

Judicial Council of California • Administrative Office of the Courts

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INVITATION TO COMMENT

SPR12-27

Title	Action Requested
Traffic and Criminal Law: Notice to Appear Forms	Review and submit comments by June 15, 2012
Proposed Rules, Forms, Standards, or Statutes	Proposed Effective Date
Amend Cal. Rules of Court, rule 4.103; revise form TR-INST; and adopt form TR-135	July 1, 2013
Proposed by	Contact
Traffic Advisory Committee	Mr. Courtney Tucker
Hon. Mark S. Borrell, Chair	courtney.tucker@jud.ca.gov (415) 865-7611

Executive Summary and Origin

Vehicle Code section 40500(b) authorizes the Judicial Council to prescribe the form of a notice to appear that is issued when a person is arrested for misdemeanor or infraction violations of the Vehicle Code. Penal Code section 853.9 further authorizes the council to approve notice to appear forms for nontraffic offenses. Penal Code section 959.1(d) permits a notice to appear issued on a form approved by the Judicial Council to be received and filed by a court in electronic form. In response to issues courts have reported with electronic citation forms and procedures and to improve uniformity of the content of notice to appear forms used for electronic citations issued by arresting officers, the Traffic Advisory Committee recommends the amendment of rule 4.103 of the California Rules of Court; the adoption of form TR-135, *Electronic Traffic/Nontraffic Notice to Appear*; and the revision of form TR-INST, *Notice to Appear and Related Forms*, to become effective July 1, 2013.

Background

When a notice to appear issued on a Judicial Council form is verified by the issuing officer, it constitutes a complaint in a criminal case. (Pen. Code, § 853.9 and Veh. Code, § 40513(b).) In addition, a notice to appear issued on a form approved by the Judicial Council may be received and filed by a court in electronic form. (Pen. Code, § 959.1(d).) Until 2004, the Judicial Council required under Vehicle Code section 40500 that every law enforcement agency submit its notice to appear citation form for traffic offenses to the council for individual review and approval. In 2005 the council adopted California Rules of Court, rule 4.103, which provides that notices to appear that use the approved council forms and comply with the council's form instructions in TR-INST, *Notice to Appear and Related Forms* (Instructions), are on a form approved by the

The proposals have not been approved by the Judicial Council and are not intended to represent the views of the council, its Rules and Projects Committee, or its Policy Coordination and Liaison Committee. These proposals are circulated for comment purposes only.

Judicial Council. At present, form TR-130, *Traffic/Nontraffic Notice to Appear*, is used for issuing both electronic and preprinted handwritten citations. The California Highway Patrol (CHP) has an ongoing pilot project to issue and file electronic notice to appear citations. The advisory committee's proposal is designed to facilitate implementation of the CHP program for electronic citations and improve and clarify requirements for other issuing agencies.

The Proposal

Under rule 4.103 of the California Rules of Court, notices to appear that use the approved council notice to appear forms and comply with the council's Instructions are issued on a form approved by the Judicial Council. The Traffic Advisory Committee proposes changes to improve the requirements for the notice to appear form used by law enforcement agencies to issue electronic citations when making arrests for infraction and misdemeanor violations. The complete proposal would: (1) amend rule 4.103 (see p. 7) to require that law enforcement agencies that issue electronic notice to appear citations submit a copy of the agency's form to the Judicial Council annually; (2) create a new form TR-135, *Electronic Traffic/Nontraffic Notice to Appear* (see pp. 8–10), for issuing electronic notice to appear citations when making arrests; and (3) clarify and revise the Instructions (Attachment A).

The committee recommends the proposal in response to requests by courts to reduce both the administrative impact and expense of processing traffic citations by facilitating electronic filing and to address concerns of the public about the validity of electronic citation forms. The Traffic Advisory Committee considers the revision of electronic citation requirements to be urgently needed to remedy a problem that is causing significant cost or inconvenience to the courts or the public. This proposal is designed to benefit the judicial branch and justice partners by improving the requirements and procedures for issuing and filing electronic citations as an alternative to handwritten citations that require extensive processing and data entry by both courts and law enforcement agencies. Clarification of the requirements would also provide defendants with reassurance of the validity of the citations as complaints and avoid unwarranted challenges for statutory deficiencies. The amendment of rule 4.103 to require annual submission of electronic citation forms by issuing agencies would provide the council with continuing information about compliance with requirements and identify issues where further action may be needed.

Amendment of rule 4.103, adoption of form TR-135, and revision of the Instructions, would improve compliance with statutory requirements, provide the courts with the necessary information for processing citations in a more cost-effective manner, and avoid issuance and challenge of unapproved notice to appear forms.

Amendment of rule 4.103. The committee recommends that rule 4.103 be amended to provide the Judicial Council with an annual sample copy of electronic citation forms issued by agencies for arrests in traffic and nontraffic criminal cases. The requirement to provide the council with a copy of the form may improve the compliance with related statutes and the council requirements in the Instructions and identify issues where further improvement is needed. Improvement in compliance with the requirements may reduce the expense and administrative burden of cases

where citations are challenged and result in decreased workload for judicial officers and court staff in processing contested cases.

Adoption of form TR-135. The committee recommends adoption of form TR-135 to clarify and standardize the requirements that apply for electronic citations to be filed and serve as a verified complaint in criminal cases. Adoption of the new form and instructions would provide clear and understandable provisions that can be followed to facilitate use of electronic citations and allow courts and issuing agencies to realize cost savings from reduction in administrative expenses for processing handwritten citations. The specific details for form TR-135 are discussed below in the changes to form TR-INST. The primary clarifications for electronic citation requirements are: (1) that the defendant's copy must include a signature for the promise to appear that is identical to the signature on the copy filed with the court, (2) that the issuing officer must indicate whether an offense is eligible for correction by specifying "Yes" for an offense that is correctable or "No" for an offense that is ineligible for correction, and (3) that the officer's declaration must include a declaration date where specified for the citation to serve as a verified complaint.

Revision of form TR-INST. The Instructions would be revised to include the following changes to improve uniformity of content and format and satisfy legal requirements for notice to appear forms used to issue and file electronic citations:

- Revision of section 1.030 to provide for an integrated continuation page for electronic citations for use where there are many violations or multiple vehicles. This would avoid unnecessary printing of duplicate instructions that are part of the existing continuation forms, TR-106, *Continuation of Notice to Appear*, and TR-108, *Continuation of Citation*;
- Revision of section 1.040 to specify use of form TR-135 for issuing and filing electronic citations and to provide for different requirements for electronic and preprinted citations. This would help identify the circumstances where the requirements for electronic citations differ from those for preprinted citations;
- Revision of section 2.010 to specify use of form TR-135 for issuing electronic citations at the time of arrest. This would clarify and improve the requirements for electronic citations;
- Revision of section 3.010 to require implementation of form TR-135 by law enforcement agencies by July 1, 2013. This would provide time for issuing agencies to implement the changes for electronic citations;
- Revision of section 4.010 to specify that the defendant's copy of the citation must include the defendant's signature for the promise to appear. This would improve compliance with statutory provisions;
- Revision of section 4.020 to specify that the "trim" size of notice to appear forms is a minimum width of 3 3/4 inches. This would prevent use of a form that is too narrow to allow printing of forms with the approved format and required minimum font size;

