



Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688

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REPORT TO THE JUDICIAL COUNCIL

Item No.: 23-174

For business meeting on September 19, 2023

Title

Traffic: Notice to Appear Forms

Agenda Item Type

Action Required

Rules, Forms, Standards, or Statutes Affected

Amend Cal. Rules of Court, rule 4.103;
revise forms TR-130, TR-140, and TR-INST;
revoke forms TR-135 and TR-145

Effective Date

January 1, 2024

Date of Report

August 1, 2023

Recommended by

Traffic Advisory Committee
Hon. Gail Dekreon, Chair

Contact

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Executive Summary

The Traffic Advisory Committee recommends amending a rule of court, revising the notice to appear form (commonly known as a “citation” or “traffic ticket”) and revoking two redundant versions, revising the notice to correct violation, and revising the related instructions form. These changes are recommended to reflect recent statutory changes, improve litigants’ understanding of the citation, and avoid redundant form requirements.

Recommendation

The Traffic Advisory Committee recommends that the Judicial Council, effective January 1, 2024:

1. Amend rule 4.103 of the California Rules of Court to remove references to revoked forms TR-135 and TR-145;
2. Revise *Traffic/Nontraffic Notice to Appear* (form TR-130) to improve litigants’ understanding and reflect statutory changes;
3. Revise *Notice to Correct Violation* (form TR-140) to reflect statutory changes;

4. Revise *Notice to Appear and Related Forms* (form TR-INST) to conform with changes to forms TR-130 and TR-140 and remove references to revoked forms TR-135 and TR-145; and
5. Revoke *Electronic Traffic/Nontraffic Notice to Appear* (4-inch format) (form TR-135) and *Electronic Traffic/Nontraffic Notice to Appear* (3-inch format) (form TR-145) as redundant.

The proposed amended rule and revised and revoked forms are attached at pages 12–44.

Relevant Previous Council Action

Form TR-130 was developed prior to 1990. Since its adoption by the Judicial Council, as required by Vehicle Code section 40500(b), it has been revised several times and was last revised in 2015. In 2015, the Judicial Council adopted *Electronic Traffic/Nontraffic Notice to Appear* (4-inch format) (form TR-135) and *Electronic Traffic/Nontraffic Notice to Appear* (3-inch format) (form TR-145) for electronic citations.

In 2000, the Judicial Council adopted form TR-140, a standard notice to correct violation for law enforcement agencies.

Analysis/Rationale

Redesign of notice to appear (form TR-130)

Vehicle Code section 40500(b) requires the Judicial Council to prescribe the notice to appear used when a person is arrested for misdemeanor or infraction violations of the Vehicle Code. 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. 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; Veh. Code, § 40513(b).)

Each law enforcement agency prints its own citations or uses an e-citation platform. Form TR-130 has three key users: law enforcement agencies, courts, and litigants.

In 2021, the Traffic Advisory Committee convened a working group to consider changes to form TR-130 and related forms. The working group was comprised of Traffic Advisory Committee members and other stakeholders, including representatives from law enforcement agencies and the Department of Motor Vehicles, court administrators, and criminal defense attorneys. The working group undertook an extensive redesign process that consisted of reviewing statutory requirements, interviewing stakeholders and subject-matter experts, contemplating the design of citations in other states, and gaining an understanding of the workflow and processing of each citation. Ideas42, a behavioral science research firm that specializes in behaviorally informed design, recommended and supported design revisions to the form. The design was iterated numerous times to account for feedback from the working group and emerging legislation.

Revisions to improve litigants' understanding

As a result of this process, several proposed changes aim to improve litigants' understanding of the necessary steps to address their citations and avoid consequences such as a civil assessment fee or a warrant. Misdemeanors and infractions have different courses of action for the litigant; however, the current citation does not clearly distinguish between misdemeanors and infractions. This proposal divides the description of next steps on both the back and the front of the ticket into different courses of action for misdemeanors and infractions and aims to provide clearer instructions. This proposal also recommends moving the date of required action and the location of the court to the top of the citation for increased visibility. Additionally, this proposal adds a box that warns litigants of potential consequences for failing to act. This proposal also removes items from the top of the citation that may confuse the litigant, such as the form's title, check boxes for violation type, and case number.

On current form TR-130, boxes shaded in gray indicate optional fields for jurisdictions to customize to accommodate local needs. On proposed revised form TR-130, optional fields are now shaded in yellow; gray shading was added to improve readability and does not indicate optional language. Unless a field is shaded in yellow, it is mandatory on the proposed design.¹

Specific proposed changes include the following:

- Move date of required action and court addresses to the top of the citation;
- Divide the required action for the litigant into two options, to differentiate requirements for infractions ("RESPOND TO CITATION BEFORE") and misdemeanors ("APPEAR IN COURT AT");
- Remove check boxes at top of the ticket for "Misdemeanor," "Traffic," and "Nontraffic";
- Remove "NOTICE TO APPEAR" at the top of the ticket and move the form's title to the bottom corner of the ticket;
- Replace "FOLLOW THE INSTRUCTIONS ON THE REVERSE" with "See back for detailed instructions";
- Add a warning to the top to emphasize consequences for failing to act;
- Add fields for litigant's cellphone number or email address at the bottom to facilitate court date reminders;
- Add "(Fix-It)" to correctable violations section;
- Change the wording of the attestation above the signature line;
- Increase the font size on the back of the citation;
- Separate the instructions for misdemeanors and infractions on the back of the citation;
- Change the language and improve the descriptions of the various options for resolving the citation;
- Emphasize the consequences of failing to act;
- Add information about translated forms and contacting the court; and

¹ The proposed changes to this form are not highlighted due to the substantial revision and reorganization as well as the use of highlights to indicate mandatory fields. The existing TR-130 is included as an attachment for reference.

- Add information about MyCitations.²

Revisions to improve law enforcement use

In addition to changes aimed at facilitating timely responses to citations, the committee recommends changes that will improve the form for law enforcement agencies. These changes include removing unnecessary data fields (thereby decreasing the time it takes to fill out a citation), updating language to reflect current law enforcement agency standard language, and reordering fields to match the fields on California driver's licenses. Specific recommended changes include the following:

- Remove redundant data fields ("Day of Week," "Age");
- Remove night court check box;
- Replace "Address" with "Current Address";
- Add "(all states)" to the Driver's License Number data field;
- Add the heading "CITATION DETAILS" to improve readability;
- Replace "Case No." with "Agency Case No.";
- Replace "Accident" with "Crash"; and
- Change the order and location of data fields to facilitate ease of filling out.

Revisions based on statutory changes

Assembly Bill 2773 (Stats. 2022, ch. 805) added section 2806.5 to the Vehicle Code to require, among other things, that beginning January 1, 2024, peace officers document the reason for a stop on the citation. This legislation also adds section 12525.5 to the Government Code to require all peace officer agencies to annually report to the Attorney General the data on all stops. Assembly Bill 2956 (Stats. 2022, ch. 295) removed the requirement to document evidence of financial responsibility on the citation. The committee recommends replacing "Evidence of Financial Responsibility" with "Reason for Stop" on the citation to comply with this legislation.

Correctable offense notice (form TR-140)

Unless certain disqualifying conditions exist, a law enforcement officer who chooses to take action on certain registration, license, or equipment violations of the Vehicle Code must issue a notice to appear that specifies the offense is correctable or a notice to correct violation. (Veh. Code, §§ 40303.5, 40533, 40610.) The notice to correct violation must be on a form approved by the Judicial Council. (Veh. Code, § 40610.) If an agency does not receive proof of correction, the agency can deliver to the court the signed promise with a certification that no proof of correction was received. (Veh. Code, § 40618.) If the notice to correct violation is prepared on a Judicial Council form, the promise and the certification together with the form constitute a complaint, and if the complaint is verified, the court may issue a warrant. (*Ibid.*)

² MyCitations is an online option developed by the Judicial Council and 7 superior courts that allows a litigant to request an ability-to-pay determination for infraction fines and fees without having to appear in court. With the passage of Assembly Bill 143 (Stats. 2021, ch. 79), each of the 58 trial courts will offer online ability-to-pay determinations using MyCitations by June 30, 2024.

A stakeholder requested form TR-140 be included in the form TR-INST packet and be available on the Judicial Council website. The committee agreed and recommends that form TR-140 be included. The data field for “Evidence of Financial Responsibility” would be replaced with a data field for “Reason for Stop” in the proposed revised form TR-140. These changes are proposed to comply with AB 2773 and AB 2956 as discussed above. The committee may consider a more extensive redesign of this form in the near future.

Additionally, proposed revised forms TR-130 and TR-140 would be identified as mandatory forms. Previously, these forms have never contained any printed designation, either as mandatory or optional. However, past Judicial Council meeting minutes refer to forms TR-130 and TR-140 as mandatory. Moreover, the Judicial Council is legislatively mandated to “prescribe the form of the notice to appear.” (Veh. Code, § 40500(b).) Finally, per Vehicle Code section 40610(d), “Except as otherwise provided in subdivision (a), the notice to correct violation shall be on a form approved by the Judicial Council.” Although law enforcement is not required to use the Judicial Council forms to cite violators, a citation must be on a Judicial Council form if it is to serve as a criminal complaint in court. (Pen. Code, § 853.9; Veh. Code, § 40513(b).)

Electronic notice to appear (forms TR-135 and TR-145)

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 2015, the Judicial Council adopted *Electronic Traffic/Nontraffic Notice to Appear* (4-inch format) (form TR-135) and *Electronic Traffic/Nontraffic Notice to Appear* (3-inch format) (form TR-145) for electronic citations. At the time the forms were adopted, the committee determined it was appropriate to have separate paper and electronic citation forms.

Given technological advances, the committee concluded that separate electronic notice to appear forms are no longer necessary and that the redesigned form TR-130 can efficiently serve both paper and electronic formats. Forms TR-135 and TR-145 would be revoked. Law enforcement agencies may still prepare and file citations electronically using form TR-130.

Rule 4.103

Rule 4.103 would be amended to remove all references to forms TR-135 and TR-145, as these two forms would be revoked. The rule would still allow for electronic submission of citations using form TR-130.

The forms packet (form TR-INST)

Form TR-INST is a packet of traffic forms that includes forms TR-100, TR-106, TR-108, TR-115, TR-120, TR-130, TR-135, and TR-145. Form TR-INST provides instructions for all of these forms. For unknown reasons, form TR-140 has not previously been part of the TR-INST packet or available on the Judicial Council website, but it is still a valid form.

