5-02/050.47 - Juvenile Traffic Violations Citation Issued

Whenever a deputy witnesses a juvenile commit a traffic violation not declared a felony (except a violation of driving under the influence), he may issue a notice to appear for the violation. The citation shall direct the juvenile and his parent(s) or legal guardian to appear in the appropriate informal juvenile and traffic court in 60 calendar days from the date of issuance of the citation. If the 60th day is a non-court day, the minor will be cited to the next available court day. The juvenile shall sign the citation, which will be processed as outlined in this section. (Refer to Traffic Services Detail indexed briefing for a completed citation sample.)

If a deputy, who was not witness to a traffic collision, investigates and determines that a juvenile committed a traffic violation which was a factor in the traffic collision (except driving under the influence, a felony, or a local ordinance), the deputy may prepare a notice to appear, per section 40600 CVC. The proper box shall be checked - "Offenses not committed in my presence - certified on information and belief." The juvenile shall not sign the notice to appear.

The notice to appear shall be submitted with the traffic collision report to the station's/unit's traffic supervisor. The traffic supervisor shall review the report. If the facts do not substantiate the violation, citation dismissal procedures shall be followed. If the facts substantiate the violation, the minor shall be personally issued and sign the notice to appear, as outlined in section 5-02/050.50. The following distributions shall be made:

- To Central Processing Unit, Informal Juvenile and Traffic Court Headquarters:
  - White (original) of notice to appear;
  - Copy of traffic collision report (CHP 555);
  - Copy of cover letter (SH-CR-383A); and
  - This distribution shall be completed within seven calendar days of the date the notice to appear was issued to the minor;
- To the appropriate District Attorney's Office:
  - A copy of the notice(s) to appear and four copies of all applicable reports shall be forwarded to the appropriate district attorney's office within seven calendar days from the date of the issuance of the notice to appear;
- To the Juvenile:
  - Yellow (violator's) copy of notice to appear; and
  - Copy of cover letter (SH-CR-383A);
- To Unit files:
  - Pink (station/unit) copy of notice to appear for citation file; and
  - Photocopy of notice to appear and cover letter (SHâ€‘CR-383A) in appropriate URN file.