- Revision of section 4.050 (b) to specify that text on citation form TR-135 must have a minimum font size of 6.0. This would avoid use of citations with print that is too small to be legible;
- Revision of section 6.00 to provide that citations issued on form TR-135 may abbreviate terms. This would facilitate printing of citations when issued. Removal of the provision for minor alterations of formatting for electronic citations would improve standardization of the form and reduce the occurrence of unapproved changes to the form;
- Revision of section 6.030 to specify that the approved bar code data format is USS Code 39. This would assist issuing agencies in complying with the standard;
- Revision of section 6.160 to specify that notice to appear citations require an issuing officer to indicate whether a violation is eligible for correction by checking a “Yes” or “No” check box for eligible offenses. This would provide clarity about whether an officer has made the determination required by Vehicle Code section 40522;
- Revision of section 6.170 to add form TR-135 to the forms that have a “Booking Required” check box. This would comply with Penal Code section 853.6;
- Revision of section 6.180 to add specific data fields on form TR-135 for construction and safety enhancement zone violations and overweight violations. This would assist courts in imposing the proper penalties for the specific offenses;
- Revision of section 6.210 to add a reference to collision investigation as an example of citations where the officer executes a declaration on information and belief. This would assist proper completion of citations;
- Revision of section 6.220 to specify the location for the declaration date that is required by Code of Civil Procedure section 2015.5 for the declaration to be verified and for the citation to serve as a complaint. This would improve compliance with statutory requirements;
- Revision of section 6.240 to provide that the signature on the defendant’s copy must be identical to the signature on the copy filed with the court. This would satisfy the requirement of Vehicle Code section 40505 that the citation issued to the defendant include all information on the copy filed with the court;
- Revision of section 6.280 to remove the exception to have the form approval legend at the top of the form instead of the bottom. This would improve statewide uniformity and reduce ambiguity about whether a citation is issued on an approved form; and
- Revision of section 7.030 to allow adding a thumbprint to a shaded area of form TR-135. This would allow issuing agencies flexibility to determine a suitable location on the front of the form.

Alternatives Considered

The committee considered clarifying the form requirements in TR-INST while continuing the current practice of using form TR-130, *Traffic/Nontraffic Notice to Appear*, for both electronic and preprinted handwritten citations. Instead, the committee recommends adoption of a new form with specific requirements tailored to the unique aspects of electronic citations that could

be distinguished from those that are better suited to preprinted citations. The adoption of a new form consistent with the CHP pilot project and statutory requirements would allow other agencies to implement future electronic citation systems in a more uniform, understandable, and well-established manner.

The committee also considered reinstatement of the previous requirement for agencies to submit citation forms to the Judicial Council for individual review and approval. It did not favor this approach due to the administrative burden, staffing, and costs that would be necessary for implementation of the procedure. The committee considered that the proposed requirement to provide the council with an annual copy of the citation form would be easily satisfied with negligible expense and provide continuing information to the council for future improvements.

Implementation Requirements, Costs, and Operational Impacts

This proposal is expected to result in long-term cost savings and time savings for courts and issuing agencies because costs of processing handwritten citations will be reduced or eliminated. Implementation of the proposal should facilitate efforts of courts to expand electronic filing of citations and result in reduced court costs for labor related to processing and data input for handwritten citations. Law enforcement agencies with existing electronic citation programs may have programming costs to implement the changes that are recommended to comply with existing law.

Request for Comments

In addition to comments on the proposal as a whole, the advisory committee is interested in comments on the following:

- Does the proposal appropriately address the stated purpose?
- The committee is interested in specific input on whether it is appropriate to omit the optional data field on proposed form TR-135 for the place where the officer's declaration is executed. Under Code of Civil Procedure section 2015.5(b), written verification of a matter is effective if it is executed at any place, within or without this state, and states the date of execution and that it is so certified or declared under the laws of the State of California by the person making the declaration. Proposed form TR-135 includes the specific language provided for in section 2015.5(b) and therefore the place of the declaration should not be necessary.

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

- Will the proposal provide cost savings? If so please quantify.
- What are the implementation requirements 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.

Attachments and Links

1. Proposed amended Cal. Rules of Court, rule 4.103, at page 7
2. Proposed new form TR-135, at pages 8–10
3. Attachment A: Proposed revised form TR-INST

Rule 4.103 of the California Rules of Court would be amended, effective July 1, 2013, to read:

1 **Rule 4.103. Notice to appear forms**

2
3 **(a) Traffic offenses**

4
5 A printed or electronic notice to appear that is issued for any violation of the Vehicle Code
6 other than a felony or for a violation of an ordinance of a city or county relating to traffic
7 offenses must be prepared and filed with the court on *Automated Traffic Enforcement*
8 *System Notice to Appear* (form TR-115), ~~or~~ *Traffic/Nontraffic Notice to Appear* (form TR-
9 130), or *Electronic Traffic/Nontraffic Notice to Appear* (form TR-135) and must comply
10 with the requirements in the current version of the Judicial Council’s instructions, *Notice*
11 *to Appear and Related Forms* (form TR-INST).

12
13 **(b) Nontraffic offenses**

14
15 A notice to appear issued for a nontraffic infraction or misdemeanor offense that is
16 prepared on *Nontraffic Notice to Appear* (form TR-120), ~~or~~ *Traffic/Nontraffic Notice to*
17 *Appear* (form TR-130), or *Electronic Traffic/Nontraffic Notice to Appear* (form TR-135)
18 and that complies with the requirements in the current version of the Judicial Council’s
19 instructions, *Notice to Appear and Related Forms* (form TR-INST), may be filed with the
20 court and serve as a complaint as provided in Penal Code section 853.9.

21
22 **(c) Corrections**

23
24 Corrections to citations previously issued on *Continuation of Notice to Appear* (form TR-
25 106), *Continuation of Citation* (form TR-108), *Automated Traffic Enforcement System*
26 *Notice to Appear* (form TR-115), *Nontraffic Notice to Appear* (form TR-120), ~~or~~
27 *Traffic/Nontraffic Notice to Appear* (form TR-130), or *Electronic Traffic/Nontraffic*
28 *Notice to Appear* (form TR-135) must be made on a *Notice of Correction and Proof of*
29 *Service* (form TR-100).

30
31 **(d) Electronic citation forms**

32
33 A law enforcement agency that uses an electronic citation device to issue notice to appear
34 citations on the Judicial Council’s *Electronic Traffic/Nontraffic Notice to Appear* (form
35 TR-135) must annually submit to the Judicial Council an exact printed copy of the
36 agency’s citation form that complies with the requirements in the current version of the
37 Judicial Council’s instructions, *Notice to Appear and Related Forms* (form TR-INST).

