



# Judicial Council of California

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## REPORT TO THE JUDICIAL COUNCIL

*Item No.: 24-143*

For business meeting on September 20, 2024

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**Title**

Traffic: Instructions for Notice to Appear and Related Forms

**Agenda Item Type**

Action Required

**Rules, Forms, Standards, or Statutes Affected**

Revise form TR-INST

**Effective Date**

January 1, 2025

**Recommended by**

Traffic Advisory Committee  
Hon. Maria Lucy Armendariz, Chair

**Date of Report**

August 26, 2024

**Contact**

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### Executive Summary

The Traffic Advisory Committee recommends revising the manual of instructions for the notice to appear and related forms (form TR-INST) to improve clarity and consistency. The revisions include technical amendments and corrections and respond to suggestions from forms users.

### Recommendation

The Traffic Advisory Committee recommends that the Judicial Council, effective January 1, 2025, revise *Notice to Appear and Related Forms* (form TR-INST) to:

1. Clarify in section 1.010 that the defendant must respond to the citation (as opposed to answer allegations);
2. Remove the word “paper” in section 2.010 to allow for electronic service. Although electronic service is not yet an option, the proposal removes the word “paper” in this section so that form TR-INST is not inadvertently inconsistent with electronic service in the future;
3. Add information in section 4.050 about the “Tab Area” allowing for perforation at the top or bottom of the citation;

4. Clarify in section 6.040 how officers should complete the top of form TR-130 and, specifically, the circumstances under which a particular box should be checked; and
5. Make other minor technical changes to improve clarity and consistency.

The proposed revised form is attached at pages 4–40.

### **Relevant Previous Council Action**

In 2023, the Judicial Council revised form TR-130 (commonly known as a “citation” or “notice to appear”) with an effective date of January 1, 2024.<sup>1</sup> This revision was an extensive redesign and the culmination of a two-year project of the Traffic Advisory Committee. In addition to form TR-130, the Judicial Council also revised *Notice to Correct Violation* (form TR-140) to reflect statutory changes and form TR-INST to conform with the changes to forms TR-130, effective January 1, 2024.

### **Analysis/Rationale**

Form TR-INST provides a manual of instructions for the notice to appear and related forms that include forms TR-100, TR-106, TR-108, TR-115, TR-120, TR-130, and TR-140. Although form TR-INST was updated in 2023, additional technical and clarifying changes would help with implementation of the redesigned form TR-130.

The following is a summary of stakeholder feedback regarding form TR-130 and the corresponding instructions in form TR-INST:

- Electronic citation vendors have expressed interest in expanding electronic service options to litigants in the future. However, form TR-INST currently states that the officer issues a “paper” citation to the litigant;
- Several stakeholders identified concerns with the “Tab Area” on form TR-130 and requested clarification as to whether that area could appear on the top or bottom of the citation; and
- Some law enforcement agencies inquired how officers should fill out the top of form TR-130, including which box to check.

The committee recommends clarifying revisions and technical corrections to form TR-INST in response to the feedback from stakeholders and for improved clarity.

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<sup>1</sup> Form TR-130 is statutorily mandated by Vehicle Code section 40500. This statute 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. (Veh. Code, § 40500(b).) 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).) Penal Code section 959.1(d) permits a court to receive and file an electronic notice to appear form approved by the Judicial Council. Each law enforcement agency prints its own citations or uses an e-citation platform.

### **Policy implications**

The committee has not identified any policy implications with the proposed revisions. The proposed revisions are recommended to address concerns with the current version of the form.

### **Comments**

The proposal circulated for public comment between April 2 to May 3, 2024. The proposal received three comments. All three commenters agreed with the proposal and did not request any changes. The chart of comments and committee responses is attached at pages 41–42.

### **Alternatives considered**

The committee considered a larger proposal of clarifying revisions to all notice to appear and related forms appearing in form TR-INST, potentially combining or revoking some of the forms. Although some of the forms are older and could potentially be improved or combined, the committee has not received complaints or suggestions from stakeholders about them. Additionally, because the citation forms are primarily for law enforcement purposes rather than courts, any revisions to the forms can be burdensome on multiple county and state agencies and would require extensive outreach to these agencies. As a result, the committee decided to focus on making clarifying revisions to form TR-INST.

### **Fiscal and Operational Impacts**

The committee does not believe there will be any operational or fiscal impacts caused by these revisions.

