Judicial Council of California • Administrative Office of the Courts

455 Golden Gate Avenue · San Francisco, California 94102-3688 www.courts.ca.gov/policyadmin-invitationstocomment.htm

INVITATION TO COMMENT

W13-10

Title Traffic: Automated Traffic Enforcement System Notice to Appear **Action Requested**

Review and submit comments by January 25, 2013

Proposed Rules, Forms, Standards, or Statutes Revise forms TR-115 and TR-INST

Proposed by Traffic Advisory Committee Hon. Mark S. Borrell, Chair

Proposed Effective Date July 1, 2013

Contact Mr. Courtney Tucker courtney.tucker@jud.ca.gov 415-865-7611

Executive Summary and Origin

On December 14, 2012, the Judicial Council adopted revised forms TR-115, *Automated Traffic Enforcement System Notice to Appear*, and TR-INST, *Notice to Appear and Related Forms*, effective January 1, 2013. Vehicle Code section 40518(a) authorizes the Judicial Council to prescribe the form of a notice to appear that is issued when a person is cited by an automated enforcement system for certain red light violations. Recent legislation, enacted effective January 1, 2013, amended Vehicle Code section 40518 to require specific additional contact information for the notice to appear form and amended Vehicle Code section 42005 to permit drivers with a commercial driver's license who are cited for a violation while driving a noncommercial vehicle to attend traffic violator school (TVS). Because the revised forms were adopted to timely comply with the new law without an opportunity for public comment, this invitation seeks comment about any further changes to the forms that may be needed.

Background

Vehicle Code section 40518(a) authorizes the Judicial Council to prescribe the form of a notice to appear that is issued when a person is cited by an automated enforcement system for red light violations of Vehicle Code sections 22101, 21453, or 21455. Under Vehicle Code section 40513(b), when a notice to appear form issued on a Judicial Council form is verified by the issuing officer, it constitutes a complaint in a criminal case. In 2004, the council adopted California Rules of Court, rule 4.103, which provides that notice to appear citations that use the approved council forms and comply with the council's form instructions in TR-INST, *Notice to Appear and Related Forms*, are on a form approved by the Judicial Council.

Senate Bill 1303 (Stats. 2012, ch. 735) amended section 40518, effective January 1, 2013, to require specific additional contact information for the notice to appear form. Assembly Bill 1888 (Stats. 2012, ch. 302) amended Vehicle Code section 42005 to permit drivers with a commercial driver's license who are cited for a violation while driving a noncommercial vehicle to attend TVS. Eligibility for TVS would require that the citation indicate whether the driver has a commercial driver's license and whether the vehicle is a commercial vehicle.

The Proposal

To implement the new law, the Judicial Council (1) revised form TR-115, *Automated Traffic Enforcement System Notice to Appear* (Attachment A), for use with an automated enforcement system when issuing notice to appear citations for red light violations to provide additional information required by law; and (2) revised form TR-INST, *Notice to Appear and Related Forms* (Attachment B) to provide updated instructions to law enforcement agencies on the requirements of the form. The revised forms benefit the judicial branch and justice partners by improving compliance with statutory requirements for issuing citations with an automated enforcement system for red light violations. The clarified requirements for the form may also provide defendants with reassurance of the validity of the citations as criminal complaints and reduce appearances in court to challenge unapproved notice to appear forms. Because there was insufficient time for public comment before the revised forms were adopted, the committee is inviting the public to comment on any further changes to the forms that may be needed.

Revised form TR-115. Revised form TR-115 includes the following changes to satisfy new legal requirements for notice to appear forms used to cite red light violations under Vehicle Code section 40518:

- Line number 5 is revised to remove the shading on the Class of driver's license field to indicate that the field is mandatory for the form;
- Line number 7 is revised to remove the shading on the Commercial Vehicle field to indicate that the field is mandatory for the form;
- Line number 8 is revised to remove the shading on the Hazardous Material field to indicate that the field is mandatory for the form; and
- The section at the top of the back of the form is revised to add mandatory fields for the form to provide contact information and the address for the issuing agency regarding the evidence in the case.

Revised form TR-INST. Revised form TR-INST includes the following changes to satisfy the new legal requirements for notice to appear forms used to cite red light violations by automated enforcement systems under Vehicle Code section 40518:

- Section 3.010 on page 3 is revised to provide that implementation of revised form TR-115 by law enforcement agencies is required upon adoption of revised form TR-115 by the Judicial Council, effective January 1, 2013; and
- Pages 24 and 25 are revised to include a copy of the revised form TR-115 that is required for use effective January 1, 2013.

Alternatives considered

Revised forms TR-115 and TR-INST were not circulated for public comment and no alternatives were considered because the changes were necessary for compliance with the new law by January 1, 2013. The changes were also necessary to assist law enforcement agencies in updating citation forms in accordance with the new law. Because the forms were revised without the opportunity for public comment, this invitation for public comment seeks input from law enforcement agencies and other interested parties about any further changes to the forms that may be needed.

Implementation Requirements, Costs, and Operational Impacts

Courts may need to reprogram court case management systems to capture additional information and provide training for court staff and judicial officers on the new form requirements. Law enforcement agencies and vendors for automated enforcement systems will have reprogramming costs to issue updated notice to appear forms to comply with the new law. If law enforcement agencies delay in implementing the revised forms, court appearances to challenge noncompliant citation forms may increase.

Request for Specific Comments

In addition to comments on the proposal as a whole, the advisory committee [or other proponent] is interested in comments on the following:

• Does the proposal appropriately address the stated purpose?

The advisory committee also seeks comments from *courts* on the following cost and implementation matters:

- Would the proposal provide cost savings? If so please quantify.
- What would the implementation requirements be for courts? For example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management system, or modifying case management system.
- How well would this proposal work in courts of different sizes?

Attachments and Links

Attachment A: Form TR-115, *Automated Enforcement System Notice to Appear* Attachment B: Form TR-INST, *Notice to Appear and Related Forms*

TRAFFIC NOTICE TO APPEAR Automated Traffic Enforcement System

(NAME OF AGENCY AND JURISDICTION)								
NOTICE TO APPEAR Automated Traffic Enforcement (Citation No.)								
Date of Violation 1. / /	Time	□ AM □ PM	Day of We		Case N	lo.		
Name (First, Middle, Last) 2.								
Address 3.								
City 4.	State		ZIP Code					
Driver Lic. No. 5.	State	Class	Commerc		Age	Birth Date / /		
Sex Hair 6.	Eyes Heig	ght	Weight	Race				
Veh. Lic. No. or VIN 7.	Sta	ate						
Yr. of Veh. Make 8.	Model	Body Style	Color		HAZARD	de, § 15210(b)) OUS MATERIAL		
Registered Owner or Lesse 9.	e				(Veh. Co	de, § 353)		
Address 10.								
City			State		ZIP Code			
11. Code and Section		Descripti	on					
12.								
Location of Violation at 13.	City	County of	Occurrence					
 Violation was not commi based on photographic e 		e. The abo	ve is declare	d on info	ormation a	and belief and is		
I declare under penalty of p correct.	erjury under the lav	vs of the S	tate of Califo	ornia the	foregoing	is true and		
Date Issued	Dec	clarant				ID No.		
YOU MUST RESPOND TO	THE COURT ON	OR BEFO	RE:					
15. WHEN: DATE:		0.011.7115		PN	ne: 1	AM		
WHAT TO DO: FOLLOW T 16. WHERE: [Name of co		S ON THE	REVERSE.	Cle		ce Hours s clerk's office		
	or division[s], room	no[s].]			open.]	SCIEIN'S UNICE		
	FPO B	Barco	de					
Judicial Council of California	a Form					NDANT COPY		
Rev. 01-01-13 (Veh. Code,						TR-115		

TRAFFIC NOTICE TO APPEAR Automated Traffic Enforcement System

IMPORTANT—READ CAREFULLY
This Citation Is Based on Photographic Evidence The vehicle identified on the front was photographed in violation of a traffic signal or sign. You may see the photographs. Contact:
You may see the photographs online at:
For more information about the evidence in this case, you may contact the issuing agency, by telephone at:
or in person at: on during the hours of
f you were not driving the vehicle at the time of the violation, contact
WHAT TO DO
You have been issued a citation that charges you with a traffic infraction. You must respond by following one of the procedures below by the date on the front (see "WHEN"). If you do not, you may lose your license to drive, and your money penalties may increase. 1. If you do NOT contest the violation a. (<i>Pay the bail amount</i>) (See "BAIL INFORMATION" below) Your bail will be forfeited to the court. You will not have to appear in court. You will be convicted of the violation, and it
will appear on your record at the Department of Motor Vehicles (DMV). A point count will be charged to your DMV record for this offense and your insurance may be adversely affected. b. (<i>Traffic school</i>) You may be able to avoid the point count and adverse effect on your insurance by attending traffic school. Contact the court to request traffic school. You must pay the bail amount as a fee, and you may have to pay other fees.
2. If you contest the violation (select one) a. (Court trial) Send a certified or registered letter postmarked not later than five days prior to the appearance date, or come to the court by the appearance date to request a court trial on a future date when an officer and witnesses will be present. You will be required to submit the bail amount. You will be given a date for your trial. -OR-
b. (Trial by written declaration) Send a certified or registered letter postmarked not later than five days prior to the appearance date, or come to the court on or before the date on the front and request a trial by written declaration. Submit the bail amount. You will be given forms to allow you to write a statement and submit other evidence without appearing in court. An officer will also submit a statement. The judicial officer will consider all of the evidence at the same time and decide the case.
WRITING TO THE COURT
If you write to the court, always write the citation number and your driver license number on your letter. Use of certified or registered mail is required. Do not send your copy of the citation. Keep it for your own records.
BAIL INFORMATION
The "bail" is the amount you must pay or deposit for the charged violation.
Bail Amount: \$ OR [See enclosed information]
Make the check or money order payable to Write the citation number and your driver license number on your check or money order. You may deposit the bail in person, by mail or by phone.
NIGHT COURT TRIALS [are] [are NOT] available for this citation.
JUVENILES If you are under 18, you must be accompanied by your parent or guardian when you appear in court. Bring this citation and your driver license. You will be notified by the Juvenile Court of your court date. [For additional information, call the Juvenile Traffic Court at]
ONLINE INFORMATION
ONLINE INFORMATION You may obtain additional information at [Local Web site:]