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

(NAME OF AGENCY AND JURISDICTION)		<input type="checkbox"/> MISDEMEANOR <input type="checkbox"/> TRAFFIC <input type="checkbox"/> NONTRAFFIC		(Citation No.)	
NOTICE TO APPEAR					
Date of Violation 1. / /		Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Day of Week		Case No.
Name (First, Middle, Last) 2. _____					<input type="checkbox"/> Owner's Responsibility (VC 40001)
Address 3. _____		City	State	ZIP Code	
City 4. _____		State	ZIP Code	<input type="checkbox"/> Juvenile (Phone No.) () ()	
Driver Lic. No. 5. _____		State	Class	Commercial <input type="checkbox"/> Yes <input type="checkbox"/> No	Age
Sex 6. _____		Hair	Eyes	Height	Birth Date / /
Veh. Lic. No. or VIN 7. _____		State	Reg. MO/YR	Exp.	<input type="checkbox"/> COMM. VEH. (VC 15210(b))
Yr. of Veh. 8. _____		Make	Model	Body Style	Color
Evidence of Financial Responsibility 9. _____		CHP/DOT/PUC/ICC	<input type="checkbox"/> HAZ. MATERIAL (VC 353)		
Registered Owner or Lessee 10. _____					<input type="checkbox"/> Same as Driver
Address 11. _____		City	State	ZIP Code <input type="checkbox"/> Same as Driver	
12. <input type="checkbox"/> VC 42009 Construction Zone		<input type="checkbox"/> VC 42010 Safety Zone			
Correctable Violation (VC 40610)		<input type="checkbox"/> Booking Required (see below)		Misdemeanor or Infraction	
Yes No Code and Section		Description		Overweight	
13. <input type="checkbox"/> <input type="checkbox"/>				M I <input type="checkbox"/> <input type="checkbox"/>	
14. <input type="checkbox"/> <input type="checkbox"/>				<input type="checkbox"/> <input type="checkbox"/>	
15. <input type="checkbox"/> <input type="checkbox"/>				<input type="checkbox"/> <input type="checkbox"/>	
16. <input type="checkbox"/> <input type="checkbox"/>				<input type="checkbox"/> <input type="checkbox"/>	
Speed Approx. 17. >		P.F./Max Spd.	Veh. Lmt.	Safe	Radar
		<input type="checkbox"/> Continuation below			
Location of Violation(s) 18. at _____					City/County of Occurrence
Comments (Weather, Road & Traffic Conditions) 19. _____					<input type="checkbox"/> Accident
20. <input type="checkbox"/> Violations not committed in my presence, declared on information and belief.					
I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct.					
Executed at		Violation location			
21. / /		Arresting or Citing Officer		ID/Serial No.	Fm To Vac. Dates
22. / /		Name of Arresting Officer, if different from Citing Officer		ID/Serial No.	Fm To Vac. Dates
23. WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AT THE TIME AND PLACE INDICATED BELOW.					
X Signature					
24. WHEN:		ON OR BEFORE THIS DATE: / /		Time: : AM <input type="checkbox"/> PM <input type="checkbox"/>	
				Time: : AM <input type="checkbox"/> PM <input type="checkbox"/>	
WHAT TO DO: FOLLOW THE INSTRUCTIONS BELOW.					
25. WHERE:		[Name of court(s)]			
		[Section(s) or division(s), room no(s).]			
		[Street address(es)]			
		[Phone No.]			
26. <input type="checkbox"/> To be notified		<input type="checkbox"/> Contact the clerk to appear at a night court session.		DEFENDANT COPY	
Judicial Council of California Form New 07-01-13 (VC 40500(b), 40513(b), 40522, and 40600; PC 853.9 and 959.1) TR-135		FPO Barcode		(USS Code 39)	

Shaded areas indicate spaces subject to modification for local or agency requirements.

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

(NAME OF AGENCY AND JURISDICTION)		<input type="checkbox"/> MISDEMEANOR <input type="checkbox"/> TRAFFIC <input type="checkbox"/> NONTRAFFIC		(Citation No.)
NOTICE TO APPEAR CONTINUATION				
Date of Violation 1. / /	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Day of Week	Case No.	
Name (First, Middle, Last) 2.		<input type="checkbox"/> Owner's Responsibility (VC 40001)		
Address 3.		City	State	ZIP Code
City 4.		State	ZIP Code	<input type="checkbox"/> Juvenile (Phone No.) ()
Driver Lic. No. 5.	State	Class	Commercial <input type="checkbox"/> Yes <input type="checkbox"/> No	Age / /
Sex 6.	Hair	Eyes	Height	Weight Race Other Description
7. <input type="checkbox"/> VC 42009 Construction Zone		<input type="checkbox"/> VC 42010 Safety Zone		
Correctable Violation (VC 40610) Yes No Code and Section		<input type="checkbox"/> Booking Required (see below) Description		Misdemeanor or Infraction M I <input type="checkbox"/> <input type="checkbox"/>
8. <input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/> <input type="checkbox"/>
9. <input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/> <input type="checkbox"/>
10. <input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/> <input type="checkbox"/>
11. <input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/> <input type="checkbox"/>
12. <input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/> <input type="checkbox"/>
13. <input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/> <input type="checkbox"/>
14. <input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/> <input type="checkbox"/>
15. Veh. 1	Veh. Lic. No. or VIN	State	Reg. Mo/Yr	Exp.
16.	Yr. of Veh. Make Model	Body Style	Color	Type
17. Veh. 2	Veh. Lic. No. or VIN	State	Reg. Mo/Yr	Exp.
18.	Yr. of Veh. Make Model	Body Style	Color	Type
19. Veh. 3	Veh. Lic. No. or VIN	State	Reg. Mo/Yr	Exp.
20.	Yr. of Veh. Make Model	Body Style	Color	Type
21. Veh. 4	Veh. Lic. No. or VIN	State	Reg. Mo/Yr	Exp.
22.	Yr. of Veh. Make Model	Body Style	Color	Type
23. <input type="checkbox"/> Violations not committed in my presence, declared on information and belief.				
I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct.				
Executed at		Violation location		
24. / / Dec. Date	Arresting or Citing Officer	ID/Serial No.	Fm To Vac. Dates	
25. / / Dec. Date	Name of Arresting Officer, if different from Citing Officer	ID/Serial No.	Fm To Vac. Dates	
26. WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AT THE TIME AND PLACE INDICATED BELOW.				
X Signature				
27. WHEN: ON OR BEFORE THIS DATE: / /		Time: <input type="checkbox"/> AM <input type="checkbox"/> PM Time: <input type="checkbox"/> AM <input type="checkbox"/> PM		
WHAT TO DO: FOLLOW THE INSTRUCTIONS BELOW.				
28. WHERE: [Name of court[s]]		Right /Left Thumbprint		
[Section[s] or division[s], room no[s].]				
[Street address[es]]				
[Phone No.]				
29. <input type="checkbox"/> To be notified		<input type="checkbox"/> Contact the clerk to appear at a night court session. DEFENDANT COPY		
Judicial Council of California Form New 07-01-13 (VC 40500(b), 40513(b), 40522, and 40600; PC 853.9 and 959.1) TR-135		FPO Barcode (USS Code 39)		

Shaded areas indicate spaces subject to modification for local or agency requirements.

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

IMPORTANT — READ CAREFULLY

WARNING: If you fail to appear in court as you have promised, you may be arrested and punished by 6 MONTHS IN JAIL AND/OR A \$1,000 FINE regardless of the disposition of the original charge. (Veh. Code, § 40508 or Pen. Code, § 853.7.) In addition, any person who fails to appear as provided by law may be deemed to have elected to have a trial by written declaration (in absentia) pursuant to Vehicle Code section 40903(a) upon any alleged infraction, as charged by the arresting/citing officer.

JUVENILE: If you were under age 18 at the time the citation was issued, you must appear in court with your parent or guardian.

COURTESY NOTICE: A courtesy notice may be mailed to the address shown on your citation, indicating the required deposit of money (bail) that may be forfeited instead of your appearing in court. If you do not receive such courtesy notice, you are still required to comply with the items below by the appearance date.

WHAT TO DO

You are required to appear at court for a misdemeanor violation. For all violations, your court date/time/place are on the front of this notice to appear. Have the citation with you when contacting the court. In all infraction cases, you must do one or more of the following for each violation:

- Pay the fine (bail).
- Correct the violation (traffic cases, when applicable).
- Appear in court.
- Request traffic school (traffic cases, when applicable).
- Contest the violation.
- Request trial by written declaration (traffic cases).

If you do not do one of the above actions, then a "failure to appear" charge will be filed against you (Veh. Code, § 40508(a)) and your driver license may be withheld, suspended, or revoked. In some courts you may be charged an amount in addition to the bail amount and the case may be turned over to a collection agency. (Pen. Code, § 1214.1.)

1. If you do NOT contest the violation:

a. (Pay the bail amount) Contact the court for bail information. 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 may be charged to your DMV record and your insurance may be adversely affected.

b. (Traffic school) You may be able to avoid the point count by completing traffic school. You must pay the bail amount as a fee, and you may have to pay other fees. Contact the court to request traffic school.

c. (Correctable violations) If the "Yes" box is checked on the front of your ticket, the violation is correctable. Upon correction of the violation, have a law enforcement officer or an authorized inspection/installation station agent sign below. (Veh. Code, § 40616.) Registration and driver license violations may also be certified as corrected at an office of the DMV or by any clerk or deputy clerk of a court. The violation will be dismissed by the court after PROOF OF CORRECTION and payment of a transaction fee are presented to the court by mail or in person by the appearance date. Violations of Vehicle Code section 16028 (automobile liability 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.