Form TR-INST would be revised to update the requirements for revised form TR-130, remove references to forms TR-135 and TR-145, and add information regarding form TR-140. TR-INST would also be revised to clarify that form TR-130 may be submitted electronically and used as a

guide for designing electronic citations. The instructions would be revised to include the following changes:

- Revision of the effective dates of form TR-INST;
- Deletion of Appendixes G and H, containing forms TR-135 and TR-145, respectively, and adding new Appendix G containing form TR-140;
- Revision of section 1.030 to remove reference to form TR-135;
- Revision of section 1.040 to remove references to forms TR-135 and TR-145 and specify that form TR-130 should be used to prepare electronic citations and may be modified as necessary to comply with technological specifications;
- Addition of new section 1.041 to include information about form TR-140;
- Revision of section 2.010 to remove references to forms TR-135 and TR-145 and clarify that form TR-130 may be used for electronic preparation submission of citations;
- Revision of section 3.010 to update effective dates of forms TR-130 and TR-140 and remove references to forms TR-135 and TR-145;
- Revision of section 4.010 to add “or respond” to the action a defendant promises to take;
- Revision of section 4.020 to add form TR-140, remove references to forms TR-135 and TR-145, and clarify that printed copies of electronic citations should closely resemble form TR-130 with modifications as necessary for varying court technological specifications;
- Revision of section 4.050 to remove references to forms TR-135 and TR-145 and to update requirements for form TR-130;
- Revision of Chapter 5 to update requirements for form TR-130;
- Revision of Chapter 6 to update requirements for form TR-130 and remove references to forms TR-135 and TR-145;
- Addition of new section 6.091 to make race or ethnicity a required data field on form TR-130;
- Revision of section 6.130 to replace the requirement for financial responsibility with the “reason for stop” requirement;
- Revision of section 6.190 to include the abbreviation “(approx.)”;
- Revision of Chapter 7 to update requirements for form TR-130 and remove references to forms TR-135 and TR-145.

Policy implications

The recommended revisions would provide litigants with accurate and clear information about next steps for addressing a citation. The recommended revisions also reflect legislative changes.

Comments

Throughout this process, the design of form TR-130 underwent extensive user testing. Feedback was sought from law enforcement officers, court clerks, and litigants to ensure that the design met the needs of all users. The proposed design is the result of over a year of research, stakeholder engagement, and iterative designs.

Once the design was finalized by the workgroup, staff sought feedback from the Criminal Law Advisory Committee, which expressed their support for the user-friendly design. They also offered feedback on the language and formatting that were incorporated into the proposal that circulated for comment. While the proposal was circulating for public comment, staff also contacted vendors of electronic citation devices as well as the California Highway Patrol (CHP) to discuss the revocation of the electronic citation forms. Staff presented the changes to the Court Executives Advisory Committee and received feedback from the Joint Rules Subcommittee of the Court Executives Advisory Committee and Trial Court Presiding Judges Advisory Committee. Staff also requested feedback from the CHP, California Peace Officers Association, California Police Chiefs, California Sheriff's Association and assembly and senate public safety leadership.

The proposal was circulated for public comment between March 30 and May 12, 2023. The committee received six public comments on this proposal: four superior courts (Orange, Placer, Stanislaus, and Ventura Counties), the Joint Rules Subcommittee, and the Orange County Bar Association. Two commenters agreed with the proposal. Two commenters agreed if the proposal were modified. Two commenters did not indicate their stance on the proposal and offered suggestions and questions for the committee. Four of the comments had several components. Some of the more significant comments are categorized by topic and provided below. The committee's specific responses to each comment are available in the attached comment chart at pages 45-57.

Collecting cellphone number and email address from litigants

Proposed revised form TR-130 includes fields for litigants to provide their cellphone number and an email address. This addition is to facilitate the growing use of court date reminders sent via text message and email. Either is optional for the litigant to provide. The email address field is optional for jurisdictions to include on the citation.

Three commenters indicated that on the proposal as circulated, it was not clearly optional for the litigant to provide their cellphone number and email address at the bottom of the citation. The committee agreed with this concern and added "Optional" next to the request for this information.

Resolving correctable violations

When an officer issues a citation that includes a correctable violation, litigants may take specific steps in order to have their violation dismissed. The proposal as circulated changed the language on the back of the current citation to attempt to make it more user-friendly and easier to understand. Two commenters were concerned that the revised language addressing how to resolve a correctable violation was potentially inaccurate as it did not clearly state the need for litigants to show their proof of correction to the court and suggested that dismissal was contingent on paying a transaction fee. Both proof of correction and a transaction fee are required for correctable violations, although payment of a transaction fee does not appear to be required to dismiss the violation. (Veh. Code, §§ 40522, 40611.) Instead, the fee would be outstanding, but the violation could be dismissed. The committee agreed with the suggestions

and incorporated changes to the form to separate the steps for proof of correction from payment of a transaction fee, and to emphasize the need for all litigants to return their proof of correction to the court.

Adding explanation for correctable violations

The Joint Rules Subcommittee requested that the committee add check boxes to each violation for officers to indicate why they chose to indicate that a violation is not correctable. The committee declined to make this change because there is insufficient space on the citation to include this explanation for more than one violation.

Construction zone and overweight violation check boxes

The Superior Court of Stanislaus County requested that the committee incorporate check boxes for construction zone and overweight violations into form TR-130. These check boxes are on the proposed revoked forms TR-135 and TR-145, but not on the current form TR-130. These check boxes are not necessary to include on the proposed revised form TR-130 as officers can write this information on the form when issuing a citation as they do currently. Additionally, individual jurisdictions can choose to include these boxes on their citation as a discretionary field.

Class of driver

The Joint Rules Subcommittee requested that the committee add “Class” back to the TR-130 so that law enforcement may indicate the class of a driver’s license on the citation. This field is currently discretionary for jurisdictions to include on their citation, but it is on the current form TR-130. The committee agreed with the suggestion and added a discretionary “Class” field to the form since this box is used by many law enforcement agencies and appears on the current form.

MyCitations

One commenter indicated concern over including MyCitations (an online tool where litigants can request a fine reduction due to financial hardship) as Option A on the citation since it will not be available in every court as of the form’s effective date, January 1, 2024. Another commenter suggested reversing the order of the items under Option A on the back of the citation (as circulated) to have MyCitations listed second. The committee decided to keep MyCitations listed on the citation since it should be available in all counties by June 30, 2024, and agreed with the suggestion to reverse the order of the items in Option A to have MyCitations listed after a pay option.

Forfeiting bail

The Superior Court of Orange County indicated concern about the language “guilty finding” in lieu of “bail forfeiture” on the proposed citation. When a litigant chooses to pay their traffic fine without contesting the ticket, they are forfeiting bail. Per Vehicle Code section 40512, for certain offenses a penalty in the form of a fine can be “forfeited” and cancel the need for any further court proceedings. Payment is treated as a conviction for the offense. (Veh. Code, § 13103.) Although the same consequences apply as for a guilty plea, the litigant is not technically pleading guilty, nor is the court necessarily making a finding of guilt. The committee and

working group considered the best terminology to use to describe forfeiting bail from the litigant's standpoint. After feedback from criminal defense attorneys, behavioral scientists, judicial officers, and court staff, the committee settled on "guilty finding." The committee recognizes that "bail forfeiture" is the correct legal term but recommended "guilty finding" on the proposed citation because this language was seen by experts on the workgroup and in user testing to be a clearer indicator of consequences of paying a ticket, as the bail forfeiture will be considered a conviction. "Guilty finding" also was understood in user testing to mean that the litigant would have a conviction on their record. Based on the feedback received from the commenter, the committee again discussed the term but declined to change it, determining that "guilty finding" is the preferred term from the litigant's standpoint.

Trial in absentia

The Joint Rules Subcommittee was concerned that there was no mention about trial in absentia—a process by which a litigant can be found guilty when the litigant fails to act in a timely manner in response to their ticket—as a potential consequence on the back of the proposed citation. Instead, the citation informs the defendant about a potential "guilty finding" for failure to act. While trial in absentia is the legal mechanism, the committee felt that the term "guilty finding" is more understandable to the litigant. The committee declined to use the term "trial in absentia," which may be unfamiliar to a litigant, and retained the phrase "guilty finding."

Owner's responsibility

The Superior Court of Orange County commented that owner's holds needed to be added to the list of consequences on the back of the citation. The Superior Court of Ventura County commented that the check box "To be notified" needed to be added back to the citation for owner's responsibility tickets.

When someone is issued an owner's responsibility ticket, there are slightly different processes than a standard citation. For example, there may be a registration hold on the owner's vehicle registration if the owner does not resolve the issue. And the court date will often be determined later when the vehicle owner receives notice of the citation. The current form TR-130 has a check box that says "To be notified" near the required date of action.

The committee agreed with both suggestions and made corresponding changes to the form.

Accurate language for civil assessment

On the citation form that circulated for comment, a warning stated, "ACT BY THIS DATE TO AVOID A WARRANT OR INCREASED FINES." The Superior Court of Orange County suggested that "fines or fees" be substituted for "fines" since civil assessments, the most common consequence for failing to respond to a ticket in a timely manner, are not fines. This commenter made the same suggestion for a sentence on the back of the citation that warned of a fine of up to \$100. The committee agrees that a civil assessment is not a fine and made this change on the back of the citation. Although the correct terminology would be "fines, fees, or assessments," in order to fit the warning in the allotted space the committee changed the warning on the front to state, "ACT BY THIS DATE TO AVOID A WARRANT OR ADDED FEES."

Court communication

The Superior Courts of Orange and Ventura Counties commented that the advisement under “MORE INFORMATION” that litigants will receive more information from the court should be more prominently displayed. They expressed concerns that the citation encouraged litigants to contact the court before receiving their courtesy/reminder notice. These reminder notices are mandatory for courts to send and give the litigant more information about their next steps. The committee declined to take this suggestion as they understand that not all litigants will receive a reminder notice for a variety of reasons, and the committee intends for this citation to give the litigant as much information as possible prior to receiving the notice.

Separate check boxes for appearing and responding to citation

One of the primary purposes of the citation proposal is to clarify the different actions needed by a litigant who has received a citation for a misdemeanor versus an infraction. With this intention in mind, the committee is proposing two check boxes at the top of the citation, with officers writing a misdemeanor citation using the “APPEAR IN COURT ON” check box and officers writing most infraction citations using the “RESPOND TO CITATION BEFORE” check box. Two commenters expressed concern that these boxes may result in mistakes from the officers and that the space taken up by these two boxes is too large. The committee understands that there will be some training required for officers to learn which box to check for mandatory appearance infractions. However, given the priority of getting helpful information to litigants about their required next steps and the intention of the committee to enlarge and emphasize the date of required action or appearance, the committee declined to make any changes to this section of the citation.

Wording and formatting

Several of the commenters suggested minor and nonsubstantive formatting and wording changes to the citation. The committee agreed with many of these suggestions and incorporated them into the proposed revisions where possible. The committee also declined to take many of these suggestions due to space considerations on the citation.

Effective date

In addition to public comments received, committee staff received informal feedback from some law enforcement stakeholders concerned that the January 1, 2024, effective date did not allow sufficient time for printing and distribution of new citation booklets. However, given the legislative mandate of AB 2773, the committee declined to delay the effective date of the forms.³ And, as noted above, CHP, California Peace Officers Association, California Police Chiefs, and the California Sheriff’s Association have already been notified about this upcoming change. Additional outreach efforts to inform law enforcement agencies can continue to ensure awareness and compliance with the new form.

