

**CHAPTER 1**  
**CHP 215, NOTICE TO APPEAR**  
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## CHAPTER 1

### CHP 215, NOTICE TO APPEAR

#### 1. INTRODUCTION.

- a. Authority. Issuance of a CHP 215, Notice to Appear, is authorized by Section 40500 of the California Vehicle Code (CVC).
- b. Departmental Use. California Highway Patrol (CHP) use of the CHP 215 includes, but is not limited to, the following:
  - (1) As a notice to appear.
  - (2) As an arrest complaint.
  - (3) For warrant arrests.
  - (4) For statistical reporting.
  - (5) For allied agency turnovers.
  - (6) For parental notification.

#### 2. POLICY.

- a. Responsibility. Area commanders are accountable and ultimately responsible for the control and accounting of all CHP 215s received, issued, and processed by employees of their commands.
- b. Alteration. Section 40500(d) CVC and Section 853.6(j) of the California Penal Code (PC) prohibits the alteration, concealment, modification, nullification, or destruction of any issued CHP 215 before it is filed with the court. Sections 6200 and 6201 of the California Government Code (GC) prohibit an officer or any other person from stealing, destroying, mutilating, defacing, altering, or falsifying a CHP 215 as a document of the court.

NOTE: Information shall not be added to the CHP 215 (such as vacation dates) after providing the defendant with their copy.

- c. Arrest. A CHP 215 should be prepared for each arrest. In most cases, only one CHP 215 is to be prepared for each defendant as a result of an enforcement action. All felony, misdemeanor, and infraction violations charged against a defendant shall be included on one CHP 215, unless local prosecutors or booking

facilities require different procedures. More than one CHP 215S, Continuation Document, may be attached to one CHP 215 to accommodate all the violations charged. Areas may discontinue use of the CHP 215 for in-custody driving under the influence arrests when local control procedures have been developed in compliance with Highway Patrol Manual (HPM) 70.4, Driving Under the Influence Enforcement Manual, and have been included in the Area's Standard Operating Procedure (SOP).

### 3. PROCEDURES.

#### a. Parental Notification Program.

(1) Violations committed by minors under 18 years of age riding a bicycle, scooter, or skateboard may be recorded on a CHP 215 and their parents notified by mail when follow-up action other than a court appearance is desired. Refer to paragraph 6.e. of this chapter for additional information.

(a) Helmet Violations. Pursuant to Assembly Bill 3077, Vehicles: Bicycle Helmets, a CHP 215 issued to a person under 18 years of age for Section 21212(a) CVC shall not be transmitted to the court if the parent or legal guardian of the cited individual delivers proof within 120 days that the person has a properly fitted helmet and has completed a local bicycle safety course or related safety course, if one is available. Although the use of the Parental Notification Program is optional, Area commanders shall develop SOP regarding the proper handling and processing of citations issued for Section 21212(a) CVC.

(2) Area commanders shall establish a local SOP for use of the Parental Notification Program if this option is to be used in the Area. The program is intended for first-time offenders and should not normally be used when the officer has knowledge a juvenile committed the same or similar violation(s) on previous occasions.

(3) If the officer feels the child would best benefit from the guidance of the parent or guardian regarding the violation committed, use of the Parental Notification Program is encouraged.

(a) Use of the Parental Notification Program will be at the officer's discretion in accordance with the Area SOP.

(b) Special consideration should be given to the severity of the offense and the age and comprehension level of the defendant.

b. Owner's Responsibility. Section 40001(a) CVC makes it unlawful for the owner, or any other person, employing or otherwise directing the driver of any vehicle to cause the operation of a vehicle contrary to law. Refer to HPM 82.6, Commercial Enforcement Manual, Chapter 2, Operational Policies, for associated procedures.

c. CHP 215 as a Complaint. The CHP 215 constitutes a complaint to which a defendant may enter a plea. This form meets the requirements of Section 40513(b) CVC and Section 853.9 PC and is approved by the Judicial Council of California (JCC).

(1) The provisions in paragraph 3.c. may not be acceptable statewide. When district attorneys and courts require other procedures regarding the filing of formal complaints, Area commanders are to comply with those requirements. Commanders shall ensure the required local procedure, the reason for the deviation from departmental policy, and which judicial official is requiring the local procedures are documented in the Area's SOP.

d. Statistical Reporting.

(1) Warrant Arrest. When a person is taken into custody as the result of a warrant, a CHP 215 is to be prepared. Information relating to the type of warrant is to be entered in the violation portion of the form. There are three types of warrant situations:

(a) Failure to Appear (or Pay) for Traffic Violations. Enter the applicable Section—40508(a) or 42003 CVC, warrant number, court of issuance, and the original charge. Example: "Section 40508(a) CVC, Warrant #123456, Sacramento Superior Court, Section 22349(a) CVC." For entry into the Statewide Automated Citation System (SACS), Section 40508(a) or 42003 CVC will be used as appropriate.

(b) Failure to Appear (or Pay) for Other Than Traffic Violations. Designate whether the warrant is for a felony or misdemeanor charge, and enter the warrant number, court of issuance, and original charge. Example: "Felony Warrant #123456, Alameda Superior Court, 459 PC." For entry into SACS, alpha code FW will be used for felony warrants and MW for misdemeanor warrants.

(c) Local Warrant for Original Charge. Designate the warrant number, court of issuance, and original charge. Example: "Local Warrant #123456, Sacramento Superior Court, 187 PC." For entry into SACS, the original charge will be used.

(d) Additional Enforcement Counts. When an enforcement contact results in the issuance of a CHP 215, the issuing officer shall not record additional Activity Tracking System counts for any subsequent verbal warnings issued to the same person during that contact.

(2) Allied Agency Turn Over.

(a) Whenever any arrest or investigation is turned over to an allied agency for completion, one of the following methods of documentation shall be prepared:

1 Areas that use the CHP 215 for statistical information shall prepare a CHP 215. For tracking purposes, the "Special" box on the CHP 215 shall carry the special code number 110. The information from the CHP 215 shall be entered into SACS.

2 Areas that do not use the CHP 215 for statistical information shall prepare a CHP 216, Arrest-Investigation Report, or a CHP 202, Driving Under the Influence Arrest – Investigation Report. The CHP 216 or CHP 202 shall have the special code number 110 clearly visible on the top of the form. The information from the CHP 216 or CHP 202 is to be entered into SACS.

(b) Special code number 110 is to be used for all allied agency turnovers and take precedence over other special codes. Example: Officers assigned to the Canine Program are required to use special code number 65 for reporting time and enforcement activity. If a canine officer turns over an arrest or investigation to an allied agency, the officer shall use special code number 110 on all enforcement documents related to the turnover.

e. Number of Documents Prepared.