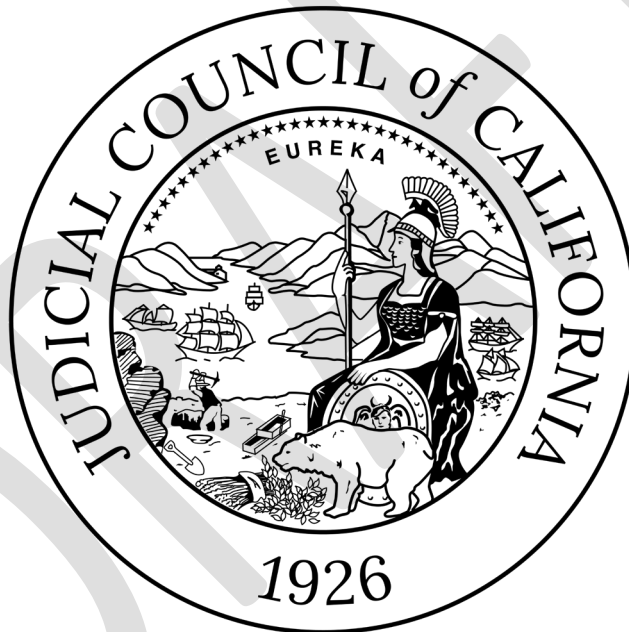
### **Attachments and Links**

1. Form TR-INST, at pages 4–40
2. Chart of comments, at pages 41–42

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

Revised Effective January 1, **2024 2025**



JUDICIAL COUNCIL of CALIFORNIA

455 Golden Gate Avenue  
San Francisco, California 94102-3688

## **ACKNOWLEDGMENTS**

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

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## 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** **Notice to Appear forms** should **also** provide the defendant with pertinent information regarding the charges and what steps the defendant must take to **answer the allegations respond.**

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.<sup>1</sup>
- (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.<sup>2</sup>

### **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.

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<sup>1</sup> Veh. Code, § 40500(a); Pen. Code, § 853.6.

<sup>2</sup> Veh. Code, § 40513(b); Pen. Code, § 853.9.



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### **1.040. Electronic Notice to Appear**

- (a) An electronic Notice to Appear issued on 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:<sup>3</sup>
  - (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) 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.)

### **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.<sup>4</sup> (See Appendix A.)

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<sup>3</sup> Pen. Code, § 959.1.

<sup>4</sup> Veh. Code, § 40505.

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## Chapter 2 AUTHORITY TO PRESCRIBE FORMAT

### 2.010. Judicial Council

(a) The Judicial Council has three forms for the Notice to Appear:

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

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

(3) Form TR-130, *Traffic/Nontraffic Notice to Appear*,<sup>7</sup> 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.)

(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.

## Chapter 3 REVISION DATES

### 3.010. Judicial Council

(a) Periodically, the Judicial Council will 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. (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.

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<sup>5</sup> *Id.*, § 40518.

<sup>6</sup> Pen. Code, § 853.9.

<sup>7</sup> Veh. Code, §§ 40500(b), 40513(b), 40522; Pen. Code, § 853.9.

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- (b) The council revised forms TR-130 and TR-140, effective January 1, 2024, and forms TR-115 and TR-120, effective June 26, 2015. Forms TR-100, TR-106, and TR-108 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 violations<sup>8</sup> and in duplicate for all other violations.<sup>9</sup> 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.<sup>10</sup> 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, 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:

- (a) A "trim" size of 4-1/4 inches wide and 7-1/2 inches long; 5/8-inch tabs on the top or bottom of the form.
- (b) Original (Court's copy), white, 15-pound paper stock. Print head-to-head.
- (c) Duplicate (Police agency's copy), pink, 15-pound paper stock. No printing on reverse.
- (d) Triplicate (Officer's copy), green, 15-pound paper stock. Print reverse head-to-head.
- (e) Quadruplicate (Defendant's copy), yellow, 20-pound paper stock. Print reverse head-to-head.
- (f) The colors of the "Court's copy" and "Police agency's copy" correspond with rule 1:3-1 of the Model Rules Governing Procedure in Traffic Cases adopted by the National Conference of Commissioners on Uniform State Laws.

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<sup>8</sup> Veh. Code, §§ 40500(a), 40506.

<sup>9</sup> Pen. Code, § 853.6.

<sup>10</sup> Veh. Code, § 40505.

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#### **4.030. Paper Stock**

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

#### **4.040. Serial Numbers**

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

#### **4.050. Printing Format**

- (a) A vertical format is required, except for the Proof of Service on form TR-100, which is printed horizontally to facilitate mailing.
- (b) All text on the forms must be printed in black ink, 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 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. The “Tab Area” on form TR-130 may appear on the top or bottom of the form. It is meant to represent space for perforation of forms in a citation book.

#### **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 forms; see section 5.010 for exceptions. On form TR-130, yellow shading indicates fields that can be customized.

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### **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 specified data fields. 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. 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 **Judicial 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.