ATTACHMENT B

NOTICE TO APPEAR AND RELATED FORMS

Revised Effective January 1, 2013



JUDICIAL COUNCIL OF CALIFORNIA

Administrative Office of the Courts 455 Golden Gate Avenue San Francisco, California 94102-3688

ACKNOWLEDGMENTS

The Administrative Office of the Courts gratefully acknowledges the contributions and cooperation of those representatives from the judicial community, law enforcement agencies, and special interest groups who made this manual possible.

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APPENDIXES OF COUNCIL FORMS

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Chapter 1 PURPOSE OF FORMS

1.000. Definitions

For the purposes of these instructions the following words are synonymous: (a) Notice to Appear, citation; (b) violation, offense, allegation, charges; (c) defendant, violator, person, individual, citee, driver; (d) court, court of jurisdiction; (e) officer, arresting officer, citing officer, issuing officer.

1.010. In General

Notice to Appear forms are designed to meet statutory requirements and, to the extent possible, address the procedural requirements of local courts and law enforcement agencies. Notices to Appear should provide the defendant with pertinent information regarding the charges and what steps the defendant must take to answer the allegations.

The uniform language and data fields assist law enforcement and the courts in the timely and accurate processing of the citation information. The design also ensures statewide conformity of advisements important to the defendant and that those advisements are clear and explicit.

1.020. Notice to Appear

- a) Whenever a person is arrested for any violation declared to be an infraction or misdemeanor, or for a violation of any city or county ordinance, and the person is not immediately taken before a magistrate, the arresting officer must prepare a Notice to Appear form.¹
- b) When the Notice to Appear is prepared on a form approved by the Judicial Council it constitutes a complaint to which the defendant may enter a plea.²

1.030. Continuation Form

- a) The *Continuation of Notice to Appear* or *Continuation of Citation* form must be used when multiple offenses are charged and the Notice to Appear form does not provide sufficient space for the listing of all the charges. A *Continuation of Citation* is a multipurpose form intended for use with either a Notice to Appear form or a Notice to Correct Violation form.
- b) A second Notice to Appear must not be issued in lieu of a continuation form.
- c) The Notice to Appear and the corresponding continuation form must be treated as one law enforcement document and contain the same citation number.

¹Per Veh. Code, § 40500(a) and Pen. Code, § 853.6.

²Per Veh. Code, § 40513(b) and Pen. Code, § 853.9.

1.040. Electronic Notice to Appear

- a) The electronic Notice to Appear eliminates those citation-processing problems caused by the illegibility of handwritten information. The use of an electronic Notice to Appear also reduces the amount of information that must be entered into law enforcement and court computer systems.
- b) A court is authorized to receive and file a Notice to Appear in an electronic form if all of the following conditions are met:³
 - 1) The information is on a form approved by the Judicial Council.
 - 2) The Notice to Appear is transmitted to the court by a law enforcement agency.
 - 3) The court has the facility to electronically store the information for the statutory period of record retention.
 - 4) The court has the ability to reproduce the Notice to Appear in physical form upon the demand and payment of the reproduction costs.

1.050. Notice of Correction and Proof of Service

Form TR-100, *Notice of Correction and Proof of Service*, must be used for any corrections to the original Notice to Appear citation.⁴ (See Appendix A.)

Chapter 2 AUTHORITY TO PRESCRIBE FORMAT

2.010. Judicial Council

- a) The Judicial Council has adopted three forms for the Notice to Appear:
 - 1) Form TR-115, Automated Traffic Enforcement System Notice to Appear,⁵ to be used in conjunction with violations of sections 22451, 21453, and 22101 recorded by an automated traffic enforcement system. (See Appendix D.)
 - 2) Form TR-120, *Nontraffic Notice to Appear*,⁶ to be used for violations other than traffic offenses. (See Appendix E.)
 - 3) Form TR-130, *Traffic/Nontraffic Notice to Appear*,⁷ to be used for both infraction and misdemeanor offenses. (See Appendix F.) The electronic Notice to Appear⁸ emulates the format of the *Traffic/Nontraffic Notice to Appear*. A computer-generated paper citation is issued to the defendant at the time of arrest.

³Per Pen. Code, § 959.1.

⁴Per Veh. Code, § 40505.

⁵Per Veh. Code, § 40518.

⁶Per Pen. Code, § 853.9.

⁷Per Veh. Code, §§ 40500(b), 40513(b), 40522, and Pen. Code, § 853.9.

⁸Per Pen. Code, § 959.1.

- b) Form TR-106, *Continuation of Notice to Appear*, and form TR-108, *Continuation of Citation*, are intended for use in conjunction with *Nontraffic* and *Traffic/Nontraffic Notice to Appear* forms. (See Appendix B.)
- c) The Judicial Council has not adopted a form for, nor established guidelines governing, the following: (1) parking citations, (2) arrest/booking reports, and (3) court bail courtesy notices.

Chapter 3 REVISION DATE

3.010. Judicial Council

- a) Periodically, the Judicial Council will adopt revisions of Notice to Appear forms. Law enforcement must use the revised Notice to Appear form by the effective date of the revised form adopted by the Judicial Council. (See section 6.030 for exception.) Depending on changes in statutory requirements, effective dates are established to allow law enforcement as much time as possible to deplete any existing supplies of the old form, print and disseminate new forms, and, if necessary, develop new procedures and train personnel regarding the revisions.
- b) The council adopted revised form TR-115, effective January 1, 2013. The council adopted revised forms TR-120 and TR-130, effective September 20, 2005. The council adopted forms TR-100, TR-106, and TR-108 with an effective date of January 1, 2004.

Chapter 4 FORM SPECIFICATIONS

4.010. Required Copies

The arresting officer must prepare the Notice to Appear form, at a minimum, in triplicate for Vehicle Code violations⁹ and in duplicate for all other violations.¹⁰ Before printing Notice to Appear forms, law enforcement agencies should contact their local court to determine if there are any local requirements for the court's case management system.

4.020. Size and Color

The size and color of Notice to Appear copies should conform with the requirements of the courts in which they are filed. The Judicial Council recommends the following minimum size and other form specifications:

- a) A "trim" size of 4 1/4 inches wide and 7 1/2 inches long; 5/8-inch tabs on the top or bottom of the form.
- b) Original (Court's copy) white, 15-pound paper stock. Print head-to-head.
- c) Duplicate (Police agency's copy) pink, 15-pound paper stock. No printing on reverse.
- d) Triplicate (Officer's copy) green, 15-pound paper stock. Print reverse head-to-head.

⁹Per Veh. Code, § 40500(a).

¹⁰Per Pen. Code, § 853.6.

- e) Quadruplicate (Defendant's copy) yellow, 20-pound paper stock. Print reverse head-to-head.
- f) The colors of the "Court's copy" and "Police agency's copy" correspond with rule 1:3-1 of the "Model Rules Governing Procedure in Traffic Cases" adopted by the National Conference of Commissioners on Uniform State Laws.

4.030. Paper Stock

Paper stock for hand-written citations must be pressure sensitive and have a shelf life of at least five years. The citation text must be reproducible on photocopy equipment.

4.040. Serial Numbers

- a) The serial numbers of the form sets must be sequential. There must be no "duplication" of numbers between form sets.
- b) The format of the serial numbers is at the discretion of local law enforcement with the approval of the court.

4.050. Printing Format

- a) A vertical format is required, except for the Proof of Service on form TR-100, which is printed horizontally to facilitate mailing.
- b) All text on the forms must be printed in black ink. All text on citation forms TR-115, TR-120, and TR-130 must have a minimum font size of 6.0. Serial numbers may be printed in red ink. The box for the defendant's signature may be printed in red ink.

4.060. Printing Expenses

The printing of the forms and the associated costs are not the responsibility of the Judicial Council; printing is to be arranged in accordance with local custom.

Chapter 5 VARIATIONS OF MANDATORY LANGUAGE/DATA FIELDS

5.000. In General

Mandatory language and data fields are indicated on examples of Judicial Counciladopted forms by unshaded areas; see section 5.010 for exceptions.