³ Based on communication received from representatives of the CHP, the committee believes that the CHP will be ready to implement the new form as of January 1, 2024. However, smaller law enforcement organizations could conceivably need additional time after the effective date to transition over to its use.

Alternatives considered

The committee considered revising forms TR-135 and TR-145 to be consistent with changes to form TR-130. However, given the technological advancement of electronic citations and the need for electronic citation vendors to design forms that meet a variety of court specifications, the committee determined that revoking the forms and clarifying that form TR-130 should be used as the model for the design of electronic citations would better encourage the expansion in the use of electronic citations.

Because AB 2773 requires the reason for the stop be on the citation, the committee did not consider taking no action. The committee also considered recommending a longer implementation time but decided that action on the revision of forms TR-130 and TR-140 was necessary by January 1, 2024, the effective date of AB 2773. As stated above, the committee did not recommend changing the effective date of the forms, but the committee understands there may be complications.

Fiscal and Operational Impacts

Courts would be required to train court staff and judicial officers on the newly revised forms. Some training would be needed for law enforcement officers. In addition, costs would be incurred by law enforcement agencies to make and replace paper forms packets and work with vendors to incorporate changes to existing electronic citation systems.

Attachments and Links

1. Cal. Rules of Court, rule 4.103, at pages 12-13
2. Forms TR-130, TR-135, TR-140, TR-145, and TR-INST, at pages 14-44
3. Chart of comments, at pages 45-57
4. Attachment A: Form TR-130 (rev. eff. 2015)

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
6 Vehicle Code other than a felony or for a violation of an ordinance of a city or
7 county relating to traffic offenses must be prepared and filed with the court on
8 *Automated Traffic Enforcement System Notice to Appear* (form TR-115); or
9 *Traffic/Nontraffic Notice to Appear* (form TR-130), ~~*Electronic Traffic/Nontraffic*~~
10 ~~*Notice to Appear* (4-inch format) (form TR-135), or *Electronic Traffic/Nontraffic*~~
11 ~~*Notice to Appear* (3-inch format) (form TR-145)~~, and must comply with the
12 requirements in the current version of the Judicial Council's instructions, *Notice to*
13 *Appear and Related Forms* (form TR-INST).

14
15 **(b) Nontraffic offenses**

16
17 A notice to appear issued for a nontraffic infraction or misdemeanor offense that is
18 prepared on *Nontraffic Notice to Appear* (form TR-120); or *Traffic/Nontraffic*
19 *Notice to Appear* (form TR-130), ~~*Electronic Traffic/Nontraffic Notice to Appear* (4-~~
20 ~~*inch format) (form TR-135), or *Electronic Traffic/Nontraffic Notice to Appear* (3-*~~
21 ~~*inch format) (form TR-145)*~~, and that complies with the requirements in the current
22 version of the Judicial Council's instructions, *Notice to Appear and Related Forms*
23 (form TR-INST), may be filed with the court and serve as a complaint as provided
24 in Penal Code section 853.9 or 959.1.

25
26 **(c) Corrections**

27
28 Corrections to citations previously issued on *Continuation of Notice to Appear*
29 (form TR-106), *Continuation of Citation* (form TR-108), *Automated Traffic*
30 *Enforcement System Notice to Appear* (form TR-115), *Nontraffic Notice to Appear*
31 (form TR-120), or *Traffic/Nontraffic Notice to Appear* (form TR-130), ~~*Electronic*~~
32 ~~*Traffic/Nontraffic Notice to Appear* (4-inch format) (form TR-135), or *Electronic*~~
33 ~~*Traffic/Nontraffic Notice to Appear* (3-inch format) (form TR-145)~~ must be made
34 on *Notice of Correction and Proof of Service* (form TR-100).

35
36 **(d) Electronic citation forms**

37
38 A law enforcement agency that uses an electronic citation device to issue notice to
39 appear citations on the Judicial Council's *Traffic/Nontraffic Notice to Appear* (form
40 *TR-130)* ~~*Electronic Traffic/Nontraffic Notice to Appear* (4-inch format) (form TR-~~
41 ~~*135) or *Electronic Traffic/Nontraffic Notice to Appear* (3-inch format) (form TR-*~~
42 ~~*145)*~~ must submit to the Judicial Council an exact printed copy of the agency's
43 current citation form that complies with the requirements in the most recent version

1 of the Judicial Council's instructions, *Notice to Appear and Related Forms* (form
2 TR-INST).
3

NOTICE TO:

☐ APPEAR IN COURT AT ____ ☐ AM ☐ PM ON:

OR

☐ RESPOND TO CITATION BEFORE:

DATE: ____ / ____ / ____

See back for detailed instructions

☐ To be notified

- ☐ Name of Court, Division of Court,
Street Address, City, State ZIP
☎ XXX.XXX.XXXX ➡ [websiteurl.com](#)
- ☐ Name of Court, Division of Court,
Street Address, City, State ZIP
☎ XXX.XXX.XXXX ➡ [websiteurl.com](#)
- ☐ Name of Court, Division of Court,
Street Address, City, State ZIP
☎ XXX.XXX.XXXX ➡ [websiteurl.com](#)
- ☐ Name of Court, Division of Court,
Street Address, City, State ZIP
☎ XXX.XXX.XXXX ➡ [websiteurl.com](#)

ACT BY THIS DATE TO AVOID A
WARRANT OR ADDED FEES

Date of Violation (mm/dd/yy)		Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Driver's License Number (all states)		Class	State
Name (first, middle, last)						
Current Address (no., street, city, state, zip)						
Date of Birth (mm/dd/yy)		Parent/Guardian Phone No. <input type="checkbox"/> Juvenile			Commercial <input type="checkbox"/> Y <input type="checkbox"/> N	Insurance <input type="checkbox"/> Y <input type="checkbox"/> N
Race / Ethnicity	Sex	Hair	Eyes	Height	Weight	
Vehicle License/VIN		State	Reg (mm/yy)	Year of Veh.	Make	
Registered Owner/Lessee <input type="checkbox"/> Same as driver <input type="checkbox"/> Owner's responsibility (VC, § 40001)				Model	Body Style	
Address (no., street, city, state, zip) <input type="checkbox"/> Same as driver					Color	
Reason for Stop				CHP / DOT / PUC / ICC		

CITATION DETAILS					<input type="checkbox"/> Booking Required (see reverse)	
Correctable (Fix-It)	Code/Section	Description			M = Misdemeanor I = Infraction (circle)	
<input type="checkbox"/> Y <input type="checkbox"/> N					M	I
<input type="checkbox"/> Y <input type="checkbox"/> N					M	I
<input type="checkbox"/> Y <input type="checkbox"/> N					M	I
<input type="checkbox"/> Y <input type="checkbox"/> N					M	I
Approx. Speed	PF/Max Speed	Veh. Limit	Safe Speed	Radars/Lidar	<input type="checkbox"/> Commercial Veh. VC, § 15210(b)	
Location of Violation					<input type="checkbox"/> Hazardous Mat. VC, § 353	
City/County of Occurrence					Agency Case No.	
Comments (weather, road, traffic conditions)					<input type="checkbox"/> Crash	

☐ Violations not committed in my presence, declared on information and belief (VC, § 40600)
I declare under penalty of perjury under the laws of the State of CA that the foregoing is true and correct.

_____/_____/_____
DECL. DATE

ARRESTING OR CITING OFFICER

_____/_____/_____
DECL. DATE

ARRESTING OFFICER, (if different from above)

SERIAL NO.

SERIAL NO.

I promise to act by the date at the top of this citation. Signing DOES NOT admit guilt.

(_____)_____
CELLPHONE - OPTIONAL (may be used for reminders)

EMAIL - OPTIONAL (may be used for reminders)

X _____
SIGNATURE

DEFENDANT COPY | FORM INFO

Continuation form ☐

Form Adopted for Mandatory Use
Judicial Council of California
TR-130, Traffic/Nontraffic Notice to Appear
[Rev. Jan. 1, 2024]
SEE REVERSE

FPO Barcode USS Code 39

Vehicle Code, §§40500(b), 40513(b),
40522, 40600; Pen. Code, §853.9

WHAT YOU NEED TO DO

Step ① Which box is checked on the front of the citation:
APPEAR IN COURT **or** RESPOND TO CITATION?

Step ② Follow instructions based on the box checked on the front.

If APPEAR IN COURT is checked on the front

- **Your next step:** Go to court on the date, time and location on the front. Appearing in court is your **only option**. You can plead guilty or not guilty. **IMPORTANT:** Missing court may result in a warrant for your arrest. **Don't let that happen—go to court! The judge will explain next steps.**
- **Helpful Tip:** Put the court date in your calendar, set a reminder, start planning now.
- **Juveniles:** If you were under 18 years old at the time of the violation, you must bring a parent or guardian with you to court.

If RESPOND TO CITATION is checked on the front

Citations can take up to 14 days to show up in the court system.

Keep checking to find your citation, and then complete Option A, B, C, or D by the date listed on front

- **Your next step:** Choose an option below and respond by the date. **IMPORTANT:** Not responding by the date on the front can result in a "failure to appear" charge, a guilty finding, an additional fee of up to \$100, and a hold on your car registration (owner's responsibility). **Choose one of the options below to avoid these penalties:**
- **Option A: Pay or Ask for a Reduction (Guilty Finding)**
 - Pay (online, call, in person). If you cannot pay in full now, contact the court (see front for contact information) to request a payment plan or extension.
 - Ask for a reduction at MYCITATIONS.COURTS.CA.GOV (takes about 10 minutes).

Note: This option may add points to your driving record and affect insurance.
 - **Option B: Request Traffic School** To avoid points on your driving record, you can request traffic school. You pay the citation plus an additional traffic school fee and complete traffic school. Contact the court to see if you are eligible.
 - **Option C: Dispute the Citation (Plead Not Guilty)** You can dispute the citation **in person** by requesting a court date for a trial (no cost) or **by mail** ("trial by written declaration"), which requires you to pay the fine up front (amount returned if citation is dismissed). Contact court for more details (court info on front of citation).
 - **Option D: Correctable ("Fix-It")** If "Correctable" is checked on the front, first show an officer, authorized inspection agency, or DMV (license and registration issues only) that you fixed the issue, and they will sign the citation (below). Then, you must show the court that you fixed the issue to have the violation dismissed. You must also pay a transaction fee. For insurance issues, you must show the court you had insurance when you got the ticket and pay a transaction fee.

CERTIFICATE OF CORRECTION (MUST BE RETURNED TO COURT)

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

If "**Booking Required**" is checked on front, call xxx-xxx-xxxx to schedule an appointment before the court date. You will not be arrested and will attend your court date on your own.