CERTIFICATE OF CORRECTION (MUST BE RETURNED TO COURT)

Section(s) Violated	Signature of Person Certifying Correction	Serial / ID No.	Agency	Date

2. If you contest the violation (select a or b):

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 any witnesses will be present. **You will be required to submit the bail amount. —OR—**

b. (Trial by written declaration (traffic infractions)) 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 appearance date to request a trial by written declaration. **Submit the bail amount.** You will be given forms to allow you to write a statement and to submit other evidence without appearing in court. An officer will also submit a statement. The judicial officer will consider the evidence and decide the case.

3 Make check/money order payable to **Clerk of the Court**. Write your citation number and driver license number on your check or money order. You may pay in person, **by mail, or by phone**.

4. If "Booking Required" is checked you must appear for booking on a **weekday** prior to your court date at: _____ between the hours of _____ and _____

and bring the signed verification to your court appearance. Call _____ for more information.

Booking Verification: I declare under penalty of perjury under the laws of the State of California that

_____ was booked on _____ Date _____ Officer _____ Serial / ID No. _____

5. Additional information is available at

Local Website _____

Shaded areas indicate spaces subject to modification for local or agency requirements.

NOTICE TO APPEAR AND RELATED FORMS

Revised Effective ~~July 1, 2010~~ [July 1, 2013](#)



JUDICIAL COUNCIL OF CALIFORNIA

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

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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.
- d) [Form TR-135, *Electronic Traffic/Nontraffic Notice to Appear*, may include an integrated continuation page to allow for citing multiple offenses or offenses that involve multiple vehicles.](#)

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 [issued on form TR-135, *Electronic Traffic/Nontraffic 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.
- c) [Requirements for citations issued by an electronic citation device on form TR-135 that differ from those for preprinted citations are specified below where necessary.](#)

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~~ [four](#) 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~~

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.

~~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.~~

- 4) Form TR-135, *Electronic Traffic/Nontraffic Notice to Appear*,⁸ to be used for both infraction and misdemeanor offenses. (See Appendix G.) A computer-generated paper citation is issued to the defendant at the time of arrest.
- 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 DATES

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(e)(4) 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 forms TR-115, 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. The council adopted form TR-135, effective July 1, 2013.

Chapter 4 FORM SPECIFICATIONS

4.010. Required Copies

The arresting officer must prepare the Notice to Appear form, at a minimum, in triplicate with a copy delivered to the court and the issuing agency for Vehicle Code violations⁹ and in duplicate for all other violations.¹⁰ The copy of the citation issued to the arrested person must include all of the information on the copy of the citation filed with the court, including any signature for the promise to appear.¹¹ 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.

⁸Per Pen. Code, § 959.1.

⁹Per Veh. Code, §§ 40500(a) and 40506.

¹⁰Per Pen. Code, § 853.6.

¹¹Per Veh. Code, § 40505.

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.
- 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.
- g) [The “trim” size of form TR-135 must have a minimum width of 3 3/4 inches.](#)

4.030. Paper Stock

Paper stock for handwritten 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, [and TR-135](#) 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 Council–adopted 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 [citations issued on forms TR-135](#) 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 [and utilize the USS Code 39 bar code data format](#).
 - 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 [regarding effective dates for revised forms](#).
 - 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.¹²
- 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.¹³
- 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.

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 vehicle,¹⁴ 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).":

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

¹³Per Veh. Code, §§ 40500(a), 40518(b) and Pen. Code, § 853.6.

¹⁴Commercial vehicle is defined in Veh. Code, § 15210(b). The requirement to indicate if offense involves a motor vehicle is per Veh. Code, § 40300.2.

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.¹⁵

6.130. Financial Responsibility

The officer must write the driver's evidence of financial responsibility on the Notice to Appear.¹⁶ 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.

6.140. Name of Registered Owner/Lessee

- a) The Notice to Appear must contain the name of the registered owner or lessee.¹⁷
- 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.¹⁸
- 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.¹⁹
- b) For offenses identified in Vehicle Code section 40303.5 the citing officer must indicate by marking the appropriate "Yes" or "No" check box whether or not the offense is eligible for dismissal upon proof of timely correction. Marking the "~~h~~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~~Notice to Appear.

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.²⁰ If the "Booking Required" check box is checked on form TR-120 ~~or~~, TR-130, or TR-135, the

¹⁵Per Veh. Code, § 40500(a).

¹⁶Per Veh. Code, § 16028.

¹⁷Per Veh. Code, § 40500(a).

¹⁸Per Veh. Code, § 40500(a).

¹⁹Per Veh. Code, § 40522.

²⁰Per Pen. Code, § 853.6.

arresting agency must complete the verification of booking section on the defendant's copy of the form. The "bBooking rRequired" check box does not appear on the *Automated Traffic Enforcement System notice* Notice to Appear.

6.180. Violations

The Notice to Appear must state the offenses charged.²¹ Form TR-135, *Electronic Traffic-Nontraffic Notice to Appear*, includes special fields to cite construction zone violations (Veh. Code, § 42009), safety enhancement-double fine zone violations (Veh. Code, § 42010), and overweight violations (Veh. Code, §§ 42030 and 42030.1).

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.²²

- 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 and a collision investigation are examples of a situations 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 dated declaration, under penalty of perjury, subscribed by the officer, that the information regarding the violations is true and correct.²³ The date of the declaration must appear next to the name of the arresting and/or citing officer that executes the declaration.

²¹Per Veh. Code, § 40500(a) and Pen. Code, § 853.6.

²²Per Veh. Code, § 40503.

²³Per Code Civ. Proc., § 2015.5.

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.²⁴ [The defendant's signature on the defendant's copy of the citation must be identical to the signature on the copy of the citation filed with the court.](#)²⁵ ~~This option~~ [The requirement for a signed promise to appear](#) does not apply to citations issued for violations recorded by an *Automated Traffic Enforcement System Notice to Appear*.

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.²⁶
- 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.²⁷ The time to appear must be at least ten days after the Notice to Appear is delivered.²⁸
- 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.²⁹

6.260. Place to Appear

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

²⁴Per Veh. Code, § 40504 and Pen. Code, § 853.6.

²⁵[Per Veh. Code, § 40505.](#)

²⁶Per Veh. Code, § 40501(a).

²⁷Per Veh. Code, § 40518(a).

²⁸Per Veh. Code, § 40518(b).

²⁹Per Veh. Code, § 40501(b).

-
- a) Before a magistrate or judge.³⁰
 - b) Before a person authorized to receive a deposit of bail.³¹
 - c) Before the juvenile court, juvenile court referee, or juvenile hearing officer.³²

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.³³

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.~~

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.³⁵³⁴

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.

³⁰Per Veh. Code, § 40502(a)–(b) and Pen. Code, § 853.6.

³¹Per Veh. Code, § 40502(c) and Pen. Code, § 853.6.

³²Per Veh. Code, § 40502(d).

³³Per Veh. Code, § 40502(d).

³²³⁴Per Pen. Code, § 815(a).

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.³⁵
- b) The Judicial Council recommends that the thumbprint [on form TR-120 or TR-130](#) be placed in a one-inch square area located on the reverse of the court's copy in the lower left corner. [On form TR-135, the thumbprint field may be added to a shaded area.](#)
- 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.³⁶

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.³⁷

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.³⁸ A number of other states use the individual's social security number as the driver license number.

³⁵Per Veh. Code, § 40500(a) and Pen. Code, § 853.6.