5.010. Permitted Variations

a) To meet the unique customs and/or needs of local law enforcement agencies and courts, the Judicial Council form permits limited variations in the "time," "place," and "proof of correction certification" data fields, among others. To indicate that variations may be permitted, these data fields are identified by shaded areas. Shading should not appear on printed forms.

- b) The California Highway Patrol is permitted to alter the format and location of the fields for the name of the court, court address, and phone number and to add a field for the location of a CHP Inspection Facility on the face of a form TR-130, *Traffic/Nontraffic Notice to Appear* for their form CHP-215X.
- c) Formatting for the bracketed information that is required in the "Where" field on notice to appear forms may be modified to include information for multiple court locations.

Chapter 6 MANDATORY LANGUAGE/DATA FIELDS

6.000. In General

The mandatory language and data fields vary between the various Notice to Appear forms depending on the purpose of the form. All language and data fields in unshaded areas on the forms are mandatory, even if not discussed below. Mandatory text or data fields of the forms may not be re-worded or omitted, except for references to statutory authorities, which may be abbreviated differently. Electronic Notice to Appear forms may abbreviate terms and have minor alterations to formatting to facilitate printing of forms.

Law enforcement agencies should be aware that if a written Notice to Appear is not prepared on an approved council form, a court may conclude that it does not constitute a complaint to which a defendant may enter a plea. (Veh. Code, § 40513(b).) If a defendant pleads other than "guilty" or "nolo contendere" and the court concludes that the Notice to Appear is defective, it could be necessary to re-file the charges by a formal complaint. (Veh. Code, § 40513(a).)

6.010. Agency Name

The name of the citing agency and jurisdiction must appear near the top of the form.

6.020. Title of Form

The title of the form must be printed near the top of the form.

6.030. Serial Number

- a) A sequential serial number for each multipart set of Notice to Appear forms must appear horizontally near the top right corner of each form.
- b) To facilitate the filing systems of some courts, statewide law enforcement agencies must also print the serial number in the lower right margin of the court's copy. Statewide law enforcement agencies must comply with this requirement as specified in section 3.010. Local law enforcement agencies must comply with the requirement for the duplication of the serial number in the right margin within one calendar year of a request from a local court.
- c) The serial number may be preprinted on the Notice to Appear.
- d) The serial number on the continuation form must be the same as that on the corresponding Notice to Appear; the duplication of the serial number in the right margin is not required.

- e) Bar coding of the serial number permits those courts with bar code readers to improve the timeliness and accuracy of processing Notice to Appear forms. Within the following parameters, the bar coding of the serial number must be placed on the face of the court's copy of the Notice to Appear form:
 - 1. The bar code must appear as near as practical to the bottom of the form.
 - 2. The bar code should have a 1/4-inch area (quiet zone) that is clear and free of all printing preceding the start character and the following stop character.
 - 3. Statewide law enforcement agencies must comply with the bar code requirement as specified in section 3.010.
 - 4. Local law enforcement agencies must comply with the bar code requirement within one calendar year of a request from a local court.

6.040. Misdemeanor Check Box

To facilitate processing, the citing officer must check the misdemeanor box at the top of the Notice to Appear if one of the offenses charged is a misdemeanor. The misdemeanor check box does not appear on the automated traffic enforcement system notice.

6.050. Date and Time

- a) The date and time of the issuance of the Notice to Appear must be indicated near the top of the form.
- b) The "Date of Violation" data field must be: Mo./Day/Yr.
- c) A check box "A.M./P.M." format is provided as an optional field to indicate the time. Indicating the time in the form of "A.M./P.M." is more easily understood by most defendants than the use of the 24 hour clock (military time).

6.060. Defendant's Name

- a) The defendant's name is required on the Notice to Appear.¹¹
- b) The sequence of the defendant's name must be First/Middle/Last. This sequence corresponds with the California Driver License/Identification Card.

6.070. Defendant's Address

- a) The defendant's address must be indicated on the Notice to Appear.¹²
- b) The address must be the defendant's mailing address. The mailing address allows the court to mail a courtesy notice and/or other correspondence to the defendant.
- c) A street address may also be indicated in addition to the mailing address.

¹¹Per Veh. Code, §§ 40500(a), 40518(b) and Pen. Code, § 853.6.

¹²Per Veh. Code, §§ 40500(a), 40518(b) and Pen. Code, § 853.6.

6.071. Defendant's Class and Category of Driver's License

- a) The defendant's class of driver's license may be specified on the Notice to Appear.
- b) Notice to Appear forms TR-115 and TR-130 must specify whether the defendant's driver's license is a commercial driver's license.

6.080. Defendant's Age and Birth Date

- a) The defendant's age and birth date is required on the Notice to Appear. The sequence of the birth date must be: Mo./Day/Yr.
- b) The birth date data field is designed to accept a numerical entry.

6.090. Defendant's Physical Description

- a) The defendant's sex, hair, color of eyes, height, and weight are required on the Notice to Appear. See section 7.020 for the policy regarding the defendant's race/ethnicity.
- b) Data fields for the recording of the defendant's physical description are designed to accept the standard abbreviations of physical descriptors.

6.100. Commercial Vehicle

If the vehicle involved in an offense when a notice to appear is issued is a commercial vehicle¹³ the citing officer must mark the check box within the data field, "COMMERCIAL VEHICLE (Veh. Code, § 15210(b))."

6.110. Hazardous Material

If the vehicle involved in an offense when a notice to appear is issued was transporting hazardous material, the citing officer must mark the check box within the data field, "HAZARDOUS MATERIAL (Veh. Code, § 353)".

6.120 Vehicle Description

The year, make, and body style of the vehicle operated by the defendant at the time of the offense must be indicated on the Notice to Appear.¹⁴

6.130. Financial Responsibility

The officer must write the driver's evidence of financial responsibility on the Notice to Appear.¹⁵ A person issued a Notice to Appear for a violation of this section may submit to the clerk of the court, in person or by mail, written evidence that the driver was in compliance with this section at the time of the citation.

¹³Commercial vehicle is defined in Veh. Code, § 15210(b). The requirement to indicate if offense involves a motor vehicle is per Veh. Code, § 40300.2.

¹⁴Per Veh. Code, § 40500(a).

¹⁵Per Veh. Code, § 16028.

6.140. Name of Registered Owner/Lessee

- a) The Notice to Appear must contain the name of the registered owner or lessee.¹⁶
- b) The name must be indicated on the Notice to Appear in the following sequence: First/Middle/Last.

6.150. Address of the Registered Owner/Lessee

- a) The address of the registered Owner/Lessee must be indicated on the Notice to Appear.¹⁷
- b) The address must be the registered owner's mailing address.

6.160. Correctable Violation Advisement and Check Boxes

- a) Whenever a person is arrested for violations specified in Vehicle Code section 40303.5 and none of the disqualifying conditions set forth in Vehicle Code section 40610(b) exist, and the officer issues a Notice to Appear, the notice must specify the offense charged and note in a form approved by the Judicial Council that the charge will be dismissed upon proof of correction.¹⁸
- b) For offenses identified in Vehicle Code section 40303.5 the citing officer must indicate by marking the appropriate check box whether or not the offense is eligible for dismissal upon proof of timely correction. Marking the "no" box denotes that disqualifying conditions specified in Vehicle Code section 40610(b) exist.
- c) The correctable violation advisement and the check boxes do not appear on the *Automated Traffic Enforcement System* notice.

6.170. Booking Required

The officer may either book the arrested person prior to release, or indicate on the Notice to Appear that the arrested person must be booked before appearing in court.¹⁹ If the "Booking Required" check box is checked on form TR-120 or TR-130, the arresting agency must complete the verification of booking section on the defendant's copy of the form. The "booking required" check box does not appear on the *Automated Traffic Enforcement System* notice.

6.180. Violations

The Notice to Appear must state the offenses charged.²⁰

6.190. Speed

A Notice to Appear charging a speeding violation must specify the approximate speed, prima facie or maximum speed, and any other speed limit exceeded.²¹

¹⁶Per Veh. Code, § 40500(a).

¹⁷Per Veh. Code, § 40500(a).

¹⁸Per Veh. Code, § 40522.

¹⁹Per Pen. Code, § 853.6.

²⁰Per Veh. Code, § 40500(a) and Pen. Code, § 853.6.

²¹Per Veh. Code, § 40503.

- a) The "safe speed" box is provided so that the officer can indicate a speed different from the maximum or prima facie (posted) speed when the Notice to Appear is prepared charging a violation of the basic speed law (Veh. Code, § 22350). Conditions affecting the safe speed limit should be noted on the Notice to Appear (e.g., fog, rain, etc.).
- b) When a speed violation is charged, both the approximate speed and the prima facie speed applicable to the street or highway should be indicated.
- c) Entry of the maximum speed limit pertaining to the particular type of vehicle, or combination of vehicles, is only required if the defendant is cited for exceeding the speed limit for that vehicle.

6.200. Location of Violation

The Notice to Appear must state the location of where the offenses charged occurred.

6.210. Officer's Declaration on Information and Belief

The officer must indicate on the Notice to Appear (check box) when the offense was not committed in his/her presence and that his/her declaration is on information and belief. A citizen's complaint is an example of a situation that may result in the officer's checking the box. The declaration is separate and distinct from the officer's declaration under penalty of perjury discussed in section 6.220.