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### **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~~ **practicable** to the bottom of the form and ~~is the in~~ **the in** 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~~ **Identifying the Type of Violation****

To facilitate processing, the citing officer must check ~~“Respond to Citation before”~~ **one of the three options** on form TR-130:

**“Appear in Court” if one of the offenses charged is a misdemeanor or an infraction requiring an appearance. The citing officer must provide a time and date to appear when checking this box.**

**“Respond to Citation Before” if the offense charged is an infraction that does not require an appearance. The citing officer must provide only a date by which to respond when checking this box.**

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“To Be Notified” if the person being cited will be notified at a later date. The formatting of the “To Be Notified” box may be adjusted.

The citing officer must check ~~or~~ the Misdemeanor box at the top of the other Notices to Appear form TR-106, TR-108, or TR-120 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.<sup>11</sup>
- (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.<sup>12</sup>
- (b) The address must be the defendant’s mailing address. The mailing address allows the court to mail a courtesy notice and/or other correspondence to the defendant.
- (c) A street address may also be indicated in addition to the mailing address.

#### **6.071. Defendant’s Class and Category of Driver’s License**

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

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<sup>11</sup> Veh. Code, §§ 40500(a), 40518(b); Pen. Code, § 853.6.

<sup>12</sup> Veh. Code, §§ 40500(a), 40518(b); Pen. Code, § 853.6.

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### **6.080. Defendant's Birth Date**

- (a) The defendant's 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, color of hair, color of eyes, height, and weight are required on the Notice to Appear. See section 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,<sup>13</sup> the citing officer must mark the check box within the data field "COMMERCIAL VEHICLE (Veh. Code, § 15210(b))."

### **6.110. Hazardous Material**

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

### **6.120. Vehicle Description**

The year, make, 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.<sup>14</sup>

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<sup>13</sup> *Commercial vehicle* is defined in Vehicle Code section 15210(b). The requirement to indicate if an offense involves a motor vehicle is per Vehicle Code section 40300.2.

<sup>14</sup> Veh. Code, § 40500(a).



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### **6.130. Reason for Stop**

The officer must write the reason for the stop on notices used for traffic stops (forms TR-130 and TR-140).<sup>15</sup>

### **6.140. Name of Registered Owner/Lessee**

- (a) The Notice to Appear must contain the name of the registered owner or lessee.<sup>16</sup>
- (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.<sup>17</sup>
- (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.<sup>18</sup>
- (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.
- (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.<sup>19</sup> If the "Booking Required" check box is checked on form TR-120 or TR-130, the arresting agency must complete

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<sup>15</sup> Veh. Code, § 1656.3.

<sup>16</sup> *Id.*, § 40500(a).

<sup>17</sup> *Ibid.*

<sup>18</sup> *Id.*, § 40522.

<sup>19</sup> Pen. Code, § 853.6.

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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.<sup>20</sup>

### **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.<sup>21</sup>

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

### **6.200. Location of Violation**

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

### **6.210. Officer's Declaration on Information and Belief**

The officer must indicate on the Notice to Appear (check box) when the offense was not committed in the officer's presence and that 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.<sup>22</sup> The

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<sup>20</sup> Veh. Code, § 40500(a); Pen. Code, § 853.6.

<sup>21</sup> Veh. Code, § 40503.

<sup>22</sup> Code Civ. Proc., § 2015.5.

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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 their written promise to appear.<sup>23</sup> 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.<sup>24</sup>

### **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.<sup>25</sup>
- (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,

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<sup>23</sup> Veh. Code, § 40504; Pen. Code, § 853.6.

<sup>24</sup> Cal. Rules of Court, rule 4.107.

<sup>25</sup> Veh. Code, § 40501(a).

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with a certificate of mailing obtained as evidence of service.<sup>26</sup> The time to appear must be at least ~~ten~~ 10 days after the Notice to Appear is delivered.<sup>27</sup>

- (c) The time to appear placed on the 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.<sup>28</sup>

### **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.<sup>29</sup>
- (b) Before a person authorized to receive a deposit of bail.<sup>30</sup>
- (c) Before the juvenile court, juvenile court referee, or juvenile hearing officer.<sup>31</sup>

### **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.<sup>32</sup>

### **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.

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<sup>26</sup> *Id.*, § 40518(a).

<sup>27</sup> *Id.*, § 40518(b).

<sup>28</sup> *Id.*, § 40501(b).

<sup>29</sup> *Id.*, § 40502(a), (b); Pen. Code, § 853.6.

<sup>30</sup> Veh. Code, § 40502(c); Pen. Code, § 853.6.

<sup>31</sup> Veh. Code, § 40502(d).

<sup>32</sup> *Ibid.*

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## 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.<sup>33</sup>

BAIL:

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

\_\_\_\_\_  
Judge

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

### **7.030. 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.<sup>34</sup>
- (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, 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

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<sup>33</sup> Pen. Code, § 815(a).