(1) When subsequent investigation reveals that an individual has committed a public offense unknown to the officer at the time a CHP 215 was issued, a complaint may be filed and an additional CHP 215 prepared.

(2) A CHP 215 may be issued in combination with the CHP 281, Notice to Correct Violation, on a single enforcement stop if conditions warrant. See Chapter 3, CHP 281, Notice to Correct Violation, of this manual for procedures.

(3) A CHP 215S shall be used when there is insufficient space to note all violations on the CHP 215. See Chapter 2, CHP 215S, Continuation Document, of this manual for procedures.

(a) A second CHP 215 shall not be issued in lieu of a CHP 215S.

(b) The CHP 215 and corresponding CHP 215S are to be treated as one enforcement document.

(4) When completing a CHP 215 pursuant to a warrant arrest, the following shall occur:

(a) A separate CHP 215 for each county should be prepared if there is more than one warrant issued for the arrestee and the warrants are from different counties.

(b) One CHP 215 should be used for multiple warrants from the same county.

#### 4. PREPARATION.

##### a. Guidelines.

(1) The CHP 215 is to be completed on a firm surface with sufficient pressure for legible copies.

(2) All information is to be printed using either a pencil (preferably #2) or a ballpoint pen with black or blue ink. If a pencil is used, it is important that enough pressure be applied while writing to make the fourth copy of the document legible.

(3) All entries required to be made by checkbox or circle shall be neat to avoid confusion. For example, do not make a mark so big that it covers two boxes.

(4) Officers should take particular care to ensure the information recorded on the CHP 215 is complete, accurate, and legible, as the information recorded in the violation(s) box will be examined closely by the court (during the trial by declaration process authorized by Section 40903 CVC) prior to making its decision on the defendant's guilt or innocence.

##### b. Content.

###### (1) Court Information.

(a) The "APPEAR IN COURT" checkbox shall be used when preparing misdemeanor and felony citations.

(b) The "RESPOND TO CITATION BEFORE" checkbox shall be used when issuing infraction citations.

(c) When: Date and Time of Court Appearance.

1 Unless the “To be notified” box is checked, every CHP 215 shall include a specific appearance date and time. This is usually at least 21 days after the arrest. Exceptions to this include juvenile cases and when courts having jurisdiction authorize appearance dates prior to the 21-day requirement (Section 40501 CVC).

2 When local court procedures allow appearances on any regular court day prior to the specified court date, officers shall advise the defendant of this option.

(d) Where. Enter the complete court address and telephone number or mark the “To be notified” box if notification is to be made on a later date.

1. Pursuant to Section 40502(b) CVC, a person shall be cited to the county seat upon demand if their residence or place of employment is closer to that seat than to the court nearest to the location of the citation issuance.

(2) Date of Violation. Enter the date the violation(s) occurred using the six-digit date. The sequence of the date shall be MM/DD/YY. For example, enter 01/30/26, if the date is January 30, 2026. The only exception to this procedure will occur when local district attorneys or courts require Areas to date CHP 215s in some other manner.

(3) Time. Enter the time of the violation(s) using the 12-hour clock rather than the 24-hour clock or “military” time. After the time, mark the “AM” or “PM” box accordingly. The times on the documents must be at least one minute apart when more than one enforcement document is issued during an enforcement stop.

(4) Day of the Week. Circle the letter corresponding to the day of the week on which the violation(s) occurred.

(5) CHP 215S. Mark this box if a CHP 215S is used in conjunction with the CHP 215.

(6) Crash. Mark the “Crash” box when a CHP 215 is issued as a result of a crash investigation. (Enter the date of the crash in the “Date” field at the top of the CHP 215. Enter the date on which the CHP 215 is prepared under the officer’s signature line.)

- (7) Defendant Information. The officer shall enter the following:
- (a) Name. Enter the defendant's complete legal name. The sequence of the defendant's name shall be First/Middle/Last. If no middle name, use the abbreviation "NMN" in lieu of "no middle name."
  - (b) Address, City, State, ZIP Code. Enter the complete mailing address including the city and ZIP code. The current mailing address is mandated by the JCC. The mailing address allows the court to mail a courtesy notice and other correspondence to the defendant.
  - (c) Driver License Information. Enter the driver's license number printed on the driver's license and state of issuance.
    - 1 Enter "EXP" after the number if the license is expired.
    - 2 Enter "NIP" if the license is not in possession.
    - 3 Enter "SUS" after the number if the license is suspended or revoked.
    - 4 Enter "UNL" if unlicensed.
  - (d) Commercial. Mark either the "Yes" or "No" box to indicate if the driver has a commercial driver's license.
  - (e) Insurance. Mark either the "Yes" or "No" box to indicate if the driver has insurance.
  - (f) Birth Date. Enter the defendant's six-digit birth date. The sequence of the birth date shall be MM/DD/YY. For example, enter 12/03/85, if the defendant was born on December 3, 1985.
  - (g) Sex. Individuals issued a California driver's license or state ID card may self-certify their chosen gender category of male, female, or nonbinary. A nonbinary gender designation will appear as an "X" in the gender category on the driver's license or ID. If an "X" is designated on the provided license or ID, an "X" shall be placed on the corresponding CHP 215.
  - (h) Hair, Eyes, Height, Weight. Enter the appropriate information in each box. Standard abbreviations are acceptable.
  - (i) Race/Ethnicity. Indicate the appropriate racial designation abbreviation for the motorist.

A – Other Asian*	H – Hispanic	P – Pacific Islander***
B – Black	I – Indian	S – Samoan
C – Chinese	J – Japanese	U – Hawaiian
D – Cambodian	K – Korean	V – Vietnamese
F – Filipino	L – Laotian	W – White
G – Guamanian	O – Other**	Z – Asian Indian

\*Any person who is Asian, but whose specific ethnic origin is not known or declared or if none of the other Asian codes apply. This also allows for “sight identification” by officers in the field.

\*\*Any person who cannot be designated as any of the general or special racial/ethnic groups listed.

\*\*\*Any Pacific Islander who cannot be identified as belonging to one of the listed Pacific Islander racial/ethnic groups such as Samoan, Guamanian, or Hawaiian.

1 The race/ethnicity codes are consistent with those required by the Department of Justice (DOJ).

2 Officers should use perception alone to determine a person’s race/ethnicity. If there is uncertainty of the defendant’s race/ethnicity, the identifier “Other” should be selected.

(8) Vehicle Information.

(a) Vehicle License/Identification Number. Enter the complete vehicle license plate number, the state of issuance, and month and year of registration expiration. If the vehicle does not have a license plate displayed on the vehicle, the complete vehicle identification number shall be entered.

(b) Year of Vehicle/Make/Model/Body Style/Color. Enter the vehicle’s year, make, model, body style, and color.