MORE INFORMATION

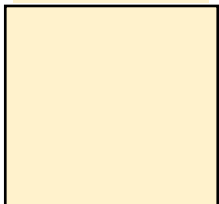


For translations and general information about the process, visit <https://www.courts.ca.gov/forms.htm>

To contact the court, see front of citation for court's website and phone number. The court will send notice explaining next steps.

(Circle one)

RIGHT or LEFT
THUMB PRINT



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

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

(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 1. / /	Time 2. <input type="checkbox"/> AM <input type="checkbox"/> PM	Day of Week 3. /	Case No. 4. /
Name (First, Middle, Last)/(Company) 5. / /		<input type="checkbox"/> Owner's Responsibility (VC 40001)	
Address 6. / / /			
City 7. /	State/Country 8. /	ZIP Code 9. /	<input type="checkbox"/> Juvenile (Phone No.) (/)
Driver Lic. No. 10. /	State/Country 11. /	Class 12. /	Commercial <input type="checkbox"/> Yes <input type="checkbox"/> No
Sex 13. /	Hair 14. /	Eyes 15. /	Height 16. /
Weight 17. /	Race 18. /	Other Description 19. / /	
E-mail Address 20. / /		<input type="checkbox"/> COMM. VEH. (VC 15210(b))	
Veh. Lic. No. or VIN 21. / /		State/Country 22. /	Reg. Mo/Yr Exp 23. /
Yr. of Veh. 24. /	Make 25. /	Model 26. /	Body Style 27. /
Evidence of Financial Responsibility 28. /		CHP/DOT/PUC/ICC	
Registered Owner or Lessee 29. /		<input type="checkbox"/> Same as Driver	
Address 30. / /		City 31. /	State/Country 32. /
Veh. Lic. No. or VIN 33. /		State/Country 34. /	Reg. Mo/Yr Exp. 35. /
Veh. 2 36. /		Yr. of Veh. 37. /	Make 38. /
Model 39. /		Body Style 40. /	Color 41. /
Type 42. /		15. <input type="checkbox"/> VC 42009 Construction Zone <input type="checkbox"/> VC 42010 Safety Zone <input type="checkbox"/> School Zone	
Correctable Violation (VC 40610) Yes/No Code and Section		<input type="checkbox"/> Booking Required (see below) Description	
16. (Y/N)		Overweight lbs M I	
17. (Y/N)		lbs	
18. (Y/N)		lbs	
19. (Y/N)		lbs	
Speed Approx. 20. >	P.F./Max Spd. 21. /	Veh. Lmt. 22. /	Safe 23. /
Location of Violation(s) 24. at		City/County of Occurrence 25. /	
Comments (Weather, Road & Traffic Conditions, Etc.) 26. /		<input type="checkbox"/> Accident	
23. <input type="checkbox"/> Violations not committed in my presence, declared on information and belief.			
24. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.			
Citation # 25. / /		Violation location 26. / /	
Executed at (place) 27. / /		Fm To Serial No. Vac. Dates Fm To Serial No. Vac. Dates	
25. / / Dec. Date		Arresting or Citing Officer	
26. / / Dec. Date		Name of Arresting Officer, if different from Citing Officer	
27. WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AT THE TIME AND PLACE INDICATED BELOW.			
28. X Signature			
28. WHEN: ON OR BEFORE THIS DATE: / /		Time: <input type="checkbox"/> AM <input type="checkbox"/> PM	
WHAT TO DO: FOLLOW THE INSTRUCTIONS BELOW.		Time: <input type="checkbox"/> AM <input type="checkbox"/> PM	
29. WHERE: [Name of court[s]] [Section[s] or division[s], room no[s].] [Street address[es]] [Phone No.]		(Citation No.)	
30. <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 06-26-15 (VC 40500(b), 40513(b), 40522, and 40600; PC 853.9 and 959.1) TR-135		FPO Barcode (USS Code 39)	

ELECTRONIC TRAFFIC/NONTRAFFIC NOTICE TO APPEAR

(Continuation of Defendant's Copy)

Shaded areas indicate conditional fields for use when citing multiple vehicles or violations with a continuation page.

(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 1. / /		Time <input type="checkbox"/> AM <input type="checkbox"/> PM		Day of Week Case No.	
Name (First, Middle, Last)/(Company) 2.				<input type="checkbox"/> Owner's Responsibility (VC 40001)	
Address 3.					
City 4.		State/Country		ZIP Code <input type="checkbox"/> Juvenile (Phone No.) ()	
Driver Lic. No. 5.		State/Country		Class <input type="checkbox"/> Commercial <input type="checkbox"/> Yes <input type="checkbox"/> No	
Sex 6.		Hair		Eyes	
Height		Weight		Race	
Other Description					
E-mail Address 7.					
8. <input type="checkbox"/> VC 42009 Construction Zone <input type="checkbox"/> VC 42010 Safety Zone <input type="checkbox"/> School Zone					
Correctable Violation (VC 40610) Yes/No		Code and Section		<input type="checkbox"/> Booking Required (see below) Description	
9. (Y/N)				Overweight lbs M I <input type="checkbox"/> <input type="checkbox"/>	
10. (Y/N)				lbs <input type="checkbox"/> <input type="checkbox"/>	
11. (Y/N)				lbs <input type="checkbox"/> <input type="checkbox"/>	
12. (Y/N)				lbs <input type="checkbox"/> <input type="checkbox"/>	
13. (Y/N)				lbs <input type="checkbox"/> <input type="checkbox"/>	
14. (Y/N)				lbs <input type="checkbox"/> <input type="checkbox"/>	
15. (Y/N)				lbs <input type="checkbox"/> <input type="checkbox"/>	
16. (Y/N)				lbs <input type="checkbox"/> <input type="checkbox"/>	
17. (Y/N)				lbs <input type="checkbox"/> <input type="checkbox"/>	
18. (Y/N)				lbs <input type="checkbox"/> <input type="checkbox"/>	
19. (Y/N)				lbs <input type="checkbox"/> <input type="checkbox"/>	
20. (Y/N)				lbs <input type="checkbox"/> <input type="checkbox"/>	
21. Veh. Lic. No. or VIN		State/Country		Reg. Mo/Yr Expiration Date	
22. Veh. 3		Veh. Lic. No. / VIN		State/Country Reg. Mo/Yr Exp.	
23. Yr. of Veh.		Make		Model Body Style Color Type	
24. Veh. 4		Veh. Lic. No. / VIN		State/Country Reg. Mo/Yr Exp.	
25. Yr. of Veh.		Make		Model Body Style Color Type	
26. Veh. 5		Veh. Lic. No. / VIN		State/Country Reg. Mo/Yr Exp.	
27. Yr. of Veh.		Make		Model Body Style Color Type	
Location of Violation					
28. <input type="checkbox"/> Violations not committed in my presence, declared on information and belief.					
29. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.					
Citation#		Violation location		Executed at (place)	
30. / / Dec. Date		Arresting or Citing Officer		Serial No. Fm To Vac. Dates	
31. / / Dec. Date		Name of Arresting Officer, if different from Citing Officer		Serial No. Fm To Vac. Dates	
32. WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AT THE TIME AND PLACE INDICATED. X Signature					
Judicial Council of California Form New 06-26-15 (VC 40500(b), 40513(b), 40522, and 40600; PC 853.9 and 959.1) TR-135		FPO Barcode		(USS Code 39)	

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

(Citation No.)

LOCAL INFORMATION FOR THE CITATION IS AVAILABLE ONLINE AT
[website address]

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 provided above in 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 above, 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 may be required to submit the bail amount. Go online or call the court for information on going to court without paying bail —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 _____
Defendant's name Date

Officer _____ Serial / ID No. _____

NOTICE TO CORRECT VIOLATION

(Face of Violator's Copy)

(Name of Agency and Jurisdiction)										(Citation No.)											
NOTICE TO CORRECT VIOLATION										NOTICE TO CORRECT VIOLATION											
1. Date of Violation / /					Time <input type="checkbox"/> AM <input type="checkbox"/> PM					Day of Week S M T W T F S					Case No.						
2. Name (First, Middle, Last)										<input type="checkbox"/> Owner's Responsibility (Veh. Code, § 40001)											
3. Mailing Address																					
4. City										State					ZIP Code						
5. Driver Lic. No.										State		Class		Age		Birth Date / /		<input type="checkbox"/> Juvenile (Tel. No.) ()			
6. Sex		Hair		Eyes		Height		Weight		Race		Other Description									
7. Veh. Lic. No. or VIN										State					<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. Veh. Lic. No. or VIN										State					CHP/DOT						
10. Yr. of Veh.		Make		Model		Body Style		Color		PUC/ICC											
11. Reason for Stop										PUC/ICC											
12. Registered Owner or Lessee										<input type="checkbox"/> Same as Driver											
13. Address					City					State					ZIP Code						
14. Violation(s)										Code and Section					Description						
15.																					
16.																					
17.																					
18. Location of Violation(s)										City/County											
19.																					
I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct.																					
20. Executed at										California											
21. Citing Officer										ID					Vacation Dates From To						
<div style="border: 1px solid black; padding: 5px;"> <p>I PROMISE TO CORRECT THE VIOLATION(S) LISTED ABOVE AND PROVIDE PROOF OF CORRECTION TO THE ISSUING AGENCY AS INSTRUCTED BELOW WITHIN 30 DAYS.</p> <p>22. X SIGNATURE</p> <p>WHEN: CORRECT VIOLATION(S) IMMEDIATELY. CONTINUED OPERATION WITHOUT CORRECTION MAY RESULT IN ARREST AND PENALTY.</p> <p>WHAT TO DO: FOLLOW THE INSTRUCTIONS ON THE REVERSE.</p> <p>WHERE: PROVIDE PROOF OF CORRECTION TO THE ISSUING AGENCY'S ADDRESS LISTED ON THE REVERSE.</p> </div>																					
										FPO Barcode											
										DEFENDANT COPY											

Adopted for Mandatory Use
 Judicial Council of California, www.courts.ca.gov
 TR-140, Notice to Correct Violation, [Rev. Jan. 1, 2024]

SEE REVERSE
 Vehicle Code, §§
 40610(d), 40618

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

REVERSE OF VIOLATOR'S COPY

INSTRUCTIONS TO DRIVER-OWNER

WHAT TO DO

METHODS FOR OBTAINING CERTIFICATION OF CORRECTION (Veh. Code, § 40616):

This Notice to Correct Violation may be cleared upon correction of the violation by providing satisfactory proof of correction within 30 days of this notice, as specified below, either in person at the issuing agency's office at [address] during normal business hours or by mail postmarked within 30 days of this notice to the issuing agency's address indicated below.

Violations may be certified as corrected on this form (as indicated below) in the following manner:

1. Brake, lamp, smog device, or muffler violations may be certified as corrected by any station licensed to inspect and certify for the specific violation(s).
2. Driver license and registration violations may be certified as corrected at offices of the DMV by an appropriate employee thereof, or by any clerk or deputy clerk of a court.
3. Any violation may be certified as corrected by a law enforcement agency regularly engaged in the enforcement of the California Vehicle Code.