<sup>34</sup> Veh. Code, § 40500(a); Pen. Code, § 853.6.

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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.<sup>35</sup>

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.<sup>36</sup>

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

<sup>37</sup> Veh. Code, §§ 1653.5, 12801.

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<sup>35</sup> Pub. L. No. 93-579, § 7. 5 U.S.C. § 552a.

<sup>36</sup> 42 U.S.C. § 405(c)(2)(C)(i)(IV).

<sup>37</sup> Veh. Code, §§ 1653.5, 12801.

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

NAME OF COURT:	
STREET ADDRESS:	
MAILING ADDRESS:	
CITY AND ZIP CODE:	
BRANCH NAME:	
TELEPHONE:	
<b>PEOPLE OF THE STATE OF CALIFORNIA</b>	
vs.	
DEFENDANT:	
<b>NOTICE OF CORRECTION AND PROOF OF SERVICE</b> (Vehicle Code, § 40505)	
AMENDING OFFICER NAME/ID NO.:	DEPARTMENT/AGENCY:
CITATION NUMBER:	CASE NUMBER:

1. A *Notice to Appear/Notice to Correct Violation* was issued to you by an officer of this department on (date):

2. The citation issued to you contained an error as indicated by the items checked below. This notice of correction does not affect the validity of the citation or the required court appearance.

- Date/time of violation should be \_\_\_\_\_
- Date/time of court appearance should be changed  
from \_\_\_\_\_ to \_\_\_\_\_
- Violation section(s) should be changed  
from \_\_\_\_\_ to \_\_\_\_\_
- Location of violation should be changed  
from \_\_\_\_\_ to \_\_\_\_\_
- Other (specify): \_\_\_\_\_

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

Date: \_\_\_\_\_  
(Signature of officer)

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

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

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

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

Date: \_\_\_\_\_

Original to court \_\_\_\_\_ (Type or print name)

Defendant's Address: \_\_\_\_\_ (SIGNATURE)

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

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

<i>(Name of Agency and Jurisdiction)</i>				
<b>CONTINUATION OF NOTICE TO APPEAR</b>		<input type="checkbox"/> Traffic	<input type="checkbox"/> MISDEMEANOR <input type="checkbox"/> Nontraffic	(Citation No.)
Date 1: / /	Time AM PM	Day of Week <b>S M T W T F S</b>	Case No.	
Name (First, Middle, Last) 2:				
Veh. Lic. No. or VIN 3:			State	
Correctable Violation (Veh. Code, § 40610)				
Yes	No	Code and Section	Description	Misdemeanor or Infraction (Circle)
4. <input type="checkbox"/>	<input type="checkbox"/>			M I
5. <input type="checkbox"/>	<input type="checkbox"/>			M I
6. <input type="checkbox"/>	<input type="checkbox"/>			M I
7. <input type="checkbox"/>	<input type="checkbox"/>			M I
8. <input type="checkbox"/>	<input type="checkbox"/>			M I
9. <input type="checkbox"/>	<input type="checkbox"/>			M I
10. <input type="checkbox"/>	<input type="checkbox"/>			M I
11. <input type="checkbox"/>	<input type="checkbox"/>			M I
12. <input type="checkbox"/>	<input type="checkbox"/>			M I
13. <input type="checkbox"/>	<input type="checkbox"/>			M I
14. <input type="checkbox"/>	<input type="checkbox"/>			M I
15. <input type="checkbox"/>	<input type="checkbox"/>			M I
16. <input type="checkbox"/>	<input type="checkbox"/>			M I
17. <input type="checkbox"/>	<input type="checkbox"/>			M I
18. <input type="checkbox"/>	<input type="checkbox"/>			M I
19. <input type="checkbox"/>	<input type="checkbox"/>			M I
20. <input type="checkbox"/>	<input type="checkbox"/>			M I
21. <input type="checkbox"/> Violations not committed in my presence, declared on information and belief.				
I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct, and a continuation of the enforcement document noted.				
22. _____ Arresting or Citing Officer			Serial No. _____	
23. _____ Date		Name of Arresting Officer, if different from Citing Officer		Serial No. _____
<b>WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AT THE TIME AND PLACE INDICATED.</b> 24. <b>X Signature</b>				
Judicial Council of California Form Rev. 01-01-04 (Veh. Code, §§ 40600(b), 40613(b), 40622, 40600; Pen. Code, § 853.9)			<b>SEE REVERSE</b> TR-106	

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



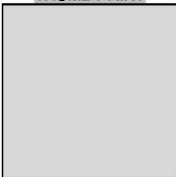


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CONTINUATION OF NOTICE TO APEAR  
(Reverse Of Court Copy)

(Circle one)