(c) Vehicle Type. Enter the vehicle type codes listed in HPM 110.5, Crash Investigation Manual. The vehicle type codes are also available in the CHP 291, Redi-Ref. When citing a commercial vehicle, also enter the carrier’s fleet unit identification number (if available) in the body of the

citation if sufficient space is present. However, officers shall utilize vehicle type code 92 as the secondary vehicle type code when the driver of another vehicle commits a moving violation that interferes with the safe operation of a commercial vehicle. Example: The driver of a passenger car makes an unsafe lane change interfering with the safe operation of a commercial vehicle. The code for the passenger car is 01, and the secondary type code will be 92 (01/92). This coding will be used exclusively on enforcement documents.

NOTE: When the violating vehicle is in a combination with a trailer (passenger car towing a trailer, two-axle truck towing a trailer, etc.), vehicle type code 92 should be entered instead of the vehicle type code for the trailer.

(d) Commercial Vehicle, Section 15210(b) California Vehicle Code. If the vehicle involved is a commercial vehicle as defined in Section 15210(b) CVC, mark the corresponding box.

(e) Hazardous Material, Section 353 California Vehicle Code. If the vehicle involved is transporting hazardous materials as defined in Section 353 CVC, mark the appropriate box. Hazardous material haulers are, by definition, commercial vehicles if they meet the definition of Section 353 CVC. Mark both the "Commercial Vehicle (§15210(b) CVC)" and "Hazardous Material (§353 CVC)" boxes if applicable.

(9) Registered Owner/Lessee Name and Mailing Address. Enter the complete registered owner information, including the registered owner's name, mailing address, city, and ZIP code. Mark the "Same as driver" boxes if the registered owner information is the same as the person receiving the CHP 215.

(10) Owner's Responsibility (Section 40001[a] California Vehicle Code). Mark the "Owner's Responsibility" box when a CHP 215 is issued pursuant to Section 40001(a) CVC.

(11) Reason for Stop. The officer shall document the reason for the stop (e.g., "speeding," "registration," "window tint").

(12) California Highway Patrol/Department of Transportation/Public Utilities Commission/Interstate Commerce Commission.

(a) These numbers are displayed on both sides of a regulated vehicle (including a bus) or on one vehicle when used in a combination of vehicles. If a vehicle displays more than one of the four possible numbers, the following is the priority order: CHP, Department of Transportation (DOT), Public Utilities Commission (PUC), Interstate Commerce

Commission (ICC). Circle the appropriate abbreviation on the CHP 215 and enter the corresponding number. The display of the following identifiers on commercial motor vehicles shall be considered acceptable proof of financial responsibility (FR):

1 A valid Transportation Charter Parties (TCP) or Passenger Stage Carriers (PSC) identifying symbol issued by the PUC for motor carriers transporting passengers. Examples: TCP 123A, PSC 3456.

2 A valid CAL-T number issued by the PUC for motor carriers transporting household goods. Examples: Cal-T-12345, T-12345.

3 A valid Mexican Carrier (MX) ICC, Motor Carrier identifying symbol issued by the former ICC, former Federal Highway Administration for Mexican motor carrier property and Mexican motor carriers of passengers. Example: MX12345.

4 Evidence of FR also includes a valid Single State Registration System (SSRS) or valid Single State Insurance Registration credentials issued by the California Department of Motor Vehicles (DMV) or by the motor carrier's base state. Section 7232(g)(1) of the Revenue and Taxation Code (RTC) requires interstate or foreign motor carriers transporting property for compensation in California to register with the DMV or with their base state SSRS. Section 16560 CVC prohibits the operation of a motor vehicle on the interstate or foreign transportation of property, household goods, or passengers for compensation, unless the motor carrier has complied with Section 7232 RTC or Chapter 1 of Division 2 of the PUC. A private motor carrier of property is required to file an affidavit of exempt status with DMV (Section 7232[g][1][B] RTC).

NOTE: Effective June 2002, Title 49 of the Code of Federal Regulations, Part 390.21, requires United States Department of Transportation (USDOT) numbers to be displayed on commercial motor vehicles operating in interstate commerce. The display of a USDOT number is not considered proof of FR. Drivers or registered owners of these vehicles must provide other acceptable proof of FR, which includes binders, SSRS, and federal forms MCS-82, Motor Carrier Public Liability Surety Bond, and MCS-90, Endorsement for Motor Carrier Policies of Insurance for Public Liability.

(13) California Highway Patrol/Department of Transportation/Public Utilities Commission/Interstate Commerce Commission. Correctable Violations (Section 40610 California Vehicle Code).

(a) Whenever an officer arrests a person for any registration, driver's license, or equipment violation, the officer shall note that the violation shall be dismissed by the court upon timely proof of correction to the court unless any of the disqualifying conditions exists:

- 1 Evidence of fraud or persistent neglect.
- 2 The violation presents an immediate safety hazard.
- 3 The defendant does not agree to or cannot promptly correct the violation.
- 4 The violation cited is Section 27151(a) CVC for a motorcycle.

If none of the above-mentioned disqualifying situations exist, use of the CHP 281 is encouraged. See Chapter 3 of this manual for CHP 281 procedures.

1 Fees Due Registration Violations. In an effort to ensure registration compliance and accurate accountability for departmental registration violation statistics, the CHP 215 shall be used in lieu of the CHP 281; however, commercial officers assigned to commercial vehicle inspection facilities and platform scales may use a CHP 281 to document the below-mentioned registration violations if registration fees are collected before the vehicle(s) is released. The following are fees due registration violations:

- a Section 4000(a)(1) CVC, registration fees due.
- b Section 4000.4(a) CVC, foreign-registered vehicle based in California.
- c Section 9400 CVC, commercial vehicle weight fees due.
- d Section 9406 CVC, alterations to commercial vehicle causing additional weight fees due.

2 When using the CHP 215, mark the "Yes" box next to the violation if none of the disqualifying conditions exist and the court may dismiss the violation if the defendant provides proof of correction to the court prior to the appearance date. In cases where the officer marks a violation of Section 24002 CVC as eligible for dismissal, the officer shall identify the specific cause for the violation (e.g., instead of "unsafe vehicle," write "unsafe vehicle—1 of 5 lug nuts missing"). This

additional information will help clarify the officer's intentions to the court.

3 Mark the "No" box next to the violation to denote that the violation does not qualify for dismissal.

4 Officers shall check either the "Yes" or "No" correctable violation box, as applicable, for each violation charged.

(14) Booking Required. Mark this box in order to subject the defendant to formal booking/fingerprinting under the authority of Section 853.6(g) PC prior to case disposition. Use this box only when a subject is not physically arrested for a "recordable" offense. When this box is marked, a CHP 194, Fingerprint Notification/Verification, shall be completed as outlined in General Order (GO) 100.28, Criminal Fingerprinting; JUS 8715, Adult Disposition of Arrest and Court Action; and JUS 8716, Juvenile Detention Disposition Report.