6.220. Officer's Declaration under Penalty of Perjury

The Notice to Appear must contain the officer's declaration, under penalty of perjury, subscribed by the officer, that the information regarding the violations is true and correct.²²

6.230. Other Officer

The name of the arresting officer, if different from the name of the officer completing the Notice to Appear, must be stated on the Notice to Appear. This policy was adopted to address situations in which there are teams of officers working radar enforcement or aerial patrol. This option is not available on the *Automated Traffic Enforcement System Notice to Appear*. (See section 6.231.)

6.231. Declarant-Automated Traffic Enforcement System Citations

The name of the government agency or law enforcement representative making the declaration, "Violation was not committed in my presence. The above is declared on information and belief and is based on photographic evidence," must be stated on the *Automated Traffic Enforcement System Notice to Appear*.

6.240. Defendant's Signature

To secure release from arrest, the defendant must give his/her written promise to appear.²³ This option does not apply to citations issued for violations recorded by an *Automated Traffic Enforcement System Notice to Appear*.

²²Per Code Civ. Proc., § 2015.5.

²³Per Veh. Code, § 40504 and Pen. Code, § 853.6.

6.250. Time to Appear

- a) The time specified in a Notice to Appear issued for a traffic offense must be a specific date which is at least 21 days after arrest; the court having jurisdiction over the offense charged may authorize the arresting officer to specify on the Notice to Appear that the appearance may be made before the time specified.²⁴
- b) When a Notice to Appear has been issued for a violation recorded by an automated traffic enforcement system, it must be mailed within 15 days of the violation date to the current address of the registered owner of the vehicle on file with the Department of Motor Vehicles, with a certificate of mailing obtained as evidence of service.²⁵ The time to appear must be at least ten days after the Notice to Appear is delivered.²⁶
- c) The time to appear placed on the *Nontraffic Notice to Appear* or on a *Traffic/Nontraffic Notice to Appear* for a nontraffic offense must be at least 10 days after the date of arrest for a nontraffic violation. (Pen. Code, § 853.6.)
- d) In the case of juveniles, the court having jurisdiction over the offense charged may require the arresting officer to indicate on the Notice to Appear "to be notified" rather than a specific date.²⁷

6.260. Place to Appear

The place specified on the Notice to Appear must be one of the following:

- a) Before a magistrate or judge.²⁸
- b) Before a person authorized to receive a deposit of bail.²⁹
- c) Before the juvenile court, juvenile court referee, or juvenile hearing officer.³⁰

6.270. Night Court

If the court identified in the Notice to Appear holds night sessions, the notice must include a statement advising the defendant.³¹

6.280. Legend

The lower left corner of the Notice to Appear forms must denote that the form is a Judicial Council form and specify the council's form number. On electronic Notice to Appear forms, the approval legend may appear near the top of the form.

²⁴Per Veh. Code, § 40501(a).

²⁵Per Veh. Code, § 40518(a).

²⁶Per Veh. Code, § 40518(b).

²⁷Per Veh. Code, § 40501(b).

²⁸Per Veh. Code, § 40502(a)–(b) and Pen. Code, § 853.6.

²⁹Per Veh. Code, § 40502(c) and Pen. Code, § 853.6.

³⁰Per Veh. Code, § 40502(d).

³¹Per Veh. Code, § 40502(d).

Chapter 7 DISCRETIONARY LANGUAGE/DATA FIELDS

7.000. In General

The discretionary (shaded) areas on the forms (see Appendix) depict language and data fields that are frequently included at the option of the court or law enforcement agency (with the consent of the court in which the Notice to Appear is to be filed).

Because of limited space, not all of the discretionary language and data fields used throughout the state can be shown on the sample forms. The following are narrative descriptions of several discretionary data fields.

7.010. Bail Statement

If the offense is bailable, the magistrate must fix the amount of bail and endorse the following statement on the warrant for arrest.³⁵

BAIL:

The defendant is to be admitted to bail in the sum of dollars.

Judge

Note: The mandatory requirement that the above statement appear on the reverse of the court's copy disrupts the processing of Notice to Appear forms in those automated courts` that use the space for cash register validations, automated traffic system notations, and notes of court proceedings. These courts use a separate form when issuing a warrant for arrest. For those reasons, the warrant for arrest statement is now discretionary.

7.020. Defendant's Race/Ethnicity

- a) A specific data field for the defendant's "Race" or "Ethnicity" may be added to the Notice to Appear form. The data field should be located on the same line as other physical descriptors.
- b) The defendant's "Race" or "Ethnicity" may be indicated in the "Other Description" data field.
- c) If the defendant's "Race" or "Ethnicity" is to be indicated, the Judicial Council recommends the use of a single alpha character. Reference: California Department of Justice's Arrest and Disposition Instruction Manual.

7.030. Defendant's Thumbprint

a) The defendant's thumbprint may be placed on the Notice to Appear in situations in which there is a question in the citing officer's mind as to the true identity of the defendant. The court will then have the option of comparing thumbprints in those cases where the defendant alleges that another person has committed the cited offense.³³

³²Per Pen. Code, § 815(a).

³³Per Veh. Code, § 40500(a) and Pen. Code, § 853.6.

- b) The Judicial Council recommends that the thumbprint be placed in a one-inch square area located on the reverse of the court's copy in the lower left corner.
- c) The thumbprint item does not appear on the *Automated Traffic Enforcement System Notice to Appear*.

Chapter 8 PROHIBITED LANGUAGE/DATA FIELDS

8.010. Defendant's Social Security Number

The defendant's social security number must not be indicated on the Notice to Appear, unless the social security number is also the driver license number and/or the defendant holds a commercial driver license.

To protect an individual's civil rights, federal statutes allow a very restricted compulsory use of a person's social security number for the purpose of establishing identity.³⁴

Federal statutes do permit an agency having administrative responsibility for driver license and motor vehicle registration laws to use a person's social security number to establish that person's identity as it relates to the laws within the agency's jurisdiction.³⁵

The California Department of Motor Vehicles requires an individual to disclose his or her social security number in order to obtain a driver license or identification card.³⁶ A number of other states use the individual's social security number as the driver license number.

³⁴Per Public Law 93-579, § 7.

³⁵Per 42 USC § 405, (c)(2)(c)(i)–(iv).

³⁶Per Veh. Code, §§ 1653.5 and 12801.

APPENDIXES OF COUNCIL FORMS

Appendix A Notice of Correction and Proof of Service, Form TR-100

NAME OF COURT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME: TELEPHONE: PEOPLE OF THE STATE OF CALIFORNIA vs. DEFENDANT: NOTICE OF CORRECTION AND PROOF OF SERVICE (Vehicle Code, § 40505) AMENDING OFFICER NAME/ID NO.: DEPARTMENT/AGENCY: CITATION NUMBER: CASE NUMBER: 1. A Notice to Appear/Notice to Correct Violation was issued to you by an officer of this department on (date): 2. The citation issued to you contained an error as indicated by the items checked below. This notice of correction does not affect the validity of the citation or the required court appearance. Date/time of violation should be Date/time of court appearance should be changed from to Violation section(s) should be changed	is action, and I am a resident is: epaid, with the United States aws of the State of California t ame)
from to Location of violation should be changed from to from to Other (specify): I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Date:	of or employed in the county where ties at the address listed below by Postal Service at (city and state): that the foregoing is true and correct. (SIGNATURE)

Appendix B Continuation of Notice to Appear, Form TR-106

CONTINUATION OF NOTICE TO APPEAR (Face of Violator's Copy)

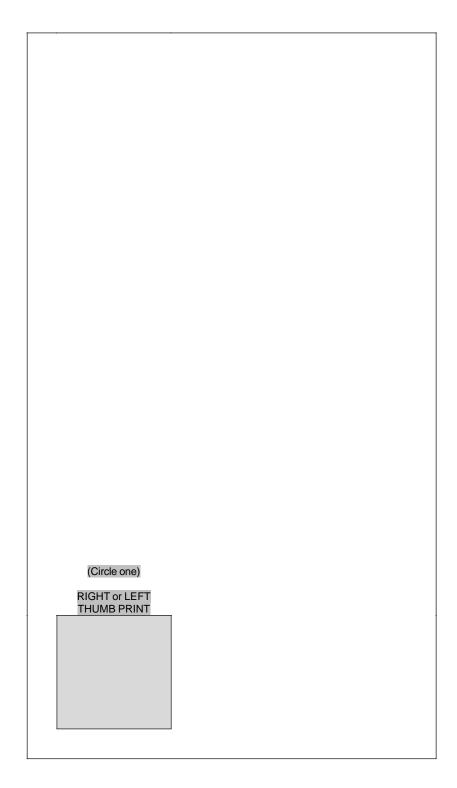
		ncy and Jurisd						
то	APPEAR				fic 🔲 Nontraffic	(Citation No.)		
Date	. /	1	Time	AM PM	Day of Week SMTWTFS	Case No.		
	e (First, Mi	ddle, Last)						
Veh. 3.	Lic. No. or	VIN				State		
	ectable Viol	ation (Veh. Code	, § 40610)			Misdemeanor or		
Yes	No	Code and Se	ection	Descrip	tion	Infraction (Circle)		
4.						. M . I		
5. 🗖						. M . I		
6. 🗖						. M . I		
7. 🗖						. <u>M</u> . I		
8. 🗖						. M . I		
9.						<u>M I</u>		
10. 🗌						<u>M</u> .I		
11. 🗆						M . I		
12. 🗌						. M . I		
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14. 🗌						. M . I		
15. 🗌						. M . I		
16. 🗌						M I		
17. 🗌						<u>M I</u>		
18. 🗌						MI		
19. 🗖						. <u>M</u> . I		
20. 🗌						<u>M I</u>		
21. 🗖	Violations	not committed in	my presend	ce, declared	on information and belie	ef.		
		enalty of perjury ntinuation of the			ate of California the foreg	going is true and		
22.		Arrest	ing or Citing	Officer		Serial No.		
23.	, ,	71163		5		Seliai NU.		
	Date				rent from Citing Officer	Serial No.		
24.	INDICATE	ED.	JILT, I PROM	VISE TO AP	PEAR AT THE TIME AN	ID PLACE		
	X Signatu cial Council	ure of California Forr	n			SEE REVERSE		
Rev.	01-01-04 (\	/eh. Code, §§ 405	00(b), 40513(b), 40522, 40	0600; Pen. Code, § 853.9)	TR-106		