RIGHT or LEFT  
THUMB PRINT



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

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

### CONTINUATION OF CITATION (Face of Violator's Copy)

(Name of Agency and Jurisdiction)				
<b>CONTINUATION OF CITATION</b>		<input type="checkbox"/> NOTICE TO APPEAR		<input type="checkbox"/> MISDEMEANOR
		<input type="checkbox"/> NOTICE TO CORRECT VIOLATION		<input type="checkbox"/> Traffic <input type="checkbox"/> Nontraffic (Citation No.)
Date of Violation	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM	Day of Week <b>S M T W T F S</b>	Case No.
1 / /				
Name (First, Middle, Last)				
2				
Veh. Lic. No. or VIN				State
3				
Correctable Violation (Veh. Code, § 40610)				
Yes	No	Code and Section	Description	Misdemeanor or Infraction (Circle)
4 <input type="checkbox"/>	<input type="checkbox"/>			M I
5 <input type="checkbox"/>	<input type="checkbox"/>			M I
6 <input type="checkbox"/>	<input type="checkbox"/>			M I
7 <input type="checkbox"/>	<input type="checkbox"/>			M I
8 <input type="checkbox"/>	<input type="checkbox"/>			M I
9 <input type="checkbox"/>	<input type="checkbox"/>			M I
10 <input type="checkbox"/>	<input type="checkbox"/>			M I
11 <input type="checkbox"/>	<input type="checkbox"/>			M I
12 <input type="checkbox"/>	<input type="checkbox"/>			M I
13 <input type="checkbox"/>	<input type="checkbox"/>			M I
14 <input type="checkbox"/>	<input type="checkbox"/>			M I
15 <input type="checkbox"/>	<input type="checkbox"/>			M I
16 <input type="checkbox"/>	<input type="checkbox"/>			M I
17 <input type="checkbox"/>	<input type="checkbox"/>			M I
18 <input type="checkbox"/>	<input type="checkbox"/>			M I
19 <input type="checkbox"/>	<input type="checkbox"/>			M I
20 <input type="checkbox"/>	<input type="checkbox"/>			M I
21 <input type="checkbox"/> Violations not committed in my presence, declared on information and belief.				
I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct, and a continuation of the enforcement document noted.				
22 _____ Arresting or Citing Officer				Serial No.
23 / / Date				Serial No.
Name of Arresting Officer, if different from Citing Officer				
24 <b>WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AT THE TIME AND PLACE INDICATED.</b> <b>X Signature</b>				
Judicial Council of California Form Rev. 01-01-04 (Veh. Code, §§ 40500(b), 40513(b), 40522, 40600, 40610(f), 40616; Pen. Code, § 853.8)				<b>SEE REVERSE</b> TR-108

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



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**CONTINUATION OF CITATION**  
(Reverse of Court's Copy)

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

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

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

TRAFFIC NOTICE TO APPEAR  
Automated Traffic Enforcement System

<i>(NAME OF AGENCY AND JURISDICTION)</i>									
<b>NOTICE TO APPEAR</b> Automated Traffic Enforcement (Citation No.)									
Date of Violation 1. / /			Time <input type="checkbox"/> AM <input type="checkbox"/> PM		Day of Week S M T W T F S		Case No.		
Name (First, Middle, Last) 2.									
Address 3.									
City 4.			State			ZIP Code			
Driver Lic. No. 5.			State		Class	Commercial <input type="checkbox"/> Yes <input type="checkbox"/> No		Age	Birth Date / /
Sex 6.	Hair	Eyes	Height	Weight	Race				
Veh. Lic. No. or VIN 7.			State			<input type="checkbox"/> COMMERCIAL VEHICLE (Veh. Code, § 15210(b))			
Yr. of Veh. 8.	Make	Model	Body Style	Color		<input type="checkbox"/> HAZARDOUS MATERIAL (Veh. Code, § 353)			
Registered Owner or Lessee 9.									
Address 10.									
City 11.			State			ZIP Code			
Code and Section 12.					Description				
Location of Violation at 13.				City/County of Occurrence					
<p><input checked="" type="checkbox"/> Violation was not committed in my presence. The above is declared on information and belief and is based on photographic evidence.</p> <p>I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct.</p>									
Date Issued 14.			Declarant				ID No.		
<b>YOU MUST RESPOND TO THE COURT ON OR BEFORE:</b>									
15. WHEN: DATE: _____					Time: _____ <input type="checkbox"/> AM <input type="checkbox"/> PM				
WHAT TO DO: FOLLOW THE INSTRUCTIONS ON THE REVERSE.									
16. WHERE: [Name of court(s)] [Section(s) or division(s), room no(s)] [Street address(es)] [Phone no.]						<b>Clerk's Office Hours</b> <i>[Insert hours clerk's office is open.]</i>			
<div style="border: 1px solid black; padding: 5px; display: inline-block; margin: 10px;">FPO Barcode</div>									
						<b>DEFENDANT COPY</b> <b>SEE REVERSE</b> TR-115			
Judicial Council of California Form Rev. 06-26-15 (Veh. Code, § 40518)									