(a) Booking/fingerprinting will ensure the subject's fingerprints will be sent to DOJ for criminal history record updating. The "rap sheet" can be updated only when an arrestee's fingerprints have been sent to DOJ. A complete rap sheet on all criminals is essential for public safety and security.

(b) Concurrence of a supervisor is not required before marking the "Booking Required" box. Should the supervisor decide the defendant is not to be booked/fingerprinted and the offense is not to be recorded on the subject's state rap sheet, a CHP 411, Notice of Correction and Proof of Service, shall be prepared.

(c) If the "Booking Required" box is marked, the defendant is to be booked or fingerprinted by the arresting agency, unless required by the court to have Live Scan fingerprints (pursuant to Section 853.6[g] PC) prior to the defendant's court appearance.

(15) Code/Section and Description (Violation). Enter the section number, subdivision when applicable, code abbreviation, **and a concise narrative description of the violation(s)**. All violations should be entered in the following order: most hazardous violation (as a rule, felonies should be listed first, followed by misdemeanors and infractions), other hazardous violations, all other violations.

(a) Whenever a person is arrested for Section 647(f) PC, a notation ("A" or "D") must be made in the body of the CHP 215 indicating whether the intoxication was due to alcohol or drugs. If the intoxication is due to a combination of alcohol and drugs, enter "D" in the body of the citation.

(b) If more space is needed to record all the necessary information for vehicle combinations, the heading "Additional Vehicle Information" may be entered after the last violation charged. The information shall be entered on the line(s) following the heading.

(c) Penalty Enhancements. Whenever a driver is cited for a violation listed below which occurs while traffic is regulated or restricted by the DOT or local authorities and construction or maintenance work is being performed by the workers, the violation is subject to a penalty enhancement. Affected CVC sections include:

1 Sections 21450 through 21807 CVC inclusive, relating to obeying traffic devices; driving, overtaking, and passing; and yielding the right of way.

2 Sections 22100 through 22455 CVC inclusive, relating to turning, stopping, turn signals, speed limits, and special traffic stops.

3 In addition, the following CVC violations and all related subsections are subject to this penalty enhancement: 21367, 23103, 23104, 23109, 23152, 23153, 23220, 23221, 23222, 23223, 23224, 23225, or 23226.

4 The CVC sections referenced above apply to violations committed by **drivers** of motor vehicles. Penalty enhancements pursuant to Section 42009 CVC do not apply to pedestrians.

5 A penalty enhancement will be imposed by the court at the time of sentencing. In order to notify the courts, the words "in a construction zone" shall be added to any of the above violations. For example, a violation of Section 23103(a) CVC, reckless driving, would be listed on the CHP 215 as "23103(a) CVC, Reckless Driving in a Construction Zone."

(16) Misdemeanor or Infraction. Circle the "M" for misdemeanor or "I" for infraction, if applicable.

(17) Speed Boxes.

(a) Enter the approximate speed of the defendant's vehicle, the prima facie/maximum speed limit, the vehicle speed limit, and the safe speed limit in the appropriate box when applicable to the violation.

(b) Enter both the approximate speed and the prima facie/maximum speed applicable to the highway on **all** CHP 215s charging a speed violation.

(c) Enter the maximum speed limit pertaining to a particular type of vehicle or combination of vehicle(s), in the "Vehicle Limit" box only if the defendant is cited for exceeding the vehicle speed limit.

(d) The "Safe" box should be used when a speed significantly lower than the prima facie/maximum speed is established and the citation is prepared charging a violation of the basic speed law (Section 22350 CVC).

EXAMPLE: A driver is observed traveling 50 miles per hour (mph) in a 65 mph speed zone, but because of reduced visibility, the safe speed for the conditions is 25 mph.

(e) Highway Patrol Manual 100.68, Traffic Enforcement Policy Manual, Chapter 3, Highway Enforcement, contains a listing of CVC sections applicable to the maximum speed limit.

(18) Special. Leave the "Special" box blank except as directed in paragraph 3.d.(2)(a) and paragraph 7.b.(3)(b) of this chapter; HPM 100.68, Chapter 2, Arrest Policies, paragraph 4.; or when required to enter specific information for a special study.

(19) Location of Violation(s). Enter the name and/or number of the roadway where the violation occurred, the direction of travel, and the approximate location of the roadway.

(20) City/County of Occurrence.

(a) Enter the name of the applicable city, county, or special district where the violation occurred.

1 The geographical areas enumerated in Annex A of this chapter are special districts. Violations occurring in these areas must be documented pursuant to the instructions.

(b) If the CHP 215 is prepared in a different political subdivision than that of the violation, also enter the city or county where the CHP 215 was prepared, and circle the applicable city, county, or special district where the violation occurred.

(21) Beat.

(a) If the CHP 215 is issued in the Area of assignment for the arresting or citing officer, enter the beat number assigned by the Area office where the violation occurred, unless the officer is **specifically assigned** to an 800 series beat.

(b) If an officer is temporarily assigned to another Area, enter the information of the Area office where the officer is temporarily assigned.

(c) If the CHP 215 is issued outside of the Area of assignment for the issuing officer, enter beat 904.

EXAMPLE: An officer is permanently assigned to the South Sacramento Area office but is working an overtime detail in another Area where a CHP 215 is issued. In this instance, beat 904 would be used.

(22) Area. Enter the Area location code of the Area where the violation occurred. The CHP 215s entered into SACS will be credited to the Area location code listed in this box.

(23) Permanent Area. Enter the permanent Area location code to indicate the assigned Area of the issuing officer when issuing a citation out of the assigned Area.

(24) Radar/Lidar Unit/Patrol Vehicle Number. Officers shall check the box to indicate that radar/lidar was used to verify a speeding violation. This information will be used to identify the radar/lidar device (and the vehicle for moving code citations) used to gather evidence of the speeding violation. The radar/lidar device, as well as the patrol vehicle license plate number, shall be indicated.

(25) Mobile Video/Audio Recording System. Officers shall check the box to indicate the Mobile Video/Audio Recording System (MVARs) was in use and may have captured the violation(s).

(26) Violations Not Committed in My Presence, Declared on Information and Belief. Mark this box when the CHP 215 is prepared for a violation(s) not committed in the presence of the citing/arresting officer and the complaint is based upon information and belief.

(27) I Declare Under Penalty of Perjury Under the Laws of the State of California the Foregoing is True and Correct.

(a) Declaration Date. The date of the declaration shall appear in the declaration date field when completed by either an arresting or citing officer.

(b) Arresting/Citing Officer. The officer issuing the CHP 215 is to print or sign their name and ID number in the provided space.

