

CHAPTER 6
CLEARANCE PROCEDURES FOR ENFORCEMENT DOCUMENTS
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CHAPTER 6

CLEARANCE PROCEDURES FOR ENFORCEMENT DOCUMENTS

1. POLICY. Assistance shall be provided to the motoring public by clearing violations resulting from issuance of enforcement documents for mechanical, driver license, and registration violations.

2. CLEARANCE OF DOCUMENTS.
 - a