DO NOT STOP AN OFFICER ON ANY FREEWAY, EXPRESSWAY, OR BRIDGE FOR CERTIFICATION OF CORRECTION.

NOTE: INSPECTION STATIONS MUST LIST THEIR ARD LICENSE NUMBER ISSUED BY THE BUREAU OF AUTOMOTIVE REPAIR IN THE SPACE PROVIDED BELOW.

WARNING: Any person willfully violating a written promise to correct or willfully failing to deliver proof of correction is guilty of a misdemeanor (Veh. Code, § 40616), which may lead to arrest, penalty, and additional fees. In addition, the Department of Motor Vehicles (DMV) will **WITHHOLD** the issuance or renewal of your driver license, and may revoke or suspend your driving privilege for Vehicle Code offenses. **YOU MUST RETURN THE COMPLETED CERTIFICATE OF CORRECTION TO THE ISSUING AGENCY.**

CERTIFICATE OF CORRECTION (RETURN TO THE ISSUING AGENCY)

Section(s) Violated	Signature of Person Certifying Correction	ID or ARD License No.	Agency or Certified Inspection Station	Date

[Name of Agency]
[Section(s) or division(s), room no(s).]
[Street address]

POSTMASTER: If undeliverable return to Name
and Mailing Address on reverse

FIRST
CLASS
POSTAGE
REQUIRED

Rev. Jan. 1, 2024

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

REVERSE OF COURT COPY

TO BE EXECUTED IN CASE OF FAILURE TO DELIVER PROOF OF CORRECTION

DEFENDANT HEREIN FAILED TO DELIVER PROOF OF CORRECTION IN VIOLATION OF HIS/HER SIGNED PROMISE, AND IN VIOLATION OF VEHICLE CODE SECTION 40616.

I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

EXECUTED AT _____ CALIFORNIA, ON _____ DATE

BY: _____
PRINT OR TYPE NAME TITLE

SIGNATURE ID/BADGE NUMBER

ADDRESS:

FOR COURT USE ONLY

(Circle one)

RIGHT or LEFT
THUMB PRINT

Rev. Jan. 1, 2024

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

ELECTRONIC TRAFFIC/NONTRAFFIC NOTICE TO APPEAR (Defendant's Copy)
Shaded areas indicate spaces subject to violation details or modification for local or agency requirements.

Agency: (Name and Jurisdiction)	
NOTICE TO APPEAR	
Misdemeanor: (Y/N)	Traffic: (Y/N) Nontraffic: (Y/N)
Citation: (No.)	
Violation Date: (Day of Week) / / Time: (AM/PM) Case No.:	
Owner's Responsibility: (Y/N) (VC 40001)	
Name: (First, Middle, Last)/(Company)	
Address:	
City:	State/Country: ZIP:
Juvenile (Phone #): ()	E-mail Address:
Driver Lic.: (No.)	State/Country: Class: Comm. Lic.: (Y/N)
Birth Date: / / Age:	Juvenile: (Y/N)
Sex: Hair: Eyes: Ht: Wt: Race:	Other Descr.:
Veh. Lic. or VIN: (No.)	State/Country: Reg.: (Mo/Yr) Exp
Yr. of Veh.:	Make: Model:
Body Style:	Color:
COMMERCIAL VEH. (VC 15210(b)): (Y/N) HAZ. MAT. (VC 353): (Y/N)	
Evid. of Financial Resp.: CHP/DOT/PUC/ICC	
Registered Owner or Lessee: (First, Middle, Last/Company)	
Address:	
City:	State/Country: ZIP:
Veh. 2: Veh. Lic. or VIN: (No.)	State/Country: Reg.: (Mo/Yr) Exp
Yr. of Veh.:	Make: Model: Body Style: Color:
Veh. 3: Veh. Lic. or VIN: (No.)	State/Country: Reg.: (Mo/Yr) Exp
Yr. of Veh.:	Make: Model: Body Style: Color:
Veh. 4: Veh. Lic. or VIN: (No.)	State/Country: Reg.: (Mo/Yr) Exp
Yr. of Veh.:	Make: Model: Body Style: Color:
Construction-VC 42009 (Y/N) Safety Zone-VC 42010 (Y/N) School Zone (Y/N)	
Correctable	Booking Required: (Y/N) (see reverse)
Violation (VC 40610)	
(Yes/No) Code Section Description	Overweight Misd./Infrac.
(Y/N)	lbs (M/I)
(Y/N)	lbs (M/I)
(Y/N)	lbs (M/I)
(Y/N)	lbs (M/I)
(Y/N)	lbs (M/I)
(Y/N)	lbs (M/I)
Speed Approx: P.F./Max Spd.: Veh. Lmt.: Safe: Radar: (Y/N)	
Location of Violation(s) at: (City/County of Occurrence)	
Conditions: (Weather, Road & Traffic Conditions, Etc.)	
Remarks:	RIGHT / LEFT THUMB / FINGER PRINT
Accident (Y/N)	
WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AT THE TIME AND PLACE INDICATED BELOW.	
X Signature	
WHEN: ON OR BEFORE THIS DATE: / / Time: (AM/PM)	
WHAT TO DO: FOLLOW THE INSTRUCTIONS ON THE REVERSE.	
WHERE: BEFORE A JUDGE OR CLERK OF THE	
(Name of court[s])	
(Section[s] or division[s], room no[s].)	
(Street address[es])	
(Phone No.)	
PHOTO	
To be notified (Y/N) Contact the clerk to appear at a night court session: (Y/N)	
<input type="checkbox"/> Violations not committed in my presence, declared on information or belief.	
I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct.	
Executed at: (Place)	Violation Location:
(Signature)	/ /
Arresting or Citing Officer	Declaration Date
(Name)	/ /
Arresting Officer, if different from Citing Officer:	Declaration Date
Serial / ID:	Dates Off: / / to / /
Judicial Council of California Form New 06-26-15 (VC 40500(b), 40513(b), 40522, and 40600; PC 853.9 and 959.1) TR-145 DEFENDANT COPY	FPO Barcode USS Code 39

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

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

LOCAL INFORMATION FOR THE CITATION IS AVAILABLE ONLINE AT [website address]				
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				
<p>You are required to appear at court for a misdemeanor violation. For all violations, your court date/time/place are provided above in 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:</p> <ul style="list-style-type: none"> • 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). <p>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.)</p>				
<p>1. If you do NOT contest the violation:</p> <p>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.</p> <p>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.</p> <p>c. (Correctable violations) If the "Yes" box is checked above, 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.</p>				
CERTIFICATE OF CORRECTION (MUST BE RETURNED TO COURT)				
Section Violated	Signature Certifying Correction	Serial/ ID No.	Agency	Date
<p>2. If you contest the violation (select a or b):</p> <p>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 may be required to submit the bail amount. Go online or call the court for information on going to court without paying bail.—OR—</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>Call _____ for more information.</p> <p>Booking Verification: I declare under penalty of perjury under the laws of the State of California that _____ (Defendant's Name) was booked on _____ (Date) Officer: _____ Serial / ID No.: _____</p>				
(L / R) THUMB/ FINGER PRINT				

**NOTICE TO APPEAR AND RELATED FORMS
(Form TR-INST)**

Revised Effective ~~June 26, 2015~~ January 1, 2024



JUDICIAL COUNCIL of CALIFORNIA

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DRAFT

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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.

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

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

- d) ~~Form TR-135, *Electronic Traffic/Nontraffic Notice to Appear* (4-inch format), may, when necessary, include a short version continuation page to allow for citing multiple offenses or offenses that involve multiple vehicles.~~

1.040. *Electronic Notice to Appear*

- (a) ~~The An electronic Notice to Appear issued on either form TR-135, *Electronic Traffic/Nontraffic Notice to Appear* (4-inch format) or form TR-145, *Electronic Traffic/Nontraffic Notice to Appear* (3-inch format) form TR-130, *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 or form TR-145 that differ from those for preprinted citations are specified below where necessary. Any Notice to Appear prepared electronically must include all mandatory data fields and notices to the defendant that are on form TR-130. The formatting and spacing may vary depending on the software used to prepare the citation.~~

1.041. *Notice to Correct Violation*

Unless certain disqualifying conditions exist, a law enforcement officer who chooses to take action on certain registration, license, or equipment violations of the Vehicle Code must issue a Notice to Appear that specifies that the offense is correctable or a Notice to Correct Violation. (Veh. Code, §§ 40610, 40522, 40303.5.) If an agency does not receive proof of correction on a Notice to Correct, the agency can deliver to the court the signed promise with a certification that no proof of correction was received. (Id., § 40618.) The Judicial Council adopted form TR-140, *Notice to Correct Violation*, in 2000. (See Appendix G.)

³ ~~Per~~ Pen. Code, § 959.1.

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 five~~ three forms for the Notice to Appear:

(1) Form TR-115, *Automated Traffic Enforcement System Notice to Appear*,⁵ to be used in conjunction with violations of sections 22451, 21453, and 22101 recorded by an automated traffic enforcement system. (See Appendix D.)

(2) Form TR-120, *Nontraffic Notice to Appear*,⁶ to be used for violations other than traffic offenses. (See Appendix E.)

(3) Form TR-130, *Traffic/Nontraffic Notice to Appear*,⁷ to be used for both infraction and misdemeanor offenses. If form TR-130 is prepared and submitted electronically, a computer-generated paper citation is issued to the defendant at the time of arrest and a copy is filed with the court either electronically when permitted or as a paper copy. (See Appendix F.)

~~4) Forms TR-135 and TR-145⁸ to be used for both infraction and misdemeanor offenses. (See Appendix G and Appendix H.) A computer-generated paper citation is issued to the defendant at the time of arrest and a copy is filed with the court either electronically when permitted or as a paper copy.~~

(b) Form TR-106, *Continuation of Notice to Appear*, and form TR-108, *Continuation of Citation*, are intended for use in conjunction with form TR-120, *Nontraffic Notice to Appear*, and form TR-130, *Traffic/Nontraffic Notice to Appear*. (See Appendix B and Appendix C.)

(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.

⁴ ~~Per~~ Veh. Code, § 40505.

⁵ ~~Per Veh. Code~~ *Id.*, § 40518.

⁶ ~~Per~~ Pen. Code, § 853.9.