(c) Name of Arresting Officer, if Different from Citing Officer. If an occasion arises where the citing officer is not the arresting officer, enter

the declaration date, name, permanent Area location code, and identification number.

(28) Defendant's Signature. This item is to be completed by recording the most appropriate selection specified below:

(a) The signature of the arrested person when the defendant's promise to appear is accepted in lieu of an in-custody arrest pursuant to Section 40504 CVC.

1 False or Fictitious Signature. Any person who signs a CHP 215 with a false or fictitious name is guilty of a misdemeanor regardless of the disposition of the original charge. (Section 40504[b] CVC.)

2 In instances where the signature does not match the indicia, officers should request the defendant to resign the CHP 215 as close to the signature box as possible.

(b) Cell Phone/E-Mail. The defendant has the option to provide their cell phone number or e-mail address. Some courts may use this information to send reminders about mandatory appearances and associated dates.

(c) "Owner's Responsibility" as provided in Section 40001 CVC.

(d) "In Custody" when the arrested person is taken immediately before a magistrate of a person authorized to accept bail.

1 Deliver the original CHP 215 to the court simultaneously with the arrested person.

2 Submit appropriate copies to the Area office for processing. Attach an explanation indicating the original has been delivered to the court (for the benefit of the citation clerk).

(e) "Parental Notification."

1 Advise the child of the violation.

2 Fill out the CHP 215 according to the instructions in paragraph 3.a. of this chapter.

3 Advise the child that their parents will be notified of the enforcement contact.

4 Retain all copies of the CHP 215 for processing. See paragraph 6.e. of this chapter for processing information.

(f) "Complaint to be Filed" when a formal complaint will be filed.

(g) "Refused." Verified diplomatic agents and consular officers, including staff and family members from countries with which the United States has special agreements, are not required to sign the CHP 215. A request to sign the CHP 215 should be made. If the diplomatic agent refuses, enter the word "Refused."

(h) "Statistical Purposes Only." Examples include warrant arrests, any arrest that was turned over to an allied agency for completion.

(29) Defendant's Fingerprint (Reverse Side of Original).

(a) Pursuant to Sections 40504 CVC and 853.6(d) PC, officers may request that a defendant provide a fingerprint for identification when they reasonably expect a question of identity might arise. Examples include no driver's license in possession or driving with a suspended or revoked driver's license.

(b) Officers should request the defendant voluntarily provide a fingerprint **prior to** having the defendant sign the citation, thereby releasing them on their promise to appear. If the defendant refuses or fails to provide a usable fingerprint, the officer still has the option of taking the defendant forthwith, pursuant to Section 40302(a) CVC, for failure to provide satisfactory evidence of identification.

(c) The defendant's right thumbprint should be placed in the box provided on the reverse side of the court's copy of the CHP 215. The following is the preferred order for obtaining a fingerprint from a person missing a right thumb (the officer should indicate which fingerprint was obtained from the defendant for use in later testimony): left thumb, right index finger, left index finger.

(d) The officer should not "roll" the defendant's fingerprint on the citation as this could compromise officer safety. A flat impression is acceptable for identification and classification purposes according to DOJ, Fingerprint Identification Section. The officer should simply instruct the defendant to lightly press straight down and lift straight up on the fingerprint pad and repeat the procedure on the CHP 215. The procedure may be repeated if the defendant twists or otherwise moves during the process and smudges the print rendering it unreadable. Subsequent fingerprints may be placed in any open area on the back of the court's copy of the CHP 215.

(30) Officer's Notes (Green Copy). When a CHP 202 or a CHP 216 is not prepared, the officer **shall** make notes on the green copy of the CHP 215. The notes shall contain details which established reasonable suspicion/probable cause for the stop, violation(s) charged, explanation for the reason for extended duration of stop, and any relevant circumstances occurring during the enforcement stop to ensure details of the stop are preserved. When using a MVARs, the officer shall follow policy as outlined in GO 100.61, Use of Wireless Mobile Video/Audio Recording Systems.

NOTE: Officers shall make notes as soon as practical after the contact.

## 5. ASSIGNMENT AND ACCOUNTABILITY.

a. Responsibility. Area commanders are accountable and ultimately responsible for the control and accounting of all CHP 215s received, issued, and processed by employees of their commands. Area commanders shall develop SOP to:

- (1) Ensure unassigned CHP 215 books are stored in a secure manner.
- (2) Ensure assigned CHP 215 books are not left unsecured.
- (3) Establish a method of tracking CHP 215 books.
- (4) Establish a method of issuing CHP 215 books in sequential order.
- (5) Ensure employees have not issued forms from a new CHP 215 book until all forms from a previously assigned CHP 215 book have been issued.
- (6) Ensure unused CHP 215s resulting from an employee's transfer or separation are voided and filed with the rest of the book as outlined in paragraph 8. of this chapter.

b. CHP 215 Assignment. Employees are to use only those CHP 215s specifically issued to them.

- (1) Employees shall not begin to issue forms from a new CHP 215 book until all forms from their previous book have been issued.
- (2) Employees should not possess more than one full CHP 215 book in addition to the book currently being used except under unusual circumstances (e.g., officer temporarily assigned to another Area should use the temporary Area's CHP 215 books for the duration of the temporary assignment).

c. Issuance of CHP 215—Any California Highway Patrol Office. The CHP 215s should be obtained from the command to which the uniformed employee is assigned. If the employee's command does not stock CHP 215 books, the employee may obtain them from a neighboring command and be responsible to process both issued and unissued forms as required.

(1) These forms are to be used until one of the following conditions applies:

(a) The employee uses all the forms in the book.

(b) The employee transfers to another office or separates from the Department.

(2) Unused forms resulting from an employee's transfer or separation are to be voided and filed with the rest of the book as outlined in paragraph 8. of this chapter.

d. Completion of CHP 215A, Assignment of Notice to Appear. Section A, Assignment, of the CHP 215A is to be completed by the employee who is assigned the citation book when issued. The receiving employee shall compare the serial numbers of the documents to those listed on the CHP 215A to determine if the book is complete.

(1) The CHP 215A is to be removed from the book and given to the Area citation clerk.

(2) When all forms in a CHP 215 book have been issued, or otherwise accounted for, the corresponding CHP 215A is to be retained, **along with the citations.**

e. Incomplete, Defective, or Outdated Books. When a CHP 215 book series is incomplete, defective, or outdated, commanders shall destroy the entire series as appropriate (e.g., if the number of defective citations exceed 50 percent of the book) and document in the following manner:

(1) Record the following information in Section C, Record of Missing Citations, on the CHP 215A as applicable: serial numbers of missing or destroyed forms, date of destruction, reason for destruction, and signature of the person destroying the forms.

