5-05/030.30 - Traffic Collision Citation - Adults

An on-duty deputy may issue a notice to appear at the scene of a traffic collision when he witnesses the collision and can establish a violation(s).

A deputy may prepare a notice of violation or seek a complaint when he has not witnessed a traffic collision but has reasonable cause to believe that any involved party has violated an infraction or misdemeanor provision of the vehicle code that was a factor in the occurrence of the collision. The investigating deputy has reasonable cause to prepare a notice of violation or seek a complaint if his investigation discloses evidence, either physical or testimonial or a combination of both that would be sufficient to issue a notice to appear had he personally witnessed the collision.

A notice of violation shall be prepared only by a deputy who has successfully completed a Basic Traffic Collision Investigation Course approved by the Commission on Peace Officer Standards and Training (POST) in accordance with provisions of Vehicle Code Section 40600.

A notice of violation shall be prepared on a Notice to Appear (SH-CR-66) form. The box "Offense(s) Not Committed in My Presence, Certified on Information and Belief" shall be checked. The violator shall not sign the notice of violation. The notice of violation shall be submitted with the traffic collision report to the station's/unit's traffic supervisor for review and distribution.

A deputy shall not issue a notice to appear or prepare a notice of violation for an infraction or misdemeanor provision of the vehicle code at the scene of a traffic collision when the issuing deputy, whether on-duty or off-duty, is involved as a party or passenger in a vehicle involved in the traffic collision.