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

**TRAFFIC NOTICE TO APPEAR**  
Automated Traffic Enforcement System

IMPORTANT—READ CAREFULLY
<p><b>This Citation Is Based on Photographic Evidence</b>            The vehicle identified on the front was photographed in violation of a traffic signal or sign.            You may see the photographs. Contact: _____            You may see the photographs online at: _____            For more information about the evidence in this case, you may contact the issuing agency,            _____ by telephone at: _____            or in person at: _____            on _____ during the hours of _____            If you were not driving the vehicle at the time of the violation,            contact _____</p>
WHAT TO DO
<p>You have been issued a citation that charges you with a traffic infraction. You must respond by following one of the procedures below by the date on the front (see "WHEN"). If you do not, you may lose your license to drive, and your money penalties may increase.</p> <p><b>1. If you do NOT contest the violation</b>  <b>a. (Pay the bail amount)</b> (See "BAIL INFORMATION" below) Your bail will be forfeited to the court. You will not have to appear in court. You will be convicted of the violation, and it will appear on your record at the Department of Motor Vehicles (DMV). A point count will be charged to your DMV record for this offense and your insurance may be adversely affected.  <b>b. (Traffic school)</b> You may be able to avoid the point count and adverse effect on your insurance by attending traffic school. Contact the court to request traffic school. You must pay the bail amount as a fee, and you may have to pay other fees.</p> <p><b>2. If you contest the violation (select one)</b>  <b>a. (Court trial)</b> Send a certified or registered letter postmarked not later than five days prior to the appearance date, or come to the court by the appearance date to request a court trial on a future date when an officer and witnesses will be present. You may be required to submit the bail amount. You will be given a date for your trial. Go online or call the court for information on going to court without paying bail.  <b>—OR—</b>  <b>b. (Trial by written declaration)</b> Send a certified or registered letter postmarked not later than five days prior to the appearance date, or come to the court on or before the date on the front and request a trial by written declaration. Submit the bail amount. You will be given forms to allow you to write a statement and submit other evidence without appearing in court. An officer will also submit a statement. The judicial officer will consider all of the evidence at the same time and decide the case.</p>
WRITING TO THE COURT
<p>If you write to the court, always write the citation number and your driver license number on your letter. Use of certified or registered mail is required. <b>Do not send your copy of the citation.</b> Keep it for your own records.</p>
BAIL INFORMATION
<p>The "bail" is the amount to pay or deposit for the charged violation.</p> <div style="border: 1px solid black; padding: 5px; text-align: center; margin: 10px auto; width: fit-content;">       Bail Amount: \$ _____ OR [See enclosed information]     </div> <p>Make the check or money order payable to _____        Write the citation number and your driver license number on your check or money order. You may deposit the bail in person, by mail or by phone. Go online or call the court for information on going to court without paying bail.</p>
NIGHT COURT TRIALS [are] [are NOT] available for this citation.
JUVENILES
<p>If you are under 18, you must be accompanied by your parent or guardian when you appear in court. Bring this citation and your driver license. You will be notified by the Juvenile Court of your court date. [For additional information, call the Juvenile Traffic Court at _____]</p>
ONLINE INFORMATION
<p>You may obtain additional information at        [Local Web site: _____]</p>

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

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

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

(Name of Agency and Jurisdiction)		<input type="checkbox"/> MISDEMEANOR		(Citation No.)	
<b>NOTICE TO APPEAR</b>		Nontraffic			
Date of Violation 1. / /		Time <input type="checkbox"/> AM <input type="checkbox"/> PM		Day of Week <b>S M T W T F S</b>	
Case No.					
Name (First, Middle, Last) 2.					
Address 3.					
City 4.		State/Country		ZIP Code E-mail Address	
Driver Lic. No. 5.		State	Class	Age	Birth Date / /
				<input type="checkbox"/> Juvenile (Phone No.) ( )	
Sex 6.	Hair	Eyes	Height	Weight	Race
					Other Description
Code 7.	Ordinance	Description	M	I	Misdemeanor or Infraction (Circle)
8.			M	I	
9.			M	I	
10.			M	I	
11.			M	I	
12.			M	I	
13.			M	I	
14.			M	I	
15.			M	I	
16.			M	I	
17.			M	I	
18.			M	I	
Evidence Seized 19.		<input type="checkbox"/> Booking Required			
Location of Violation(s) 20.		City/County of Occurrence			
Comments 21.					
<input type="checkbox"/> Violations not committed in my presence, declared on information and belief.					
22. I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct.					
23. / / Dec. Date		Arresting or Citing Officer		Serial No. to Dates Off	
24. / / Dec. Date		Name of Arresting Officer, if different from Citing Officer		Serial No. to Dates Off	
<b>WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AT THE TIME AND PLACE INDICATED BELOW.</b>					
<b>X Signature</b>					
26. WHEN:		ON OR BEFORE THIS DATE: / /		Time: <input type="checkbox"/> AM <input type="checkbox"/> PM Time: <input type="checkbox"/> AM <input type="checkbox"/> PM	
27. WHAT TO DO: FOLLOW THE INSTRUCTIONS ON THE REVERSE.					
WHERE: [Name of court(s)] [Section(s) or division(s), room no(s)] [Street address(es)] [Phone No.]					
28. <input type="checkbox"/> To be notified		<input type="checkbox"/> You may arrange with the clerk to appear at a night session of the court.			
FPO Barcode (USS Code 39)				DEFENDANT COPY	
Judicial Council of California Form Rev. 06-26-15 (Pen. Code, § 853.9)				SEE REVERSE TR-120	