(2) A CHP 51, Memorandum, may be used to record the destruction of several complete books of a previous edition of the CHP 215. The following information shall be included on the CHP 51: serial numbers of the destroyed forms, date of destruction, reason for destruction, and signature of the person

destroying the forms or witnessing their destruction. Retain the CHP 51 at the Area level only.

(3) If an employee is permanently transferred or obtains CHP 215 books from any office other than their assigned location, and the employee does **not** complete the issuance of all forms from the book within the Area from which the book was obtained, the following procedure applies:

(a) The employee shall void and relinquish all unused forms to the Area from which the forms were obtained upon transferring or returning to the Area of permanent assignment. (See paragraph 8.d. of this chapter for voiding directions.)

(b) The Area citation clerk of the Area from which the forms were obtained is to file the voided forms in the series along with the CHP 215A in sequential order.

## 6. DISTRIBUTION AND RETENTION.

### a. Court Copy, Original (Pink).

(1) Originals should be transmitted to the court as soon as practical (pursuant to Section 40506 CVC).

(2) When the court demands registration or driver information prior to acceptance, forward the original no later than the first business day after receiving the required information.

(3) When a defendant is taken directly before a magistrate (forthwith), the original is to be simultaneously delivered to the court (Section 40302 CVC).

(4) When a defendant is taken to a facility authorized to accept bail, the original should be attached to the booking sheet so it may be available for review upon the defendant appearing before a magistrate.

### b. Office Copy, Duplicate (White).

(1) Duplicates of the CHP 215 are to be retained in Area office files for a minimum of six months after the completion of the entire book. Division Chiefs may direct Area offices to extend the minimum retention period so that duplicates are available for administrative inspections and audit control.

(2) At the conclusion of the retention period, the duplicates may be destroyed, or when requested, furnished to county auditors or controllers for court audit purposes.

(3) Area commanders are to confer with county auditors or controllers requesting duplicates to ensure adequate security and assurance that the copies will be destroyed immediately upon termination of need.

(4) A reproduced copy of the duplicate may be attached to warrants upon request of the court to assist in the identification of subjects.

b. Officer's Copy, Triplicate (Green).

(1) This copy is to be retained by the issuing officer.

(2) Upon completion of a CHP 215 book, the copies are to be retained for one year. This retention period may be extended by the Area commander.

(3) During the retention period, copies shall be available in the officer's assigned Area office for supervisory review.

c. Defendant's Copy, Quadruplicate (Canary).

(1) The face of the quadruplicate must be an exact copy of the notice filed with the court.

(2) Deliver the quadruplicate to the defendant, regardless of whether or not the defendant's signature is obtained.

(3) The defendant's attention is to be called to the printed information on the reverse side.

(4) Refer to HPM 82.6 for procedures on owner's responsibility citations.

(5) In cases where the CHP 215 is used as a complaint (e.g., juvenile petition being filed, owner's responsibility violation, charges filed as a result of a crash investigation), attach and complete a CHP 239, Notice to Defendant/Proof of Service, to the CHP 215 quadruplicate copy and mail the forms to the defendant. The original of the CHP 239 shall be sent to the court, a copy to the defendant, and a copy retained at the Area office. The person mailing the CHP 239 shall complete the "Certificate of Mailing" portion of the CHP 239, and include the address where the mail is deposited (e.g., if mailed from the Area office, indicate the office address; if mailed at the post office, indicate the post office address), the signature of the individual mailing the CHP 239, and the defendant's name and address.

d. Special Handling for Parental Notification. The words “Parental Notification” entered in the signature box of the CHP 215 indicates the need for special handling. Parental notification citations shall be processed as follows:

- (1) A juvenile defendant file for CHP 215s should be maintained.
- (2) The juvenile defendant file is to consist only of the original (pink) copy of the CHP 215 filed alphabetically. The original should be maintained for 12 months.
- (3) Send the quadruplicate (canary) defendant copy of the CHP 215 and a copy of the CHP 439, Parental Notification Letter, to the parent/guardian of the defendant.
- (4) The duplicate (white) Area copy and triplicate (green) officer copy are to be maintained as outlined in paragraphs 6.b. and 6.c. of this chapter.
- (5) When filing “Parental Notification” CHP 215s, the citation clerk is to determine repeat defendants through an alphabetical check. Persons who have received multiple violation notifications (two or three within the past 12 months, as specified by the local SOP) will be considered repeat defendants. All documents in the file will be forwarded to the Area commander or their designee for review for possible court action. Commanders may seek prosecution through formal complaint procedures.

## 7. PROCESSING.

a. Responsibility. Area commanders shall designate one person to be responsible for citation processing. Area offices may train and have other personnel available to assume these responsibilities in the absence of the person regularly assigned.

### b. Citation Control Procedures.

(1) Receipt of CHP 215s. Upon receiving a shipment of CHP 215s, the citation clerk is to compare the sequence of citation serial numbers received against those numbers shown on the Supply Services Unit (SSU) shipping list. Any discrepancies encountered are to be immediately brought to the attention of SSU via memorandum.

(2) Filing of CHP 215A. In the daily numerical filing of CHP 215As, the citation clerk is to ensure citation books have been obtained from stock **in sequence**. Any discrepancies are to be immediately reported to the Area commander.

(3) Citation Processing—Issued in Area. Issued CHP 215s are to be delivered to the Area office citation clerk each business day. The citation clerk is to accomplish the following:

(a) Ascertain that, for every original, there is a duplicate with a corresponding serial number or that an appropriate explanation is attached to the original.

(b) In the event an original is missing, the citation clerk is to certify such fact by placing their initials in the “Special” box on the duplicate and immediately notifying the Area commander. Every effort is to be made to account for the missing original. If it cannot be located, the procedure outlined in paragraph 7.b.(5) of this chapter is to be followed.

(c) Forward originals to the appropriate court or prosecuting attorney in accordance with paragraph 6.a. of this chapter.

**(d) All paper CHP 215s shall be manually entered into the Statewide Automated Citation System Web application.**

(e) File duplicates by officer’s name and ID number. When a set of 25 copies is accounted for in the duplicate file, add this information under Section D, Certification, on the corresponding CHP 215A.

(4) Citation Processing—Issued Out of Area.

(a) If the officer returns to the home Area the same day, the original and duplicate are to be submitted to the home Area and processed in accordance with 7.b.(3) of this chapter.

(b) When the officer does not return to the home Area the same day, the original and duplicate are to be submitted to the designated employee at the Area office nearest the officer’s destination. The designated employee receiving the original and duplicate shall:

1 Forward the original to the appropriate court or prosecuting attorney in accordance with paragraph 6.a. of this chapter. The CHP 215 may be entered into SACS.

2 Forward the duplicate with an attached route slip and explanation to the officer’s home Area. If the CHP 215 was entered into SACS, include this information on the route slip. The home Area is to enter the CHP 215 into SACS. The CHP 215 should only be entered once.