CONTINUATION OF NOTICE TO APPEAR

(REVERSE OF VIOLATOR'S COPY)

	IMPORTANT - RE	AD CAREFUL	LY					
provide sufficient sp	when multiple offenses are charge pace for the listing of all the charge TO APPEAR FOR IMPORTAN	es. PLEASE REFER	TO THE REVE	RSE OF THE				
CORRECTABLE VIOLATIONS: Those driver license, vehicle registration, and mechanical violations cited in accordance with Vehicle Code section 40610(a) will be dismissed by the court <i>if</i> PROOF OF CORRECTION and payment of a transaction fee are presented to the court by mail or in person on or before the appearance date.								
	Code section 16028 (automobile ence of financial responsibility wa							
	should be obtained for driver ENT VIOLATIONS IMMEDIATELY		, and equipme	nt violations.				
1. Pollution control of California Bureau of 2. Lamp, brakes, an inspection and insta 3. Registration and Department of Moto 4. Proof of correctic installation station, r during regular busin	less hours.	by a smog check stat be certified as correct tion(s). be certified as correct ty clerk of a court. be cleared at a certifi	ion licensed by ed by an author ed by an office ed inspection ar (fill in	ized of the				
	RTIFICATE OF CORRECTION (MU	JST BE RETURNED 1	TO COURT)					
Section(s) Violated	Signature of Person Certifying Correction	Serial No.	Agency	Date				
			-					

CONTINUATION OF NOTICE TO APEAR (Reverse of Court Copy)



Appendix C Continuation of Citation, Form TR-108

CONTINUATION OF CITATION (Face of Violator's Copy)

Date o	of Violation		Time	□ AM □ PM	Day of Week	Case N	0.	
Name	/ (First, Middle	, Last)			SMTWTF	5		
/eh. L	ic. No. or VIN					State	e	
Correc	ctable Violatio	n (Veh. Coo	le, § 40610)					
Yes	No	Code and	Section	Description			Misdeme Infraction	
		. <u> </u>					М	1
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_	_	ns not com	nitted in my	presence decla	ed on information	and belief		
		alty of perju	iry under the	laws of the Stat	e of California the		rue and corr	ect, ar
-	Date	Ar	resting or Ci	ting Officer			Serial No	
_	Date	Na	ame of Arres	ting Officer, if dif	ferent from Citing	Officer	Serial No	
	WITHOUT A INDICATED X Signature		GUILT, I	PROMISE TO	APPEAR AT TH	E TIME AND	PLACE	

CONTINUATION OF CITATION (Reverse of Violator's Copy)

IMPORTANT—READ C	AREFULLY
------------------	----------

This form is used when multiple offenses are charged and the original Notice to Appear/Notice to Correct Violation form does not provide sufficient space for the listing of all the charges. PLEASE REFER TO THE REVERSE OF THE ORIGINAL NOTICE TO APPEAR/NOTICE TO CORRECT VIOLATION FOR IMPORTANT INFORMATION REGARDING YOUR LEGAL OBLIGATIONS.

CORRECTABLE VIOLATIONS ON A NOTICE TO APPEAR: Those driver license, vehicle registration, and mechanical violations cited in accordance with Vehicle Code section 40610(a) will be dismissed by the court *if* PROOF OF CORRECTION and payment of a transaction fee are presented to the court by mail or in person on or before the appearance date. Proof of correction should be obtained for driver license, registration, and equipment violations. CORRECT EQUIPMENT VIOLATIONS IMMEDIATELY.

Violations of Vehicle Code section 16028 (automobile insurance) will be dismissed only upon (1) your showing or mailing to the court evidence of financial responsibility valid at the time this notice to appear was issued and (2) your payment of a transaction fee.

CORRECTABLE VIOLATIONS ON A NOTICE TO CORRECT VIOLATION: Those driver license, vehicle registration, and mechanical violations cited in accordance with Vehicle Code section 40610(a) must be corrected and PROOF OF CORRECTION must be provided to the law enforcement agency's office designated on the reverse side of the Notice to Correct Violation form within 30 days in order to have the violation cleared. Proof of correction should be obtained for driver license, registration, and equipment violations. CORRECT EQUIPMENT VIOLATIONS IMMEDIATELY.

METHODS FOR OBTAINING CERTIFICATION OF CORRECTION (Veh. Code, § 40616): 1. Pollution control device violations must be certified by a smog check station licensed by the California Bureau of Automobile Repair.

2. Lamp, brakes, and exhaust system violations may be certified as corrected by an authorized inspection and installation station for the specific violation(s).

3. Registration and driver license violations may also be certified as corrected at an office of the Department of Motor Vehicles or by any clerk or deputy clerk of a court.

4. Proof of correction, except for violations that must be cleared at a certified inspection and installation station, may be obtained at _________ (fill in location) during regular business hours.

CERTIFICATE OF CORRECTION (MUST BE RETURNED TO: COURT, CITING AGENCY)								
Section(s)	Signature of Person							
Violated	Certifying Correction	Serial No.	Agency	Date				

CONTINUATION OF CITATION (Reverse of Court's Copy)



Appendix D Automated Traffic Enforcement System Notice to Appear, Form TR-115

TRAFFIC NOTICE TO APPEAR Automated Traffic Enforcement System

(NAME OF AGEN								
(NAME OF AGENCY AND JURISDICTION) NOTICE TO APPEAR Automated Traffic Enforcement (Citation No.)								
Date of Violation	1	Time	□AM □ PM	Day of W SMTW		Case N	0.	
Name (First, Middle, 2.	Last)							
Address 3.								
City 4.		Stat	e	ZIP Code				
Driver Lic. No. 5.		State	Class	Commerc		Age	Birth Date / /	
Sex Hair 6.	Eye	es He	eight	Weight	Race			
Veh. Lic. No. or VIN 7.	•		State				CIAL VEHICLE de, § 15210(b))	
Yr. of Veh. N 8.	//ake	Model	Body Style	Color	-	HAZARD	OUS MATERIAL de, § 353)	
Registered Owner or 9.	Lessee					(
Address 10.								
City 11.				State		ZIP Code		
Code and Section			Descripti	ion				
Location of Violation	at	Ci	ty/County of	f Occurrence	•			
 Violation was not on based on photogram 			ce. The abo	ve is declare	ed on inf	ormation a	nd belief and is	
l declare under penal correct.	ity of perjury	y under the I	aws of the S	State of Califo	ornia the	foregoing	is true and	
Date Issued		D	eclarant				ID No.	
YOU MUST RESPON	ND TO THE	COURT OF	N OR BEFO	RE:				
15. WHEN: DATI	E:				_ Ti Pl	me:	AM	
WHAT TO DO: FOLL	OW THE I	NSTRUCTIC	INS ON THE	EREVERSE		erk's Offi		
	ion[s] or div et address[e	rision[s], roor	m no[s].]		[lr		clerk's office	
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	L					DEFE	NDANT COPY	
Judicial Council of Ca Rev. 01-01-13 (Veh. (S	EE REVERSE TR-115	