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





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

**(Circle one)**

**RIGHT or LEFT**  
**THUMB PRINT**



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

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

AGENCY NAME/JURISDICTION INFO				(CITATION NUMBER)	
<b>NOTICE TO:</b> <input type="checkbox"/> APPEAR IN COURT AT ____ <input type="checkbox"/> AM <input type="checkbox"/> PM <b>ON:</b> <b>OR</b> <input type="checkbox"/> RESPOND TO CITATION BEFORE: <b>DATE:</b> ____ / ____ / ____ <i>See back for detailed instructions</i> <input type="checkbox"/> To be notified				<input type="checkbox"/> Name of Court, Division of Court, Street Address, City, State ZIP <small>Ⓢ XXX.XXX.XXXX → websiteurl.com</small> <input type="checkbox"/> Name of Court, Division of Court, Street Address, City, State ZIP <small>Ⓢ XXX.XXX.XXXX → websiteurl.com</small> <input type="checkbox"/> Name of Court, Division of Court, Street Address, City, State ZIP <small>Ⓢ XXX.XXX.XXXX → websiteurl.com</small> <input type="checkbox"/> Name of Court, Division of Court, Street Address, City, State ZIP <small>Ⓢ XXX.XXX.XXXX → websiteurl.com</small>	
<b>ACT BY THIS DATE TO AVOID A WARRANT OR ADDED FEES</b>					
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	
<b>CITATION DETAILS</b> <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	Radar/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					
<input type="checkbox"/> Violations not committed in my presence, declared on information and belief (VC, § 40600) <b>I declare under penalty of perjury under the laws of the State of CA that the foregoing is true and correct.</b>					
DECL. DATE	ARRESTING OR CITING OFFICER			SERIAL NO.	
DECL. DATE	ARRESTING OFFICER, (if different from above)			SERIAL NO.	
<b>I promise to act by the date at the top of this citation. Signing DOES NOT admit guilt.</b> ( ) 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

TAB AREA

## 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.

[Rev. Jan. 1, 2024]





(Circle one)  
RIGHT or LEFT  
THUMB PRINT

A large yellow rectangular box with a black border, intended for a thumb print.

## Appendix G Notice to Correct Violation, Form TR-140

### NOTICE TO CORRECT VIOLATION (Face of Violator's Copy)

<i>(Name of Agency and Jurisdiction)</i>										
<b>NOTICE TO CORRECT VIOLATION</b>					<b>(Citation No.)</b>					
1. Date of Violation		Time		<input type="checkbox"/> AM <input type="checkbox"/> PM		Day of Week <b>S M T W T F S</b>		Case No.		
2. Name (First, Middle, Last) <input type="checkbox"/> Owner's Responsibility (Veh. Code, § 40001)										
3. Mailing Address										
City			State			ZIP Code				
4. Driver Lic. No.		State		Class	Age	Birth Date / /		<input type="checkbox"/> Juvenile (Tel. No. ( ) )		
5. Sex	Hair	Eyes	Height	Weight	Race	Other Description				
6. Veh. Lic. No. or VIN				State		<input type="checkbox"/> COMMERCIAL VEHICLE (Veh. Code, § 15210(b))				
7. Yr. of Veh.	Make	Model	Body Style	Color		<input type="checkbox"/> HAZARDOUS MATERIAL (Veh. Code, § 353)				
8. Veh. Lic. No. or VIN				State		CHP/DOT				
9. Yr. of Veh.	Make	Model	Body Style	Color		PUC/ICC				
10. Reason for Stop										
11. Registered Owner or Lessee <input type="checkbox"/> Same as Driver										
12. Address			City			State		ZIP Code		<input type="checkbox"/> Same as Driver
13. Violation(s) Code and Section Description										
14.										
15.										
16.										
17.										
18. Location of Violation(s)								City/County		
19.										
20. I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct. Executed at California										
21. Citing Officer					ID		Vacation Dates From To			
22. <b>I PROMISE TO CORRECT THE VIOLATION(S) LISTED ABOVE AND PROVIDE PROOF OF CORRECTION TO THE ISSUING AGENCY AS INSTRUCTED BELOW WITHIN 30 DAYS.</b>										
<b>X SIGNATURE</b>										
WHEN: CORRECT VIOLATION(S) IMMEDIATELY. CONTINUED OPERATION WITHOUT CORRECTION MAY RESULT IN ARREST AND PENALTY.										
WHAT TO DO: FOLLOW THE INSTRUCTIONS ON THE REVERSE.										
WHERE: PROVIDE PROOF OF CORRECTION TO THE ISSUING AGENCY'S ADDRESS LISTED ON THE REVERSE.										
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, §§ 40810(d), 40818					