(5) Missing Copies. In their daily filing of duplicates, citation clerks are to verify that the files of duplicates for each officer are in sequence. Any missing original or duplicate is to be immediately brought to the attention of the Area commander.

(a) It is imperative that a complete investigation be conducted and every effort made to locate a missing original. In those cases where a duplicate is present but the corresponding original is missing, the issuing officer is to be notified and required to produce the corresponding triplicate for review by the Area commander.

1 The triplicate is to be accompanied by a CHP 51, prepared by the citing/arresting officer, which details the circumstances surrounding the arrest and the loss of the original document. If there are indications of misconduct, the employee shall not be directed to prepare a CHP 51. This is to preclude any potential violations of the Public Safety Officer's Procedural Bill of Rights.

(b) If, at the conclusion of the investigation, the Area commander determines that the missing original did not reach the court, prosecution is to be initiated using the complaint process. The triplicate will provide the basis for such prosecution.

(6) Transfer of CHP 215 Books Between Areas. Should an Area deplete or nearly deplete its supply of CHP 215s, the following procedures should be followed:

(a) Contact adjacent Areas to determine if they have a surplus supply of CHP 215s.

(b) Transfer surplus CHP 215s to the Area needing them using a CHP 266A, Credit Memo - Non-Equipment, to record the transaction, with a copy to SSU. See HPM 11.2, Materials Management Manual, Chapter 8, Equipment, for instructions in preparing the CHP 266A.

(c) Coordination with the respective Division office is at the discretion of the Division Chief.

## 8. DISMISSING AND VOIDING.

a. General. Except as outlined in paragraphs 8.d. and 8.e. of this chapter, a CHP 215 may be voided or submitted for dismissal to the court only by the Area commander or the commander's designee. No CHP 215 is to be voided or

submitted for dismissal unless conclusive information exists to indicate that the document was improperly prepared.

(1) A CHP 215 shall be considered “issued” when an alleged defendant has signed and received a copy of the citation or a copy has been mailed to the individual (such as an owner’s responsibility citation). A citation is not considered issued if it does not meet one of these two criteria.

b. Dismissing a CHP 215. A CHP 215 shall be submitted for dismissal to the appropriate court if the commander determines that conclusive information exists to indicate that the document was improperly prepared and the document has already been “**issued**.” The following procedure shall be followed to request dismissal of a citation or any charge on a citation when a citation has been issued (refer to Section 40500[d] CVC):

(1) The citing/arresting officer submits a CHP 51 to the Area commander **concisely** documenting the circumstances and justification for requesting dismissal of the citation or charge by the local magistrate (court). If possible, all copies of the citation, except the defendant’s copy, should be submitted with the CHP 51.

(2) The Area commander prepares a locally developed letter in quadruplicate. The letter shall adequately support the request for dismissal of the citation or charge (see Annex B for a sample letter). The letter shall contain the following information:

- (a) Citation number.
- (b) Citation date.
- (c) Defendant’s name.
- (d) Authority for dismissal of the citation (Section 40500[d] CVC).
- (e) Brief synopsis of the reason for the letter of request for dismissal.

(3) The letter shall be distributed as follows (alternative procedures developed locally which are acceptable to the courts and prosecutor’s office may be substituted for paragraphs 8.b.[3][a] and 8.b.[3][b]):

- (a) Send the original to the court—the presiding judge, magistrate, juvenile probation officer, or traffic court referee—with the court copy of the CHP 215. If the court copy has already been forwarded, attach a photocopy of the office copy to the letter for the court’s reference.

- (b) Send the first copy to the prosecuting attorney's office with a photocopy of the CHP 215 attached.
  - (c) Staple the second copy and the officer's CHP 51 to the office copy of the CHP 215. File with other duplicates in the same CHP 215 sequence.
  - (d) Send the third copy to the Division Chief with a photocopy of the CHP 215 attached.
  - (e) Return the officer's copy of the CHP 215 for their retention.
- (4) Division Chiefs will monitor requests for dismissal and take necessary corrective action to ensure the appropriate use of request letters for dismissal.
- (5) The law does not require the enforcement agency to notify the defendant that a request for dismissal has been filed. Because the decision of whether or not to dismiss the citation rests solely with the court, commands should normally not notify defendants of the request. Commanders shall contact local courts and prosecuting attorneys to coordinate procedures for requesting dismissal of issued citations or charges. Commanders should also encourage the courts to provide notification of dismissal requests to the person(s) cited to avoid additional inconvenience to all parties concerned.
- (6) Upon disposition of the request by the court:
- (a) Staple the court copy of the CHP 215 to the office copy of the CHP 215, if it is returned by the court.
  - (b) Note the court's disposition and effective date on the office copy of the letter. Return the office copy of the CHP 215, letter, and CHP 51 to the file.
- c. Voiding a CHP 215. Except as outlined in paragraph 8.d., when a commander determines that voiding a CHP 215 is justified and the citation has not been issued, the following procedures shall be followed:
- (1) The arresting or citing officer:
    - (a) Enters their name and ID number in the "Arresting or Citing Officer" box and permanent assignment code in the "Perm. Area" box on the CHP 215.
    - (b) Prepares the CHP 51 to the Area commander outlining the reasons which support the request for voiding.
    - (c) Submits the CHP 51, together with the CHP 215 and **all** copies, to the Area commander.

- (2) If approved, the Area commander:
    - (a) Writes "VOID" in large block letters on the original and all copies.
    - (b) Enters the reason for voiding in the space marked "Code and Section."
    - (c) Signs the form immediately below the reason for voiding.
  - (3) Distribute voided CHP 215s as follows:
    - (a) Return the triplicate to the issuing officer.
    - (b) Attach the CHP 51 to the remaining copies and file them with other office copies of the CHP 215s with the same sequence.
- d. Additional Methods of Voiding a CHP 215. If an employee is permanently transferred, separates from the Department, or obtains CHP 215s from any office other than the employee's assigned location, and the employee does not complete the issuance of all forms within the Area from which the book was obtained, the following procedures apply:
- (1) The employee enters their name and ID number in the "Arresting or Citing Officer" box and permanent assignment location code in the "Perm. Area" box on the CHP 215.
  - (2) The employee shall void all remaining citations by completing Section B, Voiding, of the CHP 215A.
  - (3) The Area commander of the Area where the book of citations was obtained shall sign the CHP 215A in Section B.
  - (4) The Area citation clerk of the Area from which the forms were obtained shall file the voided forms in the series along with the CHP 215A in sequential order.
- e. Other Methods of Dismissing/Voiding a CHP 215.
- (1) Due to emerging technologies (e.g., automated citation devices and automated photo red light programs), there may be the need to establish other dismissal/void procedures.
  - (2) Any deviation from the above processes shall be submitted through channels to Assistant Commissioner, Field, for approval.