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

Chapter 3 REVISION DATES

3.010. Judicial Council

- (a) Periodically, the Judicial Council will ~~adopt revisions of~~ revise Notice to Appear forms. **Law enforcement must use the revised Notice to Appear form by the effective date of the revised form if it is to serve as a complaint, adopted by the Judicial Council.** (See section 6.030 for exception.) Depending on changes in statutory requirements, effective dates are established to allow law enforcement as much time as possible to deplete any existing supplies of the old form, print and disseminate new forms, and, if necessary, develop new procedures and train personnel regarding the revisions.
- (b) The council ~~adopted forms TR-135 and TR-145~~ revised forms TR-130 and TR-140, effective January 1, 2024, and ~~revised forms TR-115 and TR-120, and TR-130~~, effective June 26, 2015, ~~with implementation as soon as reasonably possible, but no later than November 15, 2015.~~ The council ~~adopted~~ Forms TR-100, TR-106, and TR-108 ~~with~~ have an effective date of January 1, 2004.

Chapter 4 FORM SPECIFICATIONS

4.010. Required Copies

The arresting officer must prepare the Notice to Appear form, at a minimum, in triplicate with a copy delivered to the court and the issuing agency for Vehicle Code violations⁸ and in duplicate for all other violations.⁹ 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 defendant's promise to appear or respond.¹⁰ Before printing or programming Notice to Appear forms, law enforcement agencies should contact their local court to determine if there are any local requirements for the court's case management system.

4.020. Size and Color

The size and color of Notice to Appear copies for printed forms TR-106, TR-108, TR-120, and TR-130, and TR-140 should conform with the requirements of the courts in which they are filed. Printed copies of forms completed electronically should comply as closely as possible with these specifications but may vary depending on the courts' or law enforcement agency's technological capabilities. The Judicial Council recommends the following minimum size and other form specifications:

⁸~~Per~~ Veh. Code, §§ 40500(a), and 40506.

⁹~~Per~~ Pen. Code, § 853.6.

¹⁰~~Per~~ Veh. Code, § 40505.

- (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),₁ white, 15-pound paper stock. Print head-to-head.
- (c) Duplicate (Police agency’s copy),₂ pink, 15-pound paper stock. No printing on reverse.
- (d) Triplicate (Officer’s copy),₃ green, 15-pound paper stock. Print reverse head-to-head.
- (e) Quadruplicate (Defendant’s copy),₄ 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.

~~Form TR-135 has a “trim” size of 4 inches wide, and form TR-145 has a “trim” size of 3 inches wide.~~

4.030. Paper Stock

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

4.040. Serial Numbers

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

4.050. Printing Format

- (a) A vertical format is required, except for the Proof of Service on form TR-100, which is printed horizontally to facilitate mailing.
- (b) All text on the forms must be printed in black ink, except the warning at the top of form TR-130, which should be printed in white ink. All text on citation forms TR-115, and TR-120, TR-130, TR-135, and TR-145 must have a minimum font size of 6.0 points. All text on form TR-130 must have a minimum font size of 5.0 points. Serial numbers may be printed in red ink. The box for the defendant’s signature and the box for the warning may be printed in red ink. Form TR-130 may include gray shading around the appearance and response information, the citation details section, and each section on the back of the citation to improve readability.

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 by unshaded areas on examples of Judicial Council ~~adopted forms by unshaded areas~~; see section 5.010 for exceptions. On form TR-130, yellow shading indicates fields that can be customized.

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”~~ specified data fields, among others. To indicate that variations may be permitted, these data fields are identified by shaded areas. On form TR-130, this shading is yellow. 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. On form TR-130, formatting for the information in the yellow box containing the court addresses may be modified as necessary to include the desired number of 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 (or nonyellow, for form TR-130) areas on the forms are mandatory, even if not discussed below. Mandatory text or data fields of the forms may not be reworded or omitted, except for references to statutory authorities, which may be abbreviated differently. ~~Electronic Notice to Appear citations issued on forms TR-135 and TR-145~~ Citations prepared electronically may abbreviate terms 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 refile 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, or in the bottom corner, for form TR-130.

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 continuation form TR-106 or TR-108 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 is the USS Code 39 barcode 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.

- (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 “Respond to Citation before” on form TR-130 or the misdemeanor box at the top of the other Notices 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, form, TR-115.

6.050. Date and Time

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

6.060. Defendant’s Name

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

6.070. Defendant’s Address

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

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.

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

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

- (b) Notice to Appear forms TR-115 ~~and~~, TR-130, ~~TR-135, and TR-145~~ 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~~ 6.091 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.

6.091. Defendant's Race/Ethnicity

- (a) A specific data field for the defendant's race or ethnicity must be added to the Notice to Appear form. The data field should be located on the same line as other physical descriptors.
- (b) 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 Electronic Disposition Reporting Manual.

6.100. Commercial Vehicle

If the vehicle involved in an offense when a notice to appear is issued is a commercial vehicle,¹³ 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).":

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

6.120. Vehicle Description

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

6.130. ~~Financial Responsibility~~ Reason for Stop

The officer must write the ~~driver's evidence of financial responsibility on the Notice to Appear.~~¹⁵ ~~A person issued a Notice to Appear for a violation of this section may submit to the clerk of the court, in person or by mail, written evidence that the driver was in compliance with this section at the time of the citation.~~ reason for the stop on notices used for traffic stops (forms TR-130 and TR-140).¹⁵

6.140. Name of Registered Owner/Lessee

- (a) The Notice to Appear must contain the name of the registered owner or lessee.¹⁶
- (b) The name must be indicated on the Notice to Appear in the sequence First/Middle/Last; unless a company is listed as the registered owner of the vehicle or vehicles.

6.150. Address of the Registered Owner/Lessee

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

6.160. Correctable Violation Advisement and Check Boxes

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

¹⁴~~Per~~ Veh. Code, § 40500(a).

¹⁵~~Per Veh. Code, § 16028~~ Per Veh. Code, § 1656.3

¹⁶~~Per Veh. Code~~ Id., § 40500(a).

¹⁷~~Per Veh. Code~~ Ibid., § 40500(a).

¹⁸~~Per Veh. Code~~ Id., § 40522.

- (c) The correctable violation advisement and the check boxes do not appear on the *Automated Traffic Enforcement System* notice form, TR-115.

6.170. Booking Required

The officer may either book the arrested person prior to release; or indicate on the Notice to Appear that the arrested person must be booked before appearing in court.¹⁹ If the “Booking Required” check box is checked on form TR-120 ~~or~~, TR-130, ~~TR-135, or TR-145~~ the arresting agency must complete the verification of booking section on the defendant’s copy of the form. The “booking required” check box does not appear on the *Automated Traffic Enforcement System* notice, form, TR-115.

6.180. Violations

The Notice to Appear must state the offenses charged.²⁰ ~~Forms TR-135 and TR-145 may include special data 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 (“approx.”), prima facie or maximum speed, and any other speed limit exceeded.²¹

- (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.

¹⁹~~Per~~ Pen. Code, § 853.6.

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

²¹~~Per~~ Veh. Code, § 40503.

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~~ the officer's presence and that ~~his/her~~ the officer's declaration is on information and belief. A citizen's complaint and a collision investigation are examples of a situation that may result in the officer 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.²² The date of the declaration must appear in the declaration date field when completed by either an arresting or a citing officer.

6.230. Other Officer

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

6.231. Declarant-Automated Traffic Enforcement System Citations

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

6.240. Defendant's Signature

To secure release from arrest, the defendant must give his/her written promise to appear.²³ 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. 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*.

The defendant has the option to provide their cellphone information when they sign the citation. This information may be used by the court to send reminders about mandatory appearances and deadlines.²⁴

²²~~Per~~ Code Civ. Proc., § 2015.5.

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

²⁴ Cal. Rules of Court, rule 4.107.

6.250. Time to Appear or Deadline to Respond

- (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.²⁵
- (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.²⁶ The time to appear must be at least ten days after the Notice to Appear is delivered.²⁷
- (c) The time to appear placed on 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.²⁸

6.260. Place to Appear

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

- (a) Before a magistrate or judge.²⁹
- (b) Before a person authorized to receive a deposit of bail.³⁰
- (c) Before the juvenile court, juvenile court referee, or juvenile hearing officer.³¹

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.³²

²⁵~~Per~~ Veh. Code, § 40501(a).

²⁶~~Per Veh. Code~~ *Id.*, § 40518(a).

²⁷~~Per Veh. Code~~ *Id.*, § 40518(b).

²⁸~~Per Veh. Code~~ *Id.*, § 40501(b).

²⁹~~Per Veh. Code~~ *Id.*, § 40502(a)–(b); ~~and~~ Pen. Code, § 853.6.

³⁰~~Per~~ Veh. Code, § 40502(c); ~~and~~ Pen. Code, § 853.6.

³¹~~Per~~ Veh. Code, § 40502(d).

³²~~Per Veh. Code~~ *Ibid.*, § 40502(d).

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.

Chapter 7 DISCRETIONARY LANGUAGE/DATA FIELDS

7.000. In General

The discretionary (shaded or yellow) areas on the forms (see Appendixes) 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.³³

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 courts² that use the space for cash register validations, automated traffic system notations, and notes of court proceedings. These courts use a separate form when issuing a warrant for arrest. For those reasons, the warrant for arrest statement is now discretionary.

~~7.020. Defendant's Race/Ethnicity~~

- ~~a) A specific data field for the defendant's "Race" or "Ethnicity" may be added to the Notice to Appear form. The data field should be located on the same line as other physical descriptors.~~
- ~~b) The defendant's "Race" or "Ethnicity" may be indicated in the "Other Description" data field.~~

³³~~Per~~ Pen. Code, § 815(a).

- e) ~~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.³⁴
- (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. For electronic citations on forms ~~TR-135 or TR-145~~, a digitized thumbprint or fingerprint may be printed on the defendant's paper copy of the citation and filed with the court as part of the notice to appear. If the defendant's thumbprint or fingerprint is captured electronically as a digital image, but not included as part of the notice to appear, the digital image may be retained by the arresting agency for use as provided in Penal Code sections 853.5 and 853.6 and Vehicle Code sections 40500 and 40504 and any other purposes permitted by law.
- (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's license number and/or the defendant holds a commercial driver's 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.³⁵

Federal statutes do permit an agency having administrative responsibility for driver's 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.³⁶

³⁴~~Per~~ Veh. Code, § 40500(a); ~~and~~ Pen. Code, § 853.6.

³⁵~~Per~~ Pub. Lic. Law No. 93-579, § 7.

³⁶~~Per~~ 42 U.S.C. § 405-(c)(2)(~~e~~)(C)(i)-(iv).

The California Department of Motor Vehicles requires an individual to disclose ~~his or her~~ their social security number in order to obtain a driver's license or identification card.³⁷ A number of other states use the individual's social security number as the driver's license number.

³⁷~~Per~~ Veh. Code, §§ 1653.5, and 12801.

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Traffic and Criminal Law: Notice to Appear Forms (amend Cal. Rules of Court, rule 4.103; revise forms TR-130, TR-140, and TR-INST; revoke forms TR-135 and TR-145)

All comments are verbatim unless indicated by an asterisk (*).