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

**REVERSE OF VIOLATOR'S COPY**

<b>INSTRUCTIONS TO DRIVER-OWNER</b>				
<b>WHAT TO DO</b>				
<p><b>METHODS FOR OBTAINING CERTIFICATION OF CORRECTION (Veh. Code, § 40616):</b>                      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.</p> <p>Violations may be certified as corrected on this form (as indicated below) in the following manner:</p> <ol style="list-style-type: none"> <li>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).</li> <li>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.</li> <li>3. Any violation may be certified as corrected by a law enforcement agency regularly engaged in the enforcement of the California Vehicle Code.</li> </ol> <p><b>DO NOT STOP AN OFFICER ON ANY FREEWAY, EXPRESSWAY, OR BRIDGE FOR CERTIFICATION OF CORRECTION.</b></p> <p><b>NOTE: INSPECTION STATIONS MUST LIST THEIR AFD LICENSE NUMBER ISSUED BY THE BUREAU OF AUTOMOTIVE REPAIR IN THE SPACE PROVIDED BELOW.</b></p> <p><b>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.</b></p>				
<b>CERTIFICATE OF CORRECTION (RETURN TO THE ISSUING AGENCY)</b>				
Section(s) Violated	Signature of Person Certifying Correction	ID or AFD 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: \_\_\_\_\_ TITLE \_\_\_\_\_  
PRINT OR TYPE NAME

\_\_\_\_\_  
SIGNATURE ID/BADGE NUMBER \_\_\_\_\_

ADDRESS:

\_\_\_\_\_

---

**FOR COURT USE ONLY**

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(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.



**SPR24-34****Traffic: Instructions for Notice to Appear and Related Forms (Revise form TR-INST)**

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

	<b>Commenter</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
1.	Orange County Bar Association by Christina Zabat-Fran, President	A	<p>Appropriately revises TR-INST, which is a manual of instructions for the notice to appear and related forms. These revisions are: Section 1.010: Clarify that the defendant must respond to the citation (as opposed to answer allegations); Section 2.010: Remove the word “paper” to allow for electronic service. Although electronic service is not yet an option, the proposal removes the word “paper” in this section so that form TR-INST does not inadvertently prohibit electronic service in the future; Section 4.050: Add information about the “Tab Area” allowing for perforation at the top or bottom of the citation; Section 5.010: Remove improper underlining; Section 6.040: Clarify how officers should complete the top of form TR-130 and, specifically, the circumstances under which a particular box should be checked; and, minor technical changes to improve clarity and consistency.</p> <p>The proposal appropriately addresses the stated purpose.</p>	The committee appreciates this feedback.
2.	Superior Court of Orange County by Elizabeth Flores, Operations Analyst	A	<p>Does the proposal appropriately address the stated purpose? Yes, the proposal appropriately addresses the stated purpose.</p> <p>Would the proposal provide cost savings? If so, please quantify. No</p> <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</p>	The committee appreciates this feedback.

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

**SPR24-34****Traffic: Instructions for Notice to Appear and Related Forms (Revise form TR-INST)**

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

	<b>Commenter</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
			<p>docket codes in case management systems, or modifying case management systems?            OCSC already has processes and procedures in place for eCitations. However, Court Technology Services will need to modify and test the system. There may also be minor procedural updates required to reflect the new forms.</p> <p>Would three months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?            Yes.</p> <p>How well would this proposal work in courts of different sizes?            This proposal works well for a court of our size.</p>	
3.	Trial Court Presiding Judges Advisory Committee (TCPJAC) and the Court Executives Advisory Committee (CEAC) by TCPJAC/CEAC Joint Rules Subcommittee (JRS)	A	The JRS notes that the proposal is intended to provide significant cost savings and efficiencies.	The committee appreciates this feedback.

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