³⁶Per Public Law 93-579, § 7.

³⁷Per 42 USC § 405, (c)(2)(c)(i)-(iv).

³⁸Per 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
from _____ to _____
 - Location of violation should be changed
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: _____
(Signature of officer)

Form Adopted for Mandatory Use
Judicial Council of California
TR-100 [Rev. January 1, 2004]

I am at least 18 years of age, not a party to this action, and I am a resident of or employed in the county where the mailing took place. My business address is:

On (date): _____, I served this Notice of Correction on the parties at the address listed below by depositing it in a sealed envelope, postage prepaid, with the United States Postal Service at (city and state):

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
Date: _____

Original to Court

Defendant's Address:

(Type or print name)

(SIGNATURE)

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

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

(Name of Agency and Jurisdiction) CONTINUATION OF NOTICE TO APPEAR		<input type="checkbox"/> MISDEMEANOR	
		<input type="checkbox"/> Traffic <input type="checkbox"/> Nontraffic (Citation No.)	
Date 1. / /	Time	AM PM	Day of Week S M T W T F S
Case No.			
Name (First, Middle, Last) 2.			
Veh. Lic. No. or VIN 3.		State	
Correctable Violation (Veh. Code, § 40610)			
Yes	No	Code and Section	Description
Misdemeanor or Infraction (Circle)			
4. <input type="checkbox"/>	<input type="checkbox"/>	_____	_____ M _____ I
5. <input type="checkbox"/>	<input type="checkbox"/>	_____	_____ M _____ I
6. <input type="checkbox"/>	<input type="checkbox"/>	_____	_____ M _____ I
7. <input type="checkbox"/>	<input type="checkbox"/>	_____	_____ M _____ I
8. <input type="checkbox"/>	<input type="checkbox"/>	_____	_____ M _____ I
9. <input type="checkbox"/>	<input type="checkbox"/>	_____	_____ M _____ I
10. <input type="checkbox"/>	<input type="checkbox"/>	_____	_____ M _____ I
11. <input type="checkbox"/>	<input type="checkbox"/>	_____	_____ M _____ I
12. <input type="checkbox"/>	<input type="checkbox"/>	_____	_____ M _____ I
13. <input type="checkbox"/>	<input type="checkbox"/>	_____	_____ M _____ I
14. <input type="checkbox"/>	<input type="checkbox"/>	_____	_____ M _____ I
15. <input type="checkbox"/>	<input type="checkbox"/>	_____	_____ M _____ I
16. <input type="checkbox"/>	<input type="checkbox"/>	_____	_____ M _____ I
17. <input type="checkbox"/>	<input type="checkbox"/>	_____	_____ M _____ I
18. <input type="checkbox"/>	<input type="checkbox"/>	_____	_____ M _____ I
19. <input type="checkbox"/>	<input type="checkbox"/>	_____	_____ M _____ I
20. <input type="checkbox"/>	<input type="checkbox"/>	_____	_____ M _____ I
21. <input type="checkbox"/> Violations not committed in my presence, declared on information and belief.			
I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct, and a continuation of the enforcement document noted.			
22. _____		Serial No. _____	
Arresting or Citing Officer			
23. / /	_____		Serial No. _____
Date		Name of Arresting Officer, if different from Citing Officer	
24. <div style="border: 1px solid black; padding: 5px; display: inline-block;"> WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AT THE TIME AND PLACE INDICATED. X Signature </div>			
Judicial Council of California Form		SEE REVERSE	
Rev. 01-01-04 (Veh. Code, §§ 40500(b), 40513(b), 40522, 40600; Pen. Code, § 853.9)		TR-106	

Shaded areas on the form indicate spaces subject to modification for local or agency requirements.

CONTINUATION OF NOTICE TO APPEAR
(Reverse of Court Copy)

(Circle one)

RIGHT or LEFT
THUMB PRINT



Shaded areas on the form indicate spaces subject to modification for local or agency requirements.

Appendix C *Continuation of Citation*, Form TR-108

CONTINUATION OF CITATION
(Reverse of Court's Copy)

(Circle one)
**RIGHT or LEFT
THUMBPRINT**

Shaded areas on the form indicate spaces subject to modification for local or agency requirements.

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

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 <input type="checkbox"/> AM <input type="checkbox"/> PM		Day of Week S M T W T F S		Case No.
Name (First, Middle, Last) 2.						
Address 3.						
City 4.		State		ZIP Code		
Driver Lic. No. 5.		State	Class	Commercial <input type="checkbox"/> Yes <input type="checkbox"/> No	Age	Birth Date / /
Sex 6.	Hair	Eyes	Height	Weight	Race	
Veh. Lic. No. or VIN 7.				State		<input type="checkbox"/> COMMERCIAL VEHICLE (Veh. Code, § 15210(b))
Yr. of Veh. 8.	Make	Model	Body Style	Color	<input type="checkbox"/> HAZARDOUS MATERIAL (Veh. Code, § 353)	
Registered Owner or Lessee 9.						
Address 10.						
City 11.		State		ZIP Code		
Code and Section 12.			Description			
Location of Violation at 13.			City/County of Occurrence			
<p><input checked="" type="checkbox"/> Violation was not committed in my presence. The above is declared on information and belief and is based on photographic evidence.</p> <p>I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct.</p>						
Date Issued 14.		Declarant			ID No.	
YOU MUST RESPOND TO THE COURT ON OR BEFORE:						
15. WHEN: DATE: _____				Time: _____ <input type="checkbox"/> AM <input type="checkbox"/> PM		
WHAT TO DO: FOLLOW THE INSTRUCTIONS ON THE REVERSE.						
16. WHERE: [Name of court[s]] [Section[s] or division[s], room no[s].] [Street address[es]] [Phone no.]				Clerk's Office Hours [Insert hours clerk's office is open.]		
<div style="border: 1px solid black; width: 200px; margin: 0 auto; padding: 5px; display: inline-block;">FPO Barcode</div>						
DEFENDANT COPY					SEE REVERSE	
Judicial Council of California Form Rev. 09-20-05 (Veh. Code, § 40518)						
TR-115						

Shaded areas on the form indicate spaces subject to modification for local or agency requirements.

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: _____	
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 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. <table border="1" style="margin-left: auto; margin-right: auto;"><tr><td style="text-align: center;">Bail Amount: \$ _____ OR [See enclosed information]</td></tr></table> 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.	Bail Amount: \$ _____ OR [See enclosed information]
Bail Amount: \$ _____ OR [See enclosed information]	
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: _____]	

Shaded areas on the form indicate spaces subject to modification for local or agency requirements.

Appendix E *Nontraffic Notice to Appear*, Form TR-120

NONTRAFFIC NOTICE TO APPEAR

(Face of Court's Copy)

(Name of Agency and Jurisdiction)						<input type="checkbox"/> MISDEMEANOR
NOTICE TO APPEAR						Nontraffic (Citation No.)
Date of Violation 1. / /	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM	Day of Week S M T W T F S	Case No.		
Name (First, Middle, Last) 2.						
Address 3.						
City 4.			State	ZIP Code		
Driver Lic. No. 5.		State	Class	Age	Birth Date / /	<input type="checkbox"/> Juvenile (Phone No.) ()
Sex 6.	Hair	Eyes	Height	Weight	Race	Other Description
Code	Ordinance	Description			Misdemeanor or Infraction (Circle)	
7.					M	I
8.					M	I
9.					M	I
10.					M	I
11.					M	I
12.					M	I
13.					M	I
14.					M	I
15.					M	I
16.					M	I
17.					M	I
18.					M	I
Evidence Seized 19.		<input type="checkbox"/> Booking Required(see reverse)				
Location of Violation(s) 20.			City/County of Occurrence			
Comments 21.						
<input type="checkbox"/> Violations not committed in my presence, declared on information and belief.						
22. I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct.						
23. _____ Arresting or Citing Officer					Serial No.	to Dates Off
24. / / Date		Name of Arresting Officer, if different from Citing Officer			Serial No.	to Dates Off
WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AT THE TIME AND PLACE INDICATED BELOW.						
25. X Signature						
26. WHEN: ON OR BEFORE THIS DATE: / /				Time: <input type="checkbox"/> AM <input type="checkbox"/> PM Time: <input type="checkbox"/> AM <input type="checkbox"/> PM		
27. WHAT TO DO: FOLLOW THE INSTRUCTIONS ON THE REVERSE. WHERE: [Name of court[s]] [Section[s] or division[s], room no[s].] [Street address[es]] [Phone No.]						
28. <input type="checkbox"/> To be notified <input type="checkbox"/> You may arrange with the clerk to appear at a night session of the court.						
FPO Barcode					DEFENDANT COPY	
Judicial Council of California Form Rev. 09-20-05 (Pen. Code, § 853.9)						SEE REVERSE TR-120

Shaded areas on the form indicate spaces subject to modification for local or agency requirements.