TRAFFIC NOTICE TO APPEAR Automated Traffic Enforcement System

IMPORTANT—READ CAREFULLY
This Citation Is Based on Photographic Evidence The vehicle identified on the front was photographed in violation of a traffic signal or sign. You may see the photographs. Contact: You may see the photographs online at: For more information about the evidence in this case, you may contact the issuing agency,
by telephone at:
or in person at: during the hours of on during the hours of If you were not driving the vehicle at the time of the violation, contact
WHAT TO DO
You have been issued a citation that charges you with a traffic infraction. You must respond by following one of the procedures below by the date on the front (see "WHEN"). If you do not, you may lose your license to drive, and your money penalties may increase. 1. If you do NOT contest the violation a. (Pay the bail amount) (See "BAIL INFORMATION" below) Your bail will be forfeited to the court. You will not have to appear in court. You will be convicted of the violation, and it will appear on your record at the Department of Motor Vehicles (DMV). A point count will be charged to your DMV record for this offense and your insurance may be adversely affected. b. (Traffic school) You may be able to avoid the point count and adverse effect on your insurance by attending traffic school. Contact the court to request traffic school. You must pay the bail amount as a fee, and you may have to pay other fees. 2. If you contest the violation (select one) a. (Court trial) Send a certified or registered letter postmarked not later than five days prior to the appearance date, or come to the court by the appearance date to request a court trial on a future date when an officer and witnesses will be present. You will be required to submit the bail amount. You will be given a date for your trialOR- b. (Trial by written declaration) Send a certified or registered letter postmarked not later than five days prior to the appearance date, or come to the court on the court on before the date on the first of a date on the court on the court on the first on the appearance date, or come to the court on the court on before the date on the first of a date on the first of the date on the first of the date on the court on the bail amount to the dependence date, or come to the court on before the date on the first of the date on the first
the front and request a trial by written declaration. Submit the bail amount. You will be given forms to allow you to write a statement and submit other evidence without appearing in court. An officer will also submit a statement. The judicial officer will consider all of the evidence at the same time and decide the case.
WRITING TO THE COURT
If you write to the court, always write the citation number and your driver license number on your letter. Use of certified or registered mail is required. Do not send your copy of the citation. Keep it for your own records.
BAIL INFORMATION The "bail" is the amount you must pay or deposit for the charged violation.
The bain is the amount you must pay or deposit for the charged violation.
Bail Amount: \$ OR [See enclosed information]
Make the check or money order payable to Write the citation number and your driver license number on your check or money order. You may deposit the bail in person, by mail or by phone.
NIGHT COURT TRIALS [are] [are NOT] available for this citation.
JUVENILES If you are under 18, you must be accompanied by your parent or guardian when you appear in court. Bring this citation and your driver license. You will be notified by the Juvenile Court of your court date. [For additional information, call the Juvenile Traffic Court at]
ONLINE INFORMATION
You may obtain additional information at [Local Web site:]

Appendix E Nontraffic Notice to Appear, Form TR-120

NONTRAFFIC NOTICE TO APPEAR (Face of Court's Copy)

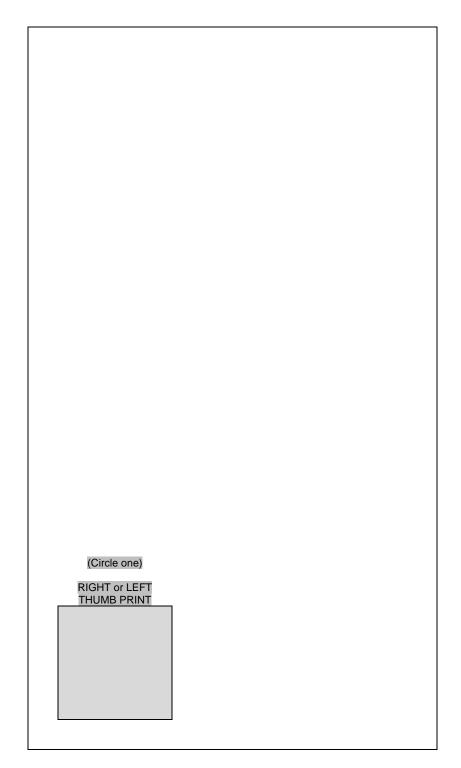
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Rev. 09-20-05 (Pen. Code, § 853.9) TR-120												2		REVER	SE

NONTRAFFIC NOTICE TO APPEAR

(Reverse Of Defendant's Copy)

WARNING: If you fail by 6 MONTHS IN JAIL (Pen. Code, § 853.7.)	to appear in court a	- READ CAR as you have promised FINE, regardless of th	d, you may be arro	ested and punished the original charge.
If "Booking Required" is	checked you must a	ppear on a weekday pi	rior to your court da	te for booking
at:			between the ho	urs of and
and bring the signed veri Booking Verification: I	declare under penalt			nore information. California that
Defendant's name		Date	Officer	Serial No.
	W	HAT TO DO		

NONTRAFFIC NOTICE TO APPEAR (Reverse Of Court's Copy)



Appendix F Traffic/Nontraffic Notice to Appear, Form TR-130

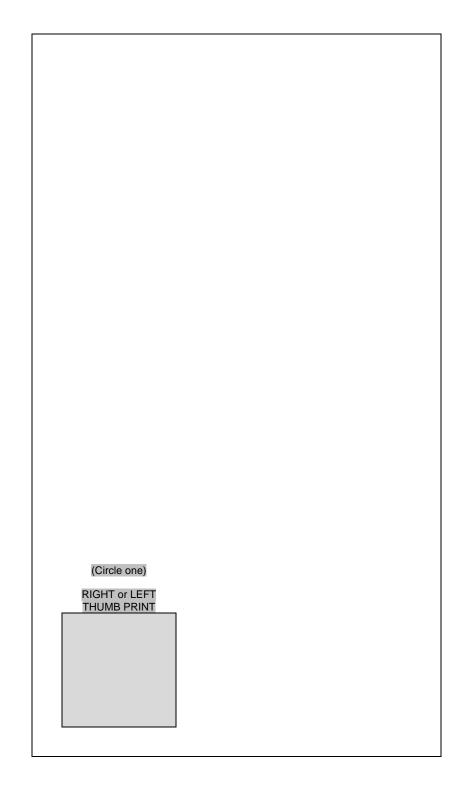
TRAFFIC/NONTRAFFIC NOTICE TO APPEAR (Face of Court's Copy)

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Addre 3.	ess												
City 4.					State	e	ZIP Code	1	(Juver]	nile (Pl	hone I	lo.)
Drive 5.	r Lic. No.			State	Clas	S	Commercia		Age		Birth D)ate /	
Sex 6.		Hair	Eye	6	Heig	ht	Weight	Rad	ce	Othe	r Desc	ription	
Veh. 7.	Lic. No. or	r VIN			State	F	Reg. MO/YR			MERC			
Yr. of 8.	Veh.	Make		Model	Body	y Style	Color		UHAZ				
Evide 9.	nce of Fin	ancial Respo	nsibility	CI	HP/DO	T/PUC	C/ICC		(Ve	eh. Coo	de, § 3	53)	
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22	WITHOUT	ADMITTING						IME A	ND PL	ACE			
24.	WHEN		BEFOR	E THIS DAT	E:	1	<u>/</u>	Tin	ne:			MOP	
25.	AT TO DC WHERE	: [Name of [Section [Street a [Phone]	of court[s [s] or div address[No.]	s]] vision[s], roo es]]	m no[s	i].]	REVERSE.					MDP	M
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				FPC) Ba	arco	de			DE	FEND	ANT C	OPY
		l of California (Veh. Code,		0(b), 40513(b), 405	522, 40	0600; Pen. C	ode, §	§ 853.9)	SEE	REVE	RSE R-130

TRAFFIC/NONTRAFFIC NOTICE TO APPEAR (Reverse of Defendant's Copy)

	IN JAIL AND/OR A \$1,000 F 40508 or Pen. Code, § 853.7.) deemed to have elected to h section 40903(a) upon any alle	In addition, any pers ave a trial by written c	son who fails to app leclaration (in absen	ear as provideo itia) pursuant to
JUVENILE: If your parent or g	you were under age 18 at the guardian.	time the citation was is	ssued, you must app	ear in court with
the required de	OTICE: A courtesy notice may posit of money (bail) that may lourtesy notice, you are still requi	be forfeited instead of y	your appearing in cou	rt. If you do not
date/time/place court. In all inf • Pay the • Appear • Contes If you do not d Code, § 40508 may be charge	in court. • Re	appear. Have the cita or more of the following rrect the violation (traffi quest traffic school (traf quest trial by written de n a "failure to appear" y be withheld, suspend	tion with you when co of or each violation: c cases, when applica ffic cases, when applica claration (traffic cases charge will be filed ag ded, or revoked. In s	ntacting the able). cable). s). gainst you (Veh. come courts you
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violations may court. The viol transaction fee Vehicle Code s or mailing to issued, and (2) Section(s) Violated 2. If you d Section(s) Violated 2. If you d a. (Court appearance da an officer and b. (Trial b not later than f to request a tim write a statem statement. Th 3. Make ch	also be certified as corrected a ation will be dismissed by the are presented to the court by section 16028 (automobile liabili the court evidence of financic your payment of a transaction f CERTIFICATE OF CORREC Signature of Person Certifying Correction Certifying Certifying Certifyin	w. (Veh. Code, § 406 at an office of the DMV court after PROOF O y mail or in person by ty insurance) will be dia il responsibility valid a ee. TION (MUST BE RETL Serial No. Serial No. or b): tered letter postmarked ppearance date to requ fou will be required to fractions). Send a ce e date or come to the ce it the bail amount. Y ce without appearing in e evidence and decide t erk of the Court. Write	16.) Registration and or by any clerk or d of F CORRECTION an v the appearance dat smissed only upon (1 t the time this notice IRNED TO COURT) Agency d not later than five o rest acourt trial on a f submit the bail amo refified or registered le bourt on or before the a 'ou will be given form: n court. An officer w he case. your citation number a	d driver license leputy clerk of a d payment of a te. Violations of) your showing to appear was Date Date days prior to the future date when punt. —OR— the postmarked appearance date s to allow you to till also submit a and driver
violations may court. The viol transaction fee Vehicle Code s or mailing to issued, and (2) Section(s) Violated 2. If you (a. (Court appearance de an officer and : b. (Trial b not later than f to request a tri write a statem statement. Th 3 Make ch license numbe 4. If "Book at: and bring the s	also be certified as corrected a ation will be dismissed by the are presented to the court by bection 16028 (automobile liabili the court evidence of financic your payment of a transaction f CERTIFICATE OF CORREC Signature of Person Certifying Correction Certifying Certifying Certifyin	W. (Veh. Code, § 406 ta an office of the DMV court after PROOF O y mail or in person by ty insurance) will be dia la responsibility valid a ee. TION (MUST BE RETL Serial No. Serial No. or b): tered letter postmarked ppearance date to requ ou will be required to forfactions)) Send a ce date or come to the co it the bail amount. Y ce without appearing in evidence and decide t You may pay in perso ust appear for booking appearance. Call	116.) Registration and or by any clerk or d of F CORRECTION an or the appearance dat smissed only upon (1 t the time this notice URNED TO COURT) Agency d not later than five of the appearance dat of the appearance dat of the the bail amo ertified or registered le out on or before the af out on or before the af out. An officer w he case. your citation number a n, by mail, or by phon on a weekday prior to	d driver license eputy clerk of a d payment of a te. Violations of) your showing to appear was Date Date Date days prior to the future date when future date