9. ALTERATION.

- a. Upon issuance of any CHP 215, no corrections or additional information are allowed to be placed directly on the original or court copy of the CHP 215.
- b. Any employee altering, falsifying, destroying, or modifying a CHP 215 before it is delivered to the court is subject to departmental adverse action and may be subject to criminal prosecution initiated under Section 6200 GC, Section 40500(d) CVC, and Section 853.6(j) PC.
- c. Any other person altering, falsifying, destroying, or modifying a CHP 215 before it is delivered to the court may be subject to criminal prosecution under Section 6201 GC.

10. CHP 411, NOTICE OF CORRECTION AND PROOF OF SERVICE.

- a. Completion. Whenever it is necessary to add, delete, modify, or correct information contained on a CHP 215, a CHP 411 shall be prepared. Do not make any marks or alterations to the original or court copy of the CHP 215.
  - (1) Enter the arresting or citing officer's name and ID number.
  - (2) Enter the current date at the top of the CHP 411.
  - (3) Enter the serial number of the CHP 215.
  - (4) Enter the date of issue of the CHP 215.
  - (5) Detail specifically what information should be added, deleted, or corrected on the original CHP 215. Examples may include:
    - (a) Add or correct the defendant's personal or vehicle identifying information.
    - (b) Add or correct subsections to violation(s) charged if the error was due to oversight on the part of the officer, and it would not change a violation from an infraction to misdemeanor or misdemeanor to a felony.
    - (c) Employees may correct section number information in the violation section of the CHP 215 if the incorrect section was cited, and the written description of the violation is consistent with the correct section number.
    - (d) Under no circumstances may the charges be upgraded from infraction to misdemeanor or a misdemeanor to felony using the CHP 411 process. For example, Section 12951(a) CVC cannot be upgraded to Section

14601(a) CVC upon a later finding that the driver's license was suspended or revoked. To charge additional violations or upgrade the charges, the complaint process must be used.

(6) The person mailing the CHP 411 shall complete the "Certificate of Mailing" portion of the CHP 411 and enter the address where the mail is deposited (e.g., if mailed from the Area office, indicate the office address; if mailed at the post office, indicate the post office address), the signature of the individual mailing the CHP 411, and the defendant's name and address.

(7) NOTE: This procedure was developed to satisfy court concerns regarding sufficient proof of service to the defendant.

(8) **Do not attach the CHP 411 to the CHP 215 upon delivery to the court.** Section 40505 CVC prohibits any officer from setting forth on any notice filed with a magistrate or attaching thereto or accompanying the notice with any written statement giving information or containing allegations which have not been delivered to the person receiving the notice to appear or notice of violation.

b. Distribution of CHP 411. All copies shall be legible.

(1) Original to the appropriate court. **Do not attach the CHP 215.**

(2) Duplicate to the defendant.

(3) Triplicate copy to the Area office along with a copy of the CHP 215.

(a) Court officers should ensure CHP 215s are delivered to the court **prior** to or **immediately prior** to delivery of any CHP 411. Adhering to this procedure will ensure compliance with Section 40505 CVC.

(b) Ensure CHP 215s and CHP 411s are separately bundled and that no CHP 215s are **attached** to any CHP 411s (pursuant to Section 40505 CVC). The CHP 215s which have a corresponding CHP 411 may be bundled separately from other CHP 215s for the benefit of identification for court personnel.

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## ANNEX A

### SPECIAL DISTRICTS ON ENFORCEMENT DOCUMENTS

1. GENERAL. Effective January 1, 1996, Section 42200 CVC redefined “city” to include “any enterprise special district, community service district, or county service area engaged in police protection...,” as specified. As a result, procedures for the court allocation of fines, forfeitures, and penalties to local agencies which result from criminal convictions have been modified and require specified documents to be prepared in a manner which ensures proper identification of qualifying criminal violations.
  
2. COMMANDER’S RESPONSIBILITIES. Areas affected by the provisions of Section 42200 CVC shall contact their local court officials to ensure the courts recognize the special district designators used on a CHP 215 or CHP 281. These designators shall be noted in the local Area SOP. It is suggested that the following abbreviations be utilized to identify districts on enforcement documents:
  - a. “ESD” = Enterprise Special District
  - b. “CS” = Community Services District and Community Services Area
  
3. PREPARATION. The location of violations which occur in any of the geographical areas identified as special districts shall be documented as follows:

***CHP 215: Enter the name of the special district following the statement, “I Declare Under Penalty of Perjury Under the Laws of the State of California that the Foregoing is True and Correct. Executed At:”***

***EXAMPLE: Instead of writing “Sacramento County” on the CHP 215 as the place the citation was “Executed At” for a violation occurring in the Rancho Murieta Community Services (CS) District, enter verbiage which identifies Rancho Murieta as a CS district (e.g., “Rancho Murieta CS”) so the court will know that a portion of the fine, forfeiture, and penalty must be allocated to that jurisdiction.***

- a. If the CHP 215 is prepared in a different political subdivision than that of the violation, also enter the city or county where the CHP 215 was prepared, and circle the applicable special district where the violation occurred.
  
- b. CHP 281. Enter the name of the special district following the “Location of Violation(s).”

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## ANNEX B

### SAMPLE OF CHP 215, NOTICE TO APPEAR, DISMISSAL LETTER



**CALIFORNIA  
HIGHWAY PATROL**

601 North 7<sup>th</sup> Street, Sacramento, CA 95811 | 916-843-3330  
800-735-2929 (TT/TDD)  
800-735-2922 (Voice)

CALIFORNIA STATE TRANSPORTATION AGENCY

GAVIN NEWSOM, GOVERNOR

December 22, 2025

File No.: 061.15564.A16123

Traffic Court Clerk  
Madison Superior Court  
175 Main Street  
Placerton, CA 92244

Subject: Request Dismissal of Notice to Appear  
Citation Number: RB50221  
Citation Date: May 22, 2025  
Defendant's Name: Jennifer Larson  
Violation: 21453(a) California Vehicle Code

To Whom It May Concern,

Please review the enclosed CHP 215, Notice to Appear. It appears that this Notice to Appear form should be dismissed pursuant to Section 40500(d) of the California Vehicle Code for the following reason:

After the Notice to Appear form had been issued, the officer examined the traffic signal and found that, due to a mechanical malfunction, the green light would momentarily overlap for the east/west and north/south traffic prior to phasing to red.

Sincerely,

C.D. Lane, Captain  
Commander

Enclosure

cc: District Attorney  
Viewpoint Division

*Safety, Service, and Security*

CHP 49 (Rev 4-25) OPI003

AN INTERNATIONALLY  
ACCREDITED AGENCY 

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