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

IMPORTANT — READ CAREFULLY

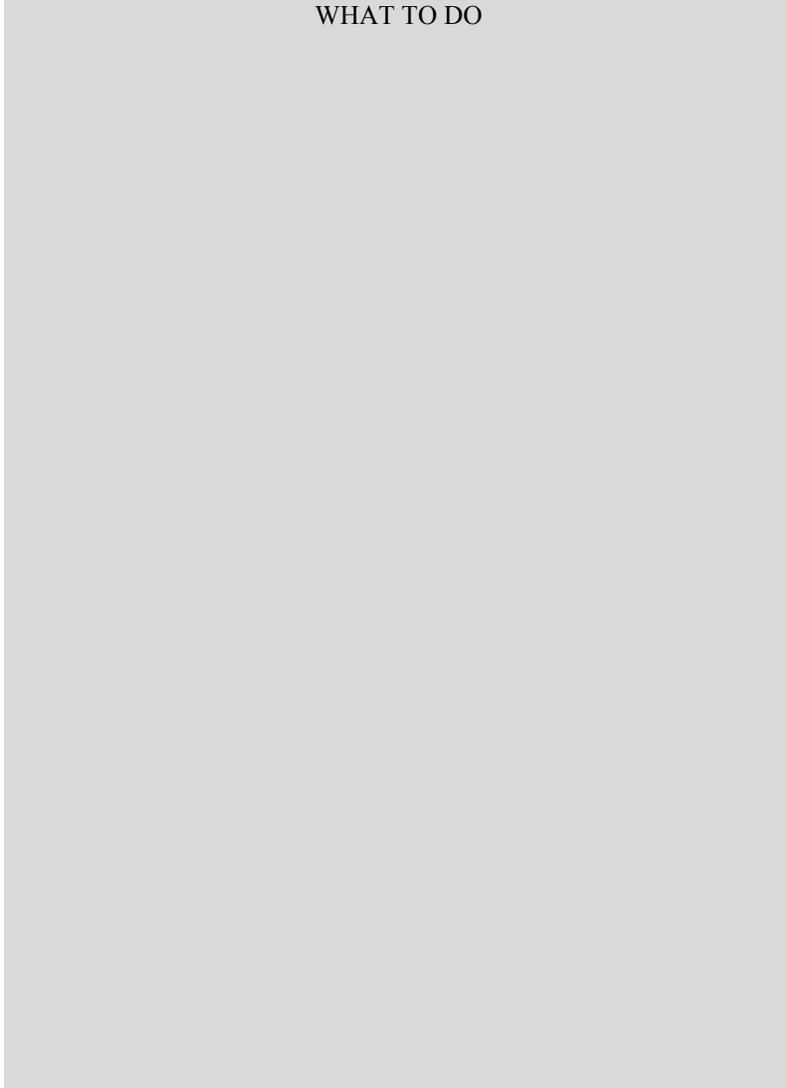
WARNING: If you fail to appear in court as you have promised, you may be arrested and punished by 6 MONTHS IN JAIL AND/OR A \$1,000 FINE, regardless of the disposition of the original charge. (Pen. Code, § 853.7.)

If "Booking Required" is checked you must appear on a weekday prior to your court date for booking at: _____ between the hours of _____ and _____ and bring the signed verification to your court appearance. Call _____ for more information.

Booking Verification: I declare under penalty of perjury under the laws of the State of California that

_____ was booked on _____ Date _____ Officer _____ Serial No. _____

WHAT TO DO



Shaded areas on the form indicate spaces subject to modification for local or agency requirements.

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

(Circle one)

RIGHT or LEFT
THUMB PRINT



Shaded areas on the form indicate spaces subject to modification for local or agency requirements.

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

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

(NAME OF AGENCY AND JURISDICTION)										<input type="checkbox"/> MISDEMEANOR		(Citation No.)				
NOTICE TO APPEAR										<input type="checkbox"/> Traffic <input type="checkbox"/> Nontraffic						
Date of Violation			Time			<input type="checkbox"/> AM <input type="checkbox"/> PM		Day of Week S M T W T F S		Case No.						
1. / /																
2. Name (First, Middle, Last)										<input type="checkbox"/> Owner's Responsibility (Veh. Code, § 40001)						
3. Address																
4. City				State		ZIP Code		<input type="checkbox"/> Juvenile (Phone No.) ()								
5. Driver Lic. No.			State		Class	Commercial <input type="checkbox"/> Yes <input type="checkbox"/> No		Age	Birth Date / /							
6. Sex	Hair	Eyes		Height	Weight	Race		Other Description								
7. Veh. Lic. No. or VIN				State		Reg. MO/YR		<input type="checkbox"/> COMMERCIAL VEHICLE (Veh. Code, § 15210(b))								
8. Yr. of Veh.	Make	Model	Body Style	Color		<input type="checkbox"/> HAZARDOUS MATERIAL (Veh. Code, § 353)										
9. Evidence of Financial Responsibility CHP/DOT/PUC/ICC																
10. Registered Owner or Lessee										<input type="checkbox"/> Same as Driver						
11. Address										<input type="checkbox"/> Same as Driver						
12. City				State		ZIP Code										
13. Correctable Violation (Veh. Code, § 40610)										<input type="checkbox"/> Booking Required (see reverse)		Misdemeanor or Infraction (Circle)				
Yes	No	Code and Section			Description											
13. <input type="checkbox"/>	<input type="checkbox"/>							M		I						
14. <input type="checkbox"/>	<input type="checkbox"/>							M		I						
15. <input type="checkbox"/>	<input type="checkbox"/>							M		I						
16. <input type="checkbox"/>	<input type="checkbox"/>							M		I						
17. Speed Approx.	P.F./Max Spd.	Veh. Lmt.	Safe	Radar	<input type="checkbox"/> Continuation Form Issued		N									
18. Location of Violation(s)	at	City/County of Occurrence				W	E									
19. Comments (Weather, Road & Traffic Conditions)										<input type="checkbox"/> Accident						
20. <input type="checkbox"/>	Violations not committed in my presence, declared on information and belief.															
I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct.																
21. Executed at (place)	Violation location															
22. / /										Arresting or Citing Officer		Serial No.		to Dates Off		
23. / /	Date										Name of Arresting Officer, if different from Citing Officer		Serial No.		to Dates Off	
24. <input checked="" type="checkbox"/>	WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AT THE TIME AND PLACE INDICATED BELOW. X Signature															
25. WHEN:	ON OR BEFORE THIS DATE: / /										Time: _____		<input type="checkbox"/> AM <input type="checkbox"/> PM			
											Time: _____		<input type="checkbox"/> AM <input type="checkbox"/> PM			
26. WHAT TO DO:	FOLLOW THE INSTRUCTIONS ON THE REVERSE.															
27. WHERE:	[Name of court(s)] [Section(s) or division(s), room no(s).] [Street address(es)] [Phone No.]															
28. <input type="checkbox"/>	To be notified <input type="checkbox"/> You may arrange with the clerk to appear at a night session of the court.															
FPO Barcode										DEFENDANT COPY						
Judicial Council of California Form										SEE REVERSE						
Rev. 09-20-05 (Veh. Code, §§ 40500(b), 40513(b), 40522, 40600; Pen. Code, § 853.9)										TR-130						

Shaded areas on the form indicate spaces subject to modification for local or agency requirements.