TRAFFIC/NONTRAFFIC NOTICE TO APPEAR (Reverse of Court's Copy)



Appendix G Electronic Traffic/Nontraffic Notice to Appear, Form TR-135

ELECTRONIC TRAFFIC/NONTRAFFIC NOTICE TO APPEAR (Defendant's Copy)

(NAME OF AGENCY NOTICE TO APPE		SDICTION		MISDEME. TRAFFIC		AFFIC	(Citation No.)
Date of Violation	Time			-	Week		Case No.
Name (First, Middle, Last, 2.)					's Respor	sibility (VC 40001)
Address 3.		C	City	Sta	te ZIP C	ode	
City 4.		<u> </u>	State	ZIP Coo	le	UJuver	nile (Phone No.)
Driver Lic. No. 5.		State	Class	Commerc		ge	Birth Date
Sex Hair 6.	Eyes		Height	Weight	Race	Othe	er Description
Veh. Lic. No. or VIN 7.		Ś	State	Reg. MO/Y	R Exp.		MM. VEH.
Yr. of Veh. Mak 8.	(e	Model	Body Style	Color	Туре		: 15210(b)) Z. MATERIAL
Evidence of Financial Res	sponsibility	CH	IP/DOT/PU	C/ICC			353)
Registered Owner or Less	see					1	Same as Driver
Address 11.			City	Sta	ate ZIP C	Code [Same as Driver
12. UC 42009 Constru	uction Zone	U VC 4	2010 Safety	Zone			
Correctable Violation (VC Yes No Code ar	40610) nd Section		Booking R Description	equired (s	,	veight	Misdemeanor or Infraction
13.				L			
14.□							
15.							
16.							
Speed Approx. P.F./ 17. >	Max Spd.	Veh. Lmt.	Safe	Radar		inuation low	
Location of Violation(s) 18. at	•			City/Cou	nty of Occ	currence	
Comments (Weather, Roa 19.	ad & Traffic C	conditions)			□ Ac	cident	
 Violations not com 20. 	mitted in my p	oresence, d	leclared on	nformation	and belief		
I declare under penalty of Executed at		r the laws o ation locatio		of California	a the foreg	joing is tru	e and correct.
21 / _ /							Fm To
	g or Citing Off	ficer				D/Serial No.	Vac. Dates Fm
	f Arresting Of					D/Serial	<u>To</u> Vac. Dates
WITHOUT ADMITTI			TO APPEA	R AT THE		No. PLACE	
23. X Signature	v.						
24. WHEN: ON C	OR BEFORE	THIS DATE	=: <u>/</u>	<u>/</u>	Time:		
WHAT TO DO: FOLI	LOW THE IN	STRUCTIC	NS BELOW	1.	Time:		AM PM
25. WHERE: [Nam	ne of court[s]]					Right/Le	oft
[Sect	tion[s] or divis	ion[s], roor	n no[s].]			humbpr	
[Stre	et address[es	5]]					
[Pho	ne No.]						
26. To be notified] Contact the	clerk to ap	pear at a niç	ht court se	ssion.	DEFEI	NDANT COPY
Judicial Council of Califor New 07-01-13 (VC 40500	D(b),		FPO B	arcode			S Code 39)
40513(b), 40522, and 406 PC 853.9 and 959.1) TR			1100		•	(03)	5 000e 08)

ELECTRONIC TRAFFIC/NONTRAFFIC NOTICE TO APPEAR (Continuation of Defendant's Copy)

•		GENCY AN			/ _			FFIC	(Citation No.)
Date of V	/iolatio	on /	Time				Veek		Case No.
100	rst, M	iddle, Last)] Owner's	s Respons	sibility (VC 40001)
Address 3.					City	Sta	ate ZIP	Code	
City					State	ZIP Code		_ .	ile (Phone No.)
4. Driver Lic.	. No.			State	Class	Commercia	I Ag	() ge l	Birth Date
5. Sex		Hair	Eyes		Height	Ves IN Weight	No Race	Other	r Description
6.		T IAII	Lyes		Tieigin	weight	Nace	Other	Description
7. 🗆 VC 4	42009	Construction	Zone	U VC 4	12010 Safet	y Zone			
	le Vic No	lation (VC 406 Code and S			Booking F Description	Required (see	e below)		Misdemeanor or Infraction
8.									
9.									
10.									
11.	0								
12.									
13.									
14.									
15.Veh.	1	Veh. Lic. No.				State		Reg. N	/lo/Yr Exp.
16.	_	Yr. of Veh.	Make	I	Nodel	Body S	Style	Color	Туре
17.Veh.	2	Veh. Lic. No.	or VIN			State		Reg. N	/lo/Yr Exp
18	-	Yr. of Veh.	Make	I	Model	Body S	Style	Color	Туре
19.Veh.	3	Veh. Lic. No.	or VIN			State		Reg. N	/lo/Yr Exp.
20.	-	Yr. of Veh.	Make	I	Nodel	Body S	Style	Color	Туре
21.Veh.	4	Veh. Lic. No.	or VIN			State		Reg. N	/lo/Yr Exp.
22.		Yr. of Veh.	Make	I	Model	Body S	tyle	Color	Туре
23.	olatio	ns not committ	ed in my p	oresence,	declared or	i information a	and belief		
I declare u Executed		penalty of per		the laws		of California f	the forego	oing is true	e and correct.
24. <u>/</u> /									Fm To
Dec. Da	ate	Arresting or	Citing Off	icer				/Serial lo.	Vac. Dates Fm
25. <u>/ /</u> Dec. Da	/ ate	Name of Arr						/Serial	<u>To</u> Vac. Dates
		if different front ADMITTING			TO APPE	R AT THE TI		NO. PLACE	
26.		ED BELOW.							
	gnatu			_					
27. V	VHEN	I: ON OR E	BEFORE T	THIS DAT	E: <u>/</u>	<u> </u>	Time: _ Time: _		□ AM
WHAT T		: FOLLOW	/ THE INS	TRUCTIO	ONS BELOV	V.			
28. WI	HERE	E: [Name of	court[s]]					ght /Lef	
			s] or divisi		m no[s].]		Th	umbprir	nt
			ddress[es]]					
		[Phone N	-						
29. To be		ied Co I of California F		clerk to ap	opear at a ni	ght court sess	sion.	DEFEN	DANT COPY
New 07-0 40513(b),	1-13 4052	(VC 40500(b), 2, and 40600; 959.1) TR-135			FPO E	arcode		(USS	S Code 39)

ELECTRONIC TRAFFIC/NONTRAFFIC NOTICE TO APPEAR (Defendant's Copy - Instructions)

