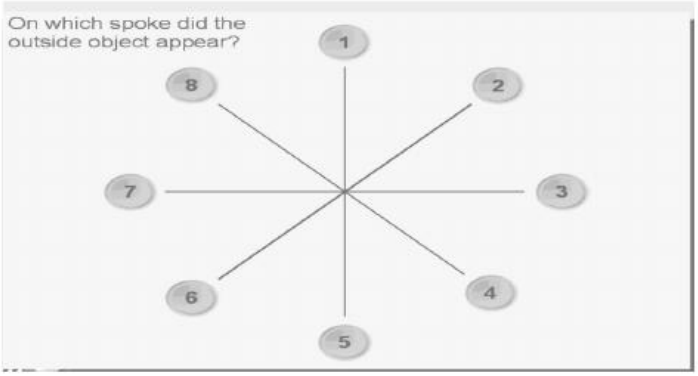
10. **Divided Attention** [113]
    a. Indicator of navigation at intersections



11. **Four Choice Reaction Time** [114]
    a. Presented with a series of 4 horizontal boxes
    b. Choose red box as fast as possible

12. **Visual Information Processing Speed** [115-117]
    a. Indicator of driving in congested traffic





13. **Driver Rehabilitation Assessment** [118]
    a. Clinical: Medical and driving history
    b. Pre-driving (Off Road): Cognitive, motor, and vision screening
    c. Behind-the-Wheel (On Road): Driving skills (turns, lane changes, road signs, stops, intersections, navigation)

C. Driving Recommendations: Qualification status and restrictions [119-125]

1. **MAB Recommendation** [120-124]
    a. Qualified to drive WITHOUT stipulations: case closed.
    b. Qualified to drive WITH stipulations: Geographical · Daylight only · Non-commercial · Adaptive equipment · Alcohol/Drug (Ignition Interlock, DDMP) · Work/School/Medical only · Periodic monitoring
    c. Driver rehabilitation recommendations: Refresher training (correct bad habits, re-enforce safe driving skills) · Restrictions (geographical, no highway, daylight driving only) · Adaptive equipment (steering knob, hand controls, left foot accelerator, high-tech)

AGS/NHTSA. Clinician's guide to assessing and counseling older drivers. 4th ed. 2019.

    d. NOT qualified to drive: suspension.

e. MAB suspension, "short-term": Acute illness/injury: Seizure, LOC, Cataracts, Substance use; Uncontrolled chronic condition: Sleep apnea, Diabetes, Schizophrenia
f. MAB suspension, "long-term": Chronic or progressive condition: Parkinson's disease, Dementia; Permanent impairment: Major stroke, Limb loss/impairment

Binder p. 41

2. **Driving Cessation** [125]
   a. Debilitating Conditions · Dementia · Parkinson's disease · Stroke · Multiple Sclerosis · Limited range-of-motion · Macular Degeneration · Glaucoma · Impairing medications

D. Case Samples · Case Reviews: Emergency suspension vs Monitoring [126-129]

1. **Request for Re-examination** [127]
   a. Observed driving behavior and/or physical or mental conditions; summary; MAB recommendation.

Request for Re-examination form: binder p. 45

2. **Emergency Suspension, COMAR 11.17.03.08** [128]
   a. A. If the physical or mental condition of an individual indicates there is a likelihood of substantial and immediate danger and harm to the individual or others if the individual's license is continued pending evaluation by the Medical Advisory Board, then the individual's driving privileges shall be suspended pursuant to the provisions of Transportation Article, §16-206, Annotated Code of Maryland. The physical or mental condition may come to the attention of the Administration when:
      (1) A physician's certificate is received by the Medical Advisory Board;
      (2) The individual is referred to the Medical Advisory Board for any reason;
      (3) The Administration receives information that a licensee has violated a restriction, limitation, or other requirement imposed as a prerequisite for issuance or reinstatement of a license; or
      (4) When the Administration becomes aware of a serious medical condition in any other manner.

3. **Branch referral, a timeline** [129]
    a. October 2024, branch referral, medical packet mailed · April 2025, reports identify Multiple Sclerosis · May 2025, MVA Drive Test failed · June 2025, MVA Drive Test #2 passed; periodic monitoring, 1-year follow up · June 2026, follow up shows condition is affecting extremities; uses “self-driving” car only · MAB action: emergency suspension; refer for formal driving evaluation for adaptive equipment

Binder p. 43

E. Medical Advisory Board [133]

1. [redacted]

Notes

V. Masking and CDL Implications

A. Federal law prohibits "masking" [137]

49 CFR § 384.226

The State must not mask, defer imposition of judgment, or allow an individual to enter into a diversion program that would prevent a CLP/CDL holder's conviction for any violation, in any type of motor vehicle from appearing on the CDL driver's record.

B. Definition of "conviction" [138]

49 CFR § 383.5, as used in the federal standard

1. an unvacated adjudication of guilt;
2. the payment of a fine or court cost;
3. a determination in a court or administrative proceeding that a person has violated or failed to comply with the law;
4. an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court;
5. a plea of guilty or nolo contendere accepted by the court;
6. a violation of a condition of release without bail, regardless of whether or not the penalty is rebated, suspended, or probated.

C. Why It Matters [139]

1. Oath to uphold / follow the law
2. Correlation between commercial violators and crash risk
3. Maryland may lose Federal Highway funds: up to 4% after 1st year; up to 8% after 2nd & subsequent years

D. What About PBJs for Commercial Drivers? [141]

E. §16-803(d) Transportation Article [142]

Maryland Commercial Driver's License Act

1. "Conviction": essentially same definition as 49 CFR 383.5, plus probation before judgment

Masking and the CDL Holder: binder p. 47

F. For More Information [149]

1. CDL/CMV Disqualification Benchcard

CDL/CMV Disqualification Quick Reference: binder pp. 48–51

Notes