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

IMPORTANT — READ CAREFULLY

WARNING: If you fail to appear in court as you have promised, you may be arrested and punished by 6 MONTHS IN JAIL AND/OR A \$1,000 FINE regardless of the disposition of the original charge. (Veh. Code, § 40508 or Pen. Code, § 853.7.) In addition, any person who fails to appear as provided by law may be deemed to have elected to have a trial by written declaration (in absentia) pursuant to Vehicle Code section 40903(a) upon any alleged infraction, as charged by the arresting/citing officer.

JUVENILE: If you were under age 18 at the time the citation was issued, you must appear in court with your parent or guardian.

COURTESY NOTICE: A courtesy notice **may** be mailed to the address shown on your citation, indicating the required deposit of money (bail) that may be forfeited instead of your appearing in court. If you do not receive such courtesy notice, you are still required to comply with the items below by the appearance date.

WHAT TO DO

You are required to appear at court for a misdemeanor violation. For all violations, your court date/time/place are on the front of this notice to appear. Have the citation with you when contacting the court. In all infraction cases, you must do one or more of the following for each violation:

- Pay the fine (bail).
- Appear in court.
- Contest the violation.
- Correct the violation (traffic cases, when applicable).
- Request traffic school (traffic cases, when applicable).
- Request trial by written declaration (traffic cases).

If you do not do one of the above actions, then a "failure to appear" charge will be filed against you (Veh. Code, § 40508(a)) and your driver license may be withheld, suspended, or revoked. In some courts you may be charged an amount in addition to the bail amount and the case may be turned over to a collection agency. (Pen. Code, § 1214.1.)

1. If you do NOT contest the violation:

a. (Pay the bail amount) Contact the court for bail information. 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 may be charged to your DMV record and your insurance may be adversely affected.

b. (Traffic school) You may be able to avoid the point count by completing traffic school. You must pay the bail amount as a fee, and you may have to pay other fees. Contact the court to request traffic school.

c. (Correctable violations) If the "Yes" box is checked on the front of your ticket, the violation is correctable. Upon correction of the violation, have a law enforcement officer or an authorized inspection/installation station agent sign below. (Veh. Code, § 40616.) Registration and driver license violations may also be certified as corrected at an office of the DMV or by any clerk or deputy clerk of a court. The violation will be dismissed by the court after PROOF OF CORRECTION and payment of a transaction fee are presented to the court by mail or in person by the appearance date. Violations of Vehicle Code section 16028 (automobile liability 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.

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

2. If you contest the violation (select a or b):

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 any witnesses will be present. **You will be required to submit the bail amount. —OR—**

b. (Trial by written declaration (traffic infractions)) 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 appearance date to request a trial by written declaration. **Submit the bail amount.** You will be given forms to allow you to write a statement and to submit other evidence without appearing in court. An officer will also submit a statement. The judicial officer will consider the evidence and decide the case.

3 Make check/money order payable to **Clerk of the Court**. Write your citation number and driver license number on your check or money order. You may pay in person, by mail, or by phone.

4. If "Booking Required" is checked you must appear for booking on a **weekday** prior to your court date at: _____ between the hours of _____ and _____

and bring the signed verification to your court appearance. Call _____ for more information.

Booking Verification: I declare under penalty of perjury under the laws of the State of California that

_____ was booked on _____ Date _____ Officer _____ Serial No. _____

5. Additional information is available at

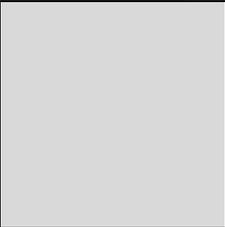
Local Web site _____

Shaded areas on the form indicate spaces subject to modification for local or agency requirements.

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

(Circle one)

RIGHT or LEFT
THUMB PRINT



Shaded areas on the form indicate spaces subject to modification for local or agency requirements.

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

(NAME OF AGENCY AND JURISDICTION)		<input type="checkbox"/> MISDEMEANOR <input type="checkbox"/> TRAFFIC <input type="checkbox"/> NONTRAFFIC		(Citation No.)	
NOTICE TO APPEAR					
Date of Violation 1. / /		Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Day of Week		Case No.
Name (First, Middle, Last) 2.					<input type="checkbox"/> Owner's Responsibility (VC 40001)
Address 3.		City	State	ZIP Code	
City 4.		State	ZIP Code	<input type="checkbox"/> Juvenile (Phone No.) ()	
Driver Lic. No. 5.		State	Class	Commercial <input type="checkbox"/> Yes <input type="checkbox"/> No	Age
Sex 6.		Hair	Eyes	Height	Birth Date / /
Veh. Lic. No. or VIN 7.		State	Reg. MO/YR	Exp.	<input type="checkbox"/> COMM. VEH. (VC 15210(b))
Yr. of Veh. 8.		Make	Model	Body Style	Color
Evidence of Financial Responsibility 9.		CHP/DOT/PUC/ICC			
Registered Owner or Lessee 10.					<input type="checkbox"/> Same as Driver
Address 11.		City	State	ZIP Code	
12. <input type="checkbox"/> VC 42009 Construction Zone		<input type="checkbox"/> VC 42010 Safety Zone			
Correctable Violation (VC 40610)		<input type="checkbox"/> Booking Required (see below)		Misdemeanor or Infraction	
Yes No Code and Section		Description		Overweight	
13. <input type="checkbox"/> <input type="checkbox"/>				M I <input type="checkbox"/> <input type="checkbox"/>	
14. <input type="checkbox"/> <input type="checkbox"/>				<input type="checkbox"/> <input type="checkbox"/>	
15. <input type="checkbox"/> <input type="checkbox"/>				<input type="checkbox"/> <input type="checkbox"/>	
16. <input type="checkbox"/> <input type="checkbox"/>				<input type="checkbox"/> <input type="checkbox"/>	
Speed Approx. 17. >		P.F./Max Spd.	Veh. Lmt.	Safe	Radar
		<input type="checkbox"/> Continuation below			
Location of Violation(s) 18. at		City/County of Occurrence			
Comments (Weather, Road & Traffic Conditions) 19.					<input type="checkbox"/> Accident
<input type="checkbox"/> Violations not committed in my presence, declared on information and belief.					
20. I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct.					
Executed at		Violation location			
21. / / Dec. Date		Arresting or Citing Officer		ID/Serial No.	Fm To Vac. Dates
22. / / Dec. Date		Name of Arresting Officer, if different from Citing Officer		ID/Serial No.	Fm To Vac. Dates
23. WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AT THE TIME AND PLACE INDICATED BELOW.					
X Signature					
24. WHEN:		ON OR BEFORE THIS DATE: / /		Time: _____ <input type="checkbox"/> AM <input type="checkbox"/> PM	
				Time: _____ <input type="checkbox"/> AM <input type="checkbox"/> PM	
WHAT TO DO: FOLLOW THE INSTRUCTIONS BELOW.					
25. WHERE:		[Name of court(s)]			
		[Section(s) or division(s), room no(s).]			
		[Street address(es)]			
		[Phone No.]			
26. <input type="checkbox"/> To be notified		<input type="checkbox"/> Contact the clerk to appear at a night court session.		DEFENDANT COPY	
Judicial Council of California Form New 07-01-13 (VC 40500(b), 40513(b), 40522, and 40600; PC 853.9 and 959.1) TR-135		FPO Barcode		(USS Code 39)	

Shaded areas indicate spaces subject to modification for local or agency requirements.