by 6 MONTHS (Veh. Code, § 4 by law may be	you fail to appear in court IN JAIL AND/OR A \$1,000 10508 or Pen. Code, § 853. deemed to have elected to section 40903(a) upon any a	FINE regardless of the 7.) In addition, any personal have a trial by written of	e disposition of the son who fails to app declaration (in abser	original charge bear as provided ntia) pursuant to
JUVENILE: If y your parent or g	you were under age 18 at th uardian.	e ti me the citation was is	ssued, you must app	ear in court with
the required dep	DTICE: A courtesy notice m posit of money (bail) that ma urtesy notice, you are still rec	y be forfeited instead of	your appearing in cou	urt. If you do not
date/time/place court. In all infr • Pay the • Appear • Contest If you do not do Code, § 40508(may be charged agency. (Pen. C	in court. the violation. one of the above actions, t a)) and your driver license r a an amount in addition to th	to appear. Have the cita e or more of the following Correct the violation (traffi Request traffic school (traf Request trial by written de hen a "failure to appear" nay be withheld, suspend	tition with you when co of creach violation: c cases, when applica ffic cases, when applica claration (traffic cases charge will be filed a ded, or revoked. In s	ontacting the able). cable). s). gainst you (Veh. come cour ts you
a. (Pay the ba will be convicted	d of the violation, and it wil count may be charged to you	appear on your record a	at the Department of	f Motor Vehicles
b. (Traffic sc	hool) You may be able to a	oid the point count by co	mpleting traffic schoo	 You must pay
c. (Correctal correctable. U inspection/instal	as a fee, and you may have ble violations) If the "Yes" pon correction of the v io llation station agent sign be	box is checked on the plation, have a I aw end low. (Veh. Code, \S 406	front of your ticket, forcement officer or 16.) Registration ar	the violation is an authorized ad driver license
c. (Correctal correctable. U inspection/instal violations may a court. The viola transaction fee Vehicle Code se or mailing to t	as a fee, and you may have ble violations) If the "Yes" pon correction of the v id lation station agent sign be also be certified as correcten- tion will be dismissed by th are presented to the court soction 16028 (automobile lia the court evidence of finan your payment of a transactio	box is checked on the lation, have a I aw end low. (Veh. Code, § 406 d at an of fice of the DMV he court after PROOF O by mail or in person by bility insurance) will be dis cial responsibility valid a n fee.	front of your ticket, forcement officer or 16.) Registration ar / or by any clerk or of F CORRE CTION an / the appear ance da smissed only upon (' t the time this notice	the violation is an authorized and driver license deputy clerk of a deputy clerk of a te. Violations of 1) your showing
c. (Correctal correctable. U inspection/instal violations may a court. The viola transaction fee Vehicle Code se or mailing to t issued, and (2)	as a fee, and you may have ble violations) If the "Yes" pon correction of the v ic llation station agent sign be also be certified as correcter tion will be dismissed by th are presented to the court court evidence of finan your payment of a transactio CERTIFICATE OF CORRE	box is checked on the lation, have a I aw end low. (Veh. Code, § 406 d at an of fice of the DMV he court after PROOF O by mail or in person by bility insurance) will be dis cial responsibility valid a n fee.	front of your ticket, forcement officer or 16.) Registration ar / or by any clerk or of F CORRE CTION an / the appear ance da smissed only upon (' t the time this notice	the violation is an authorized and driver license deputy clerk of a deputy clerk of a te. Violations of 1) your showing
c. (Correctal correctable. U inspection/instal violations may a court. The viola transaction fee Vehicle Code se or mailing to t	as a fee, and you may have ble violations) If the "Yes" pon correction of the v id lation station agent sign be also be certified as correcter tion will be dismissed by th are presented to the court soction 16028 (automobile lia the court evidence of finan your payment of a transactio	box is checked on the lation, have a I aw end low. (Veh. Code, § 406 d at an of fice of the DMV he court after PROOF O by mail or in person by bility insurance) will be dis cial responsibility valid a n fee.	front of your ticket, forcement officer or 16.) Registration ar / or by any clerk or of F CORRE CTION an / the appear ance da smissed only upon (' t the time this notice	the violation is an authorized and driver license deputy clerk of a deputy clerk of a te. Violations of 1) your showing
c. (Correctal correctable. U inspection/instal violations may a court. The viola transaction fee Vehicle Code se or mailing to t issued, and (2) Section(s)	as a fee, and you may have ble violations) If the "Yes" pon correction of the v is llation station agent sign be also be certified as correcter tion will be dismissed by the are presented to the court court evidence of finan your payment of a transactio CERTIFICATE OF CORRE Signature of Person	box is checked on the plation, have a I aw end low. (Veh. Code, § 406 d at an of fice of the DMV he court after PROOF O by mail or in person by polity insurance) will be dis cial responsibility valid a n fee. CTION (MUST BE RETL	front of your ticket, forcement officer or 516.) Registration ar / or by any clerk or co F CORRE CTION an / the appear ance da smissed only upon (7 t the time this notice <u>JRNED TO COURT</u>)	the violation is an authorized ad driver license leputy clerk of a id payment of a te. Violations of 1) your showing to appear w as
c. (Correctal correctable. U inspection/instal violations may a court. The viola transaction fee Vehicle Code se or mailing to t issued, and (2) Section(s)	as a fee, and you may have ble violations) If the "Yes" pon correction of the v is llation station agent sign be also be certified as correcter tion will be dismissed by the are presented to the court court evidence of finan your payment of a transactio CERTIFICATE OF CORRE Signature of Person	box is checked on the plation, have a I aw end low. (Veh. Code, § 406 d at an of fice of the DMV he court after PROOF O by mail or in person by polity insurance) will be dis cial responsibility valid a n fee. CTION (MUST BE RETL	front of your ticket, forcement officer or 516.) Registration ar / or by any clerk or co F CORRE CTION an / the appear ance da smissed only upon (7 t the time this notice <u>JRNED TO COURT</u>)	the violation is an authorized ad driver license leputy clerk of a id payment of a te. Violations of 1) your showing to appear w as
c. (Correctal correctable. U inspection/instal violations may a court. The viola transaction fee Vehicle Code se or mailing to t issued, and (2) y Section(s) Violated 2. If you c a. (Court fa appearance dat an officer and a b. (Trial by not later than fin to request a tria write a stateme	as a fee, and you may have ble violations) If the "Yes" pon correction of the v is llation station agent sign be also be certified as correcter tion will be dismissed by the are presented to the court court evidence of finan your payment of a transactio CERTIFICATE OF CORRE Signature of Person	box is checked on the blation, have a I aw end low. (Veh. Code, § 406 d at an of fice of the DMV he court after PROOF O by mail or in person by bility insurance) will be dis cial responsibility valid a n fee. CTION (MUST BE RETL Serial / ID No. Serial / ID No.	front of your ticket, forcement officer or 116.) Registration ar / or by any clerk or of F CORRE CTION an / the appear ance da smissed only upon (' t the time this notice <u>JRNED TO COURT</u>) Agency Agency d not later than five uest a court trial on a b submit the bail ame ertified or registered le ourt on or before the 'ou will be given form n court. An of ficer w	the violation is an authorized d driver license leputy clerk of a d payment of a te. Violations of) your showing to appear w as Date Date days prior to the future date when ount. —OR— etter postmarked appearance date is to allow you to
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c. (Correctal correctable. U inspection/instal violations may a court. The viola transaction fee Vehicle Code se or mailing to t issued, and (2) y Section(s) Violated 2. If you c a. (Court appearance dat an officer and a b. (Trial by not later than fin to request a tria write a statemes statement. The 3 Make che license number 4. If "Bookii at: and bring the si	as a fee, and you may have ble violations) If the "Yes" pon correction of the v ic lation station agent sign be also be certified as correcter tion will be dismissed by the certified as correcter to the violation court evidence of finan your payment of a transaction CERTIFICATE OF CORREC Signature of Person Certifying Correction Certifying Correction certifying correction contest the violation (select trial) Send a certified or re- te or come to the court by the ny withesses will be presarian al by written declaration. Su written declaration. Su in tand to subm it other evid judicial officer will consider teck/money order payable to g	box is checked on the plation, have a I aw end low. (Veh. Code, § 406 d at an office of the DMV he court after PROOF O by mail or in person by pility insurance) will be dis cial responsibility valid a n fee. CTION (MUST BE RETL Serial / ID No. Serial / I	front of your ticket, forcement officer or 116.) Registration ar / do r by any clerk or of F CORRE CTION an / the appear ance da smissed only upon (" t the time this notice JRNED TO COURT) Agency Agency d not later than five a uest a court trial on a submit the bail am ertified or registered la ourt on or before the a 'ou will be given form n court. An of ficer w the case. your citation number on, by mail, or by phor on a weekday prior to for m	the violation is an authorized d driver license leputy clerk of a d payment of a te. Violations of your showing to appear w as backet and a state and driver and driver and driver and driver and core information.
c. (Correctal correctable. U inspection/instal violations may a court. The viola transaction fee Vehicle Code se or mailing to t issued, and (2) y Section(s) Violated 2. If you c a. (Court fa appearance dat an officer and a b. (Trial by not later than fin to request a tria write a statement. The 3 Make che license number 4. If "Bookin at: and bring the sis Booking Verifie	as a fee, and ýou may have ble violations) If the "Yes" pon correction of the v is llation station agent sign be also be certified as correcte- tion will be dismissed by the are presented to the court cetton 16028 (automobile lia the court evidence of finan your payment of a transactio CERTIFICATE OF CORRI Signature of Person Certifying Correction ontest the violation (select trial) Send a cer tified or req te or come to the court by the ny witnesses will be present re written declaration (traffic i judicial officer will consider to con your check or money ord ng Required" is checked you gned verification to your cour cation: I declare under pena	box is checked on the plation, have a I aw end low. (Veh. Code, § 406 d at an office of the DMV he court after PROOF O by mail or in person by pility insurance) will be dis cial responsibility valid a n fee. CTION (MUST BE RETL Serial / ID No. Serial / I	front of your ticket, forcement officer or 116.) Registration ar / do r by any clerk or of F CORRE CTION an / the appear ance da smissed only upon (" t the time this notice JRNED TO COURT) Agency Agency d not later than five a uest a court trial on a submit the bail am ertified or registered la ourt on or before the a 'ou will be given form n court. An of ficer w the case. your citation number on, by mail, or by phor on a weekday prior to for m	the violation is an authorized d driver license leputy clerk of a d payment of a te. Violations of your showing to appear w as backet and a state and driver and driver and driver and driver and core information.