	Commenter	Position	Comment	Committee Response
1.	Superior Court of Orange County By Iyanna Doherty, Courtroom Operations Supervisor	A	No concerns regarding the new format and elimination of the former notices created for filing of electronic citations. This will take coordination with SecureOne and Law Enforcement agencies to comply with the new format. Also, will need to look into our interface to determine whether the new data elements need to be transmitted electronically and stored within Vision. For example, do we want to receive and store the “Reason for Stop” data element in Vision? Also, need to change wording in Vision/ELF from Accident to Crash for consistency.	No response required.
			New disclaimer “ACT BY THIS DATE TO AVOID A WARRANT OR INCREASED FINES” - Suggest it state fines or fees as a Civil Assessment for failure to appear is a fee that is included, not a fine	The committee agrees with this suggestion and has incorporated it, with minor alterations, into the revisions that it is recommending for adoption.
			Since we still send registration holds for Owner’s tickets, suggest that owner’s holds be mentioned on the back of the citation or modify the “ACT BY THIS DATE” message	The committee agrees with this suggestion and has incorporated it, with minor alterations, into the revisions that it is recommending for adoption.
			Instead of Case Agency No., seems like it would make more sense to have it read “Agency Case No.”.	The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.
			In regard to the Reason for Stop field, since this citation will be used for eCitations as well, suggest that the Judicial Council identify data limits for that field for those courts that do want to store that information when filed electronically	The committee appreciates this input. The Traffic Advisory Committee has purview over the design of the TR-130. Individual courts can work with law enforcement agencies to design the data that is inputted and processed through the citation.
			If the officer’s reason is lengthy, is there a continuation form they will use for just that field or would it be the existing continuation form?	The committee appreciates this input. The officers will use the existing continuation form. The committee may consider revisions to the continuation form in a future cycle and may consider adding a field for Reason for Stop.

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	Commenter	Position	Comment	Committee Response
			Suggest that the signature line go above the cellphone and email entries as it would be directly below the statement that “Signing does not admit guilt”	The committee appreciates this input. The committee considered the location of the signature line during user testing and determined that litigants were more likely to supply contact information if the signature line was below the cell phone line.
			Cell Phone should be changed to Mobile Phone	The committee appreciates this input. The committee prefers the use of Cell Phone to save space on the ticket and use language familiar to the litigant.
			Do we need to get them to state that they want reminders via email or phone provided instead of stating “may be used to send reminders”? Meaning, can they state they don’t want it used for that purpose?	The committee agrees with this suggestion and has incorporated it, with minor alterations, into revisions that it is recommending for adoption.
			Back page APPEAR IN COURT section, Your next step: should read: “Go to court on the date, time and location listed on the top right corner of the front of your citation”	The committee agrees with this suggestion and has incorporated it, with minor alterations, into the revisions that it is recommending for adoption.
			Back page RESPOND TO CITATION section, should state “Citations can take up to 14 days to show up in the court system” also, if the officer checks the incorrect box (there are some mandatory infractions violations that cannot be paid) will lead to possible confusion	<p>The committee agrees with the first suggestion and has incorporated it into the revisions that it is recommending for adoption.</p> <p>The committee appreciates this input and understands that there will be some training required for officers to learn which box to check for mandatory appearance infractions. However, the committee determined the proposed revision still allows officers to make that distinction while providing the litigant with useful information.</p>

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	Commenter	Position	Comment	Committee Response
			IMPORTANT section, it states “Not acting by the date . . . , should be consistent with the section, should state “Not responding by the date. . . “	The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.
			In the same section, same comment about the \$100 fine as in the front, it is not a fine, it is a civil assessment	The committee agrees with this suggestion and has incorporated it, with minor alterations, into the revisions that it is recommending for adoption.
			Option A – not all courts will be up on the MYCITATIONS.COURTS.CA.GOV by January 1st, 2024, also to pay it is not a finding of guilty, it is a bail forfeiture as a finding of guilty is done by a judge after a trial	<p>Since majority of courts will be online by January 1, 2024 and all courts will be on MyCitations by July 1, 2024, the committee is making this revision now given the time needed to adopt new citation forms.</p> <p>The committee agrees that bail forfeiture is the correct legal term. When a litigant chooses to pay their traffic fine without contesting the ticket, they are forfeiting bail. Per Vehicle Code section 40512, for certain offenses a penalty in the form of a fine can be “forfeited” and cancel the need for any further court proceedings. Payment is treated as a conviction for the offense. (Veh. Code, § 13103.) Although the same consequences apply as for a guilty plea, the litigant is not technically pleading guilty, nor is the court necessarily making a finding of guilt. The committee and working group considered the best terminology to use to describe forfeiting bail from the litigant’s standpoint. After feedback from criminal defense attorneys, behavioral scientists, judicial officers, and court staff, the committee settled on “guilty finding.” The committee recognizes that “bail</p>

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	Commenter	Position	Comment	Committee Response
				forfeiture” is the correct legal term but recommended “guilty finding” on the proposed citation because this language was seen by experts on the workgroup and in user testing to be a clearer indicator of consequences of paying a ticket, as the bail forfeiture will be considered a conviction. “Guilty finding” also was understood in user testing to mean that the litigant would have a conviction on their record. Based on this comment, the committee again discussed the term but declined to change it, determining that “guilty finding” is the preferred term from the litigant’s standpoint.
			Note about paying may add points, should give them a website they can go to (DMV) to view whether their violation is a point	The committee appreciates this input. The committee declines to take this suggestion as the DMV does not currently have such a resource.
			In that same section, it states to contact the court for eligibility, should reference the Violation Information Notice that is required for all citations by rule of court, having them contact the court will lead to an increase in calls, letters or personal appearance when it is not necessary	The committee appreciates this input. The committee understands that due to several obstacles, many litigants do not receive their reminder notice. The committee intends for this information to give the litigant a starting place for information before they receive their notice.
			Option C again refers the defendant to contact the court for more information, specifically trial by declaration, should refer them to the judicial council website for the form	The committee appreciates this input. Individual courts have their own procedures for requesting trials by declaration. The committee does not recommend referring litigants to the Judicial Council website for that purpose.

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	Commenter	Position	Comment	Committee Response
			Option D I believe is incorrect, it was determined that the proof of correction results in the dismissal, it is not tied to the payment of the fee so may need to re-word that	The committee agrees with this suggestion and has incorporated it, with minor alterations, into the revisions that it is recommending for adoption.
			Suggest moving the statement “The Court will send notice explaining next steps” higher up so that they wait for the notice before contacting the court	The committee appreciates this input. The committee understands that due to several obstacles, many litigants do not receive their reminder notice. The committee intends for this information to give the litigant a starting place for information before they receive their notice.
			For translations, what site should be listed here? Is the Court required to have translation services for citations or a copy of the citation in different languages?	The Judicial Council will post the translation on its website. This URL has been updated on the revised proposal.
2.	Superior Court of Placer County, by Jake Chatters, Executive Officer	NI	<p>The proposed revisions to the TR-130 are welcome and make for a more readable citation form. One suggestion is to modify the sub-options for the defendant under Option A.</p> <p>Specifically to list as follows:</p> <ul style="list-style-type: none"> • Pay (online, call, in person) or request an extension. • Ask for a reduction at mycitations.courts.ca.gov or through the court (online, call, in person). • See front for the court’s contact information. <p>Thank you for considering.</p>	The committee agrees with the suggestion to modify the order of the bullet points under Option A and has incorporated it into the revisions. Due to space considerations, the committee declines to modify the language or add an additional bullet point.
3.	Superior Court of Stanislaus County by Hugh Swift, Executive Officer	NI	In response to the Invitation to Comment to the proposed changes in the Notice to Appear forms, the Court attaches its responses to the request for specific comments. In addition, the Court offers the following general comments:	The committee appreciates this input. The committee declines to take this suggestion. Currently, law enforcement officers are indicating these violations on the TR-130 without the specific boxes. Courts can work with law

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	Commenter	Position	Comment	Committee Response
			<p>The Court requests the following items from form TR-135, be incorporated into proposed form TR-130:</p> <ul style="list-style-type: none"> • The check boxes for VC 42009-Construction Zone, VC 42010-Safety Zone, and School Zone violations. <ul style="list-style-type: none"> ○ These boxes clearly specified for the officers and Court staff regarding the specific violation alleged. ○ Eliminates the need for officers to provide a narrative and reduces the possibility that the officer transposes the number of the Vehicle Code Section allegedly violated. • The check boxes for overweight violations, as wells the space designated to indicate the pounds overweight. <ul style="list-style-type: none"> ○ Eliminates the need for officers to provide a narrative and reduces the possibility that the officer transposes the number of the Vehicle Code Section allegedly violated. ○ These boxes clearly specified the citation was for an overweight violation and provided a space for the office to provide specific information regarding weight alleged. <p>Thank you for providing us with an opportunity to comment.</p> <p>Does the proposal appropriately address the stated purpose? Yes, the purpose is stated appropriately.</p> <p>Would any of the changes to form TR-130 pose challenges in developing a revised printed citation form for officers typing in data on a handheld or mobile terminal in their cars? The Court defers to Law Enforcement.</p>	<p>enforcement agencies to include these fields if desired.</p> <p>No response required.</p>

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	Commenter	Position	Comment	Committee Response
			<p>Is revised TR-130 sufficient for designing an electronic citation printout? Are forms TR-135 and TR-145 necessary for the development of an electronic citation printout? Yes, the TR-130 is sufficient for an electronic cite printout. No, the TR-135 and TR-145 are not necessary for the development.</p> <p>Does form TR-130 provide sufficient customizable (shaded in yellow) data fields for law enforcement agencies and/or courts? Yes, the customizable fields are sufficient for the Court.</p> <p>Form TR-130 does not currently include a mandatory field for vehicle type; should such a field be added as a mandatory field, or should it remain a field that jurisdictions can choose to include in a customizable field? The vehicle type is not needed.</p> <p>Should any of the mandatory fields (fields not shaded in yellow) on proposed form TR-130 not be mandatory? The email section should not be mandatory.</p> <p>Is the new “Reason for Stop” field in a logical place on proposed forms TR-130 and TR-140? Yes, the “Reason for Stop” is in a logical place on the TR-130.</p> <p>Are the instructions on the back of proposed form TR-130 clear for the litigant? Yes.</p> <p>Is form TR-140 necessary or commonly used in your jurisdiction? Yes, the TR-140 is used in the Stanislaus jurisdiction.</p> <p>Would the proposal provide cost savings? If so, please quantify.</p>	

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	Commenter	Position	Comment	Committee Response
			<p>No, the proposal will not provide a cost savings.</p> <p>How well would this proposal work in courts of different sizes?</p> <p>The proposal will work well for Stanislaus once all of the changes have been implemented.</p>	
			<p>Is it clear that the cell phone field (which may be used by courts to facilitate reminders) on proposed form TR-130 is optional for the litigant to fill out?</p> <p>No, it's not clear the cell phone field is optional. It should reflect "optional".</p>	The committee agrees with this suggestion and has incorporated it, with minor alterations, into the revisions that it is recommending for adoption.
			<p>Should the litigant's email field on proposed form TR-130 be optional for jurisdictions to include on the citation?</p> <p>Yes, the email field should be optional for jurisdictions to include.</p>	The committee appreciates this input. The form as circulated includes email as an optional field for jurisdictions.
			<p>What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?</p> <p>The implementation would require one-week to revise Clerk's Office procedures and to train clerks. It will require six-months to ensure a complete and successful modification to the robotic process automation process used by the Court.</p> <p>Would three months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation for courts?</p> <p>Six-months would be more realistic for a successful implementation.</p>	The committee appreciates this input and understands that these changes will require work for courts and law enforcement to implement. The committee would be inclined to give organizations more time. However, given the January 1, 2024 deadline for including Reason for Stop on the citation, the committee declined to recommend a later date.
4.	Superior Court of Ventura County	AM	<p>"Appear in/Respond to" area of citation is too large. Two separate areas for a date may cause confusion for officers knowing which box they are to check/write their date.</p>	The committee appreciates this input. The appear in/respond to area is large to draw the litigant's attention to the required date of appearance or

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	Commenter	Position	Comment	Committee Response
	By Denise Gooding, Senior Manager – Court Operations			response. The committee understands that there will be some training required for officers to learn which box to check for mandatory appearance infractions. However, the committee believes that the proposed revision still allows officers to make that distinction while providing the litigant with useful information.
			Court information box is too small/font too small.	The committee appreciates this input. The form circulated offers an example of how a court could fit numerous locations in one box. The font can be larger for agencies that do not need all four locations listed.
			Add “suffix” to Name area	The committee appreciates this input. The committee declines to take this suggestion as the current TR-130 does not contain suffix. Courts can work with law enforcement agencies to add this field if they desire.
			“Reason for Stop” will this information be required for JBSIS reporting?	The JBSIS (Judicial Branch Statistical Information System) compiles aggregate counts of high-level workload indicators such as filings and dispositions, which are reported in the annual Court Statistics Report that is available on the courts.ca.gov website. “Reason for Stop” will not be required for JBSIS reporting.
			Missing “to be notified” box for owner’s responsibility tickets. (Agency is required to mail notice to the registered owner pursuant to VC 40002.)	The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.

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	Commenter	Position	Comment	Committee Response
			“Booking Required” please enlarge font.	The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.
			List “vehicle limit” before “safe speed”	The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.
			Cell phone number should be listed as (optional). It is not clear that the cell phone field is optional.	The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.
			Email address should be listed as (optional). Email field should be listed as optional.	The committee appreciates this input. The form as circulated includes email as an optional field for jurisdictions. The committee agrees that it should be clearer to the litigant that it is optional to fill in this information and has incorporated this into the revisions that it is recommending for adoption.
			“Continuation form” box should be listed in “citation details” beneath 4th alleged violation area.	The committee appreciates this input but concluded the proposed order is a better placement.
			Country should be added in the address field for mailing purposes.	The committee appreciates this input. The committee declines to take this suggestion as the current TR-130 does not contain country. Courts can work with law enforcement agencies to add this field if they desire.
			Thumb print section is missing from the new TR-130 form. This is used when potential wrong defendants are brought to court.	The committee appreciates this input. The third page of the TR-130 did not circulate for comment and no changes are being made. The form

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	Commenter	Position	Comment	Committee Response
				recommended for adoption will contain the thumbprint page.
			Move “courtesy notice” advisement from “More Information” section bottom right-hand corner and list it beneath “Keep checking to find your citation, and then complete Option A, B, C, or D.” “The court may mail a courtesy notice explaining your next steps.”	The committee appreciates this input. Per California Rules of Court, rule 4.107, courts are required to mail reminder notices to litigants. The committee understands that due to several obstacles, many litigants do not receive their reminder notice. The committee intends for this information to give the litigant a starting place for information before they receive their notice.
			Update traffic school language in option B from, “Contact the court (see front of citation) to check your eligibility” to “Contact the court to see if you are eligible.”	The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.
			Option D – Add language, “you must show proof to court to have the corrected violation dismissed and pay a transaction fee.”	The committee agrees with this suggestion and has incorporated it, with minor alterations, into the revisions that it is recommending for adoption.
			Booking details problematic. Needs to be in a much larger font.	The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.
			TR-130 should include a mandatory field for “vehicle type.” When researching vehicles in the DMV system, the clerks need to know the type of vehicle to identify the code needed for entry in the DMV system.	The committee appreciates this input. The committee declines to take this suggestion since there are conflicting answers from different courts. Courts can work with law enforcement agencies to add this field if they desire.
			There will be no cost savings for the court. Our CMS system, VCIJIS (VISION), will require reprogramming.	No response required.

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	Commenter	Position	Comment	Committee Response
			<p>Staff training will need to take place but should not require too much time.</p> <p>Ventura Court has contracted our citations to be entered by a private third party. Updates will be necessary.</p> <p>Electronic citation submissions to court may be affected and may cause additional time to work through errors once implemented. Amount of time is unknown.</p> <p>Three months notification prior to the effective date is sufficient time for the court to implement.</p>	
5.	Trial Court Presiding Judge Advisory Committee, Court Executive Advisory Committee Joint Rules Subcommittee	AM	<p>Legislation requires that the officer document the reason for the stop. TR-130 should be modified to include this requirement. (Note that the statute requiring this change is VC 2806.5, not VC 1656.3.)</p> <p>No additional comments on the form being mandatory, other than the generalized value of uniformity.</p> <p>Amend Rule 4.103 to remove reference to TR-135 and TR-145.</p> <p>Revision of Form TR-130 - It appears a lot of thought and collaboration went into this, so we defer to the modifications, with only the following comments:</p>	No response required.
			<p>Correctable Offense Notice Form</p> <p>Unless certain disqualifying conditions exist, an officer who chooses to take action on certain registration, license, or equipment violations must issue a notice to appear that specifies the offense is correctable or a notice of violation.</p>	The committee appreciates this input. The committee declines to take this suggestion because the current TR-130 does not contain space for officers to provide this information and there is not sufficient room on the ticket to add this option for every violation.

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SPR 23-31

Traffic and Criminal Law: Notice to Appear Forms (amend Cal. Rules of Court, rule 4.103; revise forms TR-130, TR-140, and TR-INST; revoke forms TR-135 and TR-145)

All comments are verbatim unless indicated by an asterisk (*).

	Commenter	Position	Comment	Committee Response
			Under correctable violations, when an officer checks the “No” box it is because the officer made a finding that one of the four facts in VC 40610(b) exist. Neither the current or proposed form provide any indication why the officer made this finding, or which of the four applies. Consider an item on the form that has the officer check a box that supports officer’s finding. VC 40610(b) (1)[] (2)[] (3)[] (4) []. This way the driver and the court know why the person cannot just easily correct the violation.	
			Commercial Vehicle box appears twice in proposed TR-130. This is redundant.	The committee appreciates this input. One of these boxes is to indicate a commercial license, the other is to indicate a commercial vehicle.
			The box identifying class of driver is deleted. Sometimes this is important.	The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.
			Box stating Evidence of Financial Responsibility deleted. No explanation for this. This assists in ensuring compliance with VC 16020, 16028.	The committee appreciates this input. This box was removed due to recent legislation. Assembly Bill 2956 (Stats. 2022, ch. 295) removed the requirement to document evidence of financial responsibility on the citation. Now, the Vehicle Code only requires verification. There is an Insurance checkbox with options for Yes and No on the proposed form.
			Why change “Accident” to “Crash”? Accident may address broader circumstances than “crash” and is language in VC 40300.5.	The committee appreciates this input. The committee made this change to be consistent with the current language used by law enforcement, National Highway Traffic Safety Administration, the Governor’s Highway Safety Association, and the federal government in the Model Minimum

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	Commenter	Position	Comment	Committee Response
				Uniform Crash Criteria (MMUCC), which serves as the national standard for crash reporting.
			Section 6.190 of the Manual (Form TR-INST) provides that the “approximate speed” must be stated on the Notice to Appear. The word “approximate” has been deleted.	The committee agrees with this suggestion and has incorporated it, with minor alterations, into the revisions that it is recommending for adoption.
			On back page, advisement about potential trial in absentia has been deleted. No explanation for this.	The committee appreciates this input. The form as proposed warns litigants that they may be found guilty if they fail to act. Although the language “trial in absentia” is not used, the committee prefers to use plain language that will be better understood by the litigant.
			Is there a place for thumbprint? Manual 7.030.	The committee appreciates this input. The third page of the TR-130 did not circulate for comment and no changes are being made. The form recommended for adoption will contain the thumbprint page.
6.	Orange County Bar Association By Michael A. Gregg, President	A	The above listed proposals appropriately addresses the stated purpose.	No response required.

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

Attachment A

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)			
Address													
3.													
City		State/Country		ZIP Code		E-mail Address							
4.													
Driver Lic. No.		State		Class		Commercial <input type="checkbox"/> Yes <input type="checkbox"/> No		Age		Birth Date			
5.													
Sex		Hair		Eyes		Height		Weight		Race			
6.													
Veh. Lic. No. or VIN		State		Reg. MO/YR		<input type="checkbox"/> COMMERCIAL VEHICLE (Veh. Code, § 15210(b))							
7.													
Yr. of Veh.		Make		Model		Body Style		Color					
8.													
Evidence of Financial Responsibility				CHP/DOT/PUC/ICC									
9.													
Registered Owner or Lessee										<input type="checkbox"/> Same as Driver			
10.													
Address										<input type="checkbox"/> Same as Driver			
11.													
City		State		ZIP Code									
12.													
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			
Speed Approx.		P.F./Max Spd.		Veh. Lmt.		Safe		Radar		<input type="checkbox"/> Continuation Form Issued			
17.													
Location of Violation(s)										City/County of Occurrence		W E	
18. at													
Comments (Weather, Road & Traffic Conditions)										<input type="checkbox"/> Accident		S	
19.													
<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 (place) Violation Location													
21. / /		Dec. Date		Arresting or Citing Officer		Serial No.		to		Dates Off			
22. / /		Dec. Date		Name of Arresting Officer, if different from Citing Officer		Serial No.		to		Dates Off			
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					
25. WHAT TO DO:		FOLLOW THE INSTRUCTIONS ON THE REVERSE.											
26. 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"/> You may arrange with the clerk to appear at a night session of the court.											
FPO Barcode (USS Code 39)										DEFENDANT COPY			
Judicial Council of California Form													
Rev. 06-26-15 (Veh. Code, §§ 40500(b), 40513(b), 40522, 40600; Pen. Code, § 853.9)										SEE REVERSE 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

LOCAL INFORMATION FOR THE CITATION IS AVAILABLE ONLINE
AT [website address]

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, 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 may be required to submit the bail amount.**
Go online or call the court for information on going to court without paying bail. —OR—

b. (Trial by written declaration (traffic cases)) 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. _____

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.