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

<i>(NAME OF AGENCY AND JURISDICTION)</i>		<input type="checkbox"/> MISDEMEANOR		(Citation No.)
NOTICE TO APPEAR CONTINUATION		<input type="checkbox"/> TRAFFIC <input type="checkbox"/> NONTRAFFIC		
Date of Violation 1. / /		Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Day of Week	Case No.
Name (First, Middle, Last) 2.		<input type="checkbox"/> Owner's Responsibility (VC 40001)		
Address 3.		City	State	ZIP Code
City 4.		State	ZIP Code	<input type="checkbox"/> Juvenile (Phone No.) ()
Driver Lic. No. 5.		State	Class	Commercial <input type="checkbox"/> Yes <input type="checkbox"/> No
Sex 6.		Hair	Eyes	Height
		Weight	Race	Other Description
7. <input type="checkbox"/> VC 42009 Construction Zone		<input type="checkbox"/> VC 42010 Safety Zone		
Correctable Violation (VC 40610) Yes No Code and Section		<input type="checkbox"/> Booking Required (see below) Description		Misdemeanor or Infraction
8. <input type="checkbox"/> <input type="checkbox"/>				M I <input type="checkbox"/> <input type="checkbox"/>
9. <input type="checkbox"/> <input type="checkbox"/>				<input type="checkbox"/> <input type="checkbox"/>
10. <input type="checkbox"/> <input type="checkbox"/>				<input type="checkbox"/> <input type="checkbox"/>
11. <input type="checkbox"/> <input type="checkbox"/>				<input type="checkbox"/> <input type="checkbox"/>
12. <input type="checkbox"/> <input type="checkbox"/>				<input type="checkbox"/> <input type="checkbox"/>
13. <input type="checkbox"/> <input type="checkbox"/>				<input type="checkbox"/> <input type="checkbox"/>
14. <input type="checkbox"/> <input type="checkbox"/>				<input type="checkbox"/> <input type="checkbox"/>
15. Veh.	1	Veh. Lic. No. or VIN		State Reg. Mo/Yr Exp.
16.		Yr. of Veh.	Make Model	Body Style Color Type
17. Veh.	2	Veh. Lic. No. or VIN		State Reg. Mo/Yr Exp.
18.		Yr. of Veh.	Make Model	Body Style Color Type
19. Veh.	3	Veh. Lic. No. or VIN		State Reg. Mo/Yr Exp.
20.		Yr. of Veh.	Make Model	Body Style Color Type
21. Veh.	4	Veh. Lic. No. or VIN		State Reg. Mo/Yr Exp.
22.		Yr. of Veh.	Make Model	Body Style Color Type
23. <input type="checkbox"/> Violations not committed in my presence, declared on information and belief.				
I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct.				
Executed at		Violation location		
24. / /	Dec. Date	Arresting or Citing Officer		Fm To Vac. Dates
25. / /	Dec. Date	Name of Arresting Officer, if different from Citing Officer		Fm To Vac. Dates
26. WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AT THE TIME AND PLACE INDICATED BELOW.				
X Signature				
27. WHEN:		ON OR BEFORE THIS DATE: / /		Time: <input type="checkbox"/> AM <input type="checkbox"/> PM
				Time: <input type="checkbox"/> AM <input type="checkbox"/> PM
WHAT TO DO: FOLLOW THE INSTRUCTIONS BELOW.				
28. WHERE:		[Name of court[s]]		
		[Section[s] or division[s], room no[s].]		
		[Street address[es]]		
		[Phone No.]		
29. <input type="checkbox"/> To be notified		<input type="checkbox"/> Contact the clerk to appear at a night court session.		DEFENDANT COPY
Judicial Council of California Form New 07-01-13 (VC 40500(b), 40513(b), 40522, and 40600; PC 853.9 and 959.1) TR-135		FPO Barcode		(USS Code 39)

Shaded areas indicate spaces subject to modification for local or agency requirements.

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

IMPORTANT — READ CAREFULLY

WARNING: If you fail to appear in court as you have promised, you may be arrested and punished by 6 MONTHS IN JAIL AND/OR A \$1,000 FINE regardless of the disposition of the original charge. (Veh. Code, § 40508 or Pen. Code, § 853.7.) In addition, any person who fails to appear as provided by law may be deemed to have elected to have a trial by written declaration (in absentia) pursuant to Vehicle Code section 40903(a) upon any alleged infraction, as charged by the arresting/citing officer.

JUVENILE: If you were under age 18 at the time the citation was issued, you must appear in court with your parent or guardian.

COURTESY NOTICE: A courtesy notice may be mailed to the address shown on your citation, indicating the required deposit of money (bail) that may be forfeited instead of your appearing in court. If you do not receive such courtesy notice, you are still required to comply with the items below by the appearance date.

WHAT TO DO

You are required to appear at court for a misdemeanor violation. For all violations, your court date/time/place are on the front of this notice to appear. Have the citation with you when contacting the court. In all infraction cases, you must do one or more of the following for each violation:

- Pay the fine (bail).
- Correct the violation (traffic cases, when applicable).
- Appear in court.
- Request traffic school (traffic cases, when applicable).
- Contest the violation.
- Request trial by written declaration (traffic cases).

If you do not do one of the above actions, then a "failure to appear" charge will be filed against you (Veh. Code, § 40508(a)) and your driver license may be withheld, suspended, or revoked. In some courts you may be charged an amount in addition to the bail amount and the case may be turned over to a collection agency. (Pen. Code, § 1214.1.)

1. If you do NOT contest the violation:

a. (Pay the bail amount) Contact the court for bail information. 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 may be charged to your DMV record and your insurance may be adversely affected.

b. (Traffic school) You may be able to avoid the point count by completing traffic school. You must pay the bail amount as a fee, and you may have to pay other fees. Contact the court to request traffic school.

c. (Correctable violations) If the "Yes" box is checked on the front of your ticket, the violation is correctable. Upon correction of the violation, have a law enforcement officer or an authorized inspection/installation station agent sign below. (Veh. Code, § 40616.) Registration and driver license violations may also be certified as corrected at an office of the DMV or by any clerk or deputy clerk of a court. The violation will be dismissed by the court after PROOF OF CORRECTION and payment of a transaction fee are presented to the court by mail or in person by the appearance date. Violations of Vehicle Code section 16028 (automobile liability 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.

CERTIFICATE OF CORRECTION (MUST BE RETURNED TO COURT)

Section(s) Violated	Signature of Person Certifying Correction	Serial / ID No.	Agency	Date

2. If you contest the violation (select a or b):

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 any witnesses will be present. **You will be required to submit the bail amount. —OR—**

b. (Trial by written declaration (traffic infractions)) 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 appearance date to request a trial by written declaration. **Submit the bail amount.** You will be given forms to allow you to write a statement and to submit other evidence without appearing in court. An officer will also submit a statement. The judicial officer will consider the evidence and decide the case.

3 Make check/money order payable to **Clerk of the Court**. Write your citation number and driver license number on your check or money order. You may pay in person, **by mail, or by phone**.

4. If "Booking Required" is checked you must appear for booking on a **weekday** prior to your court date at: _____ between the hours of _____ and _____

and bring the signed verification to your court appearance. Call _____ for more information. **Booking Verification:** I declare under penalty of perjury under the laws of the State of California that

_____ was booked on _____ Date _____ Officer _____ Serial / ID No. _____

5. Additional information is available at

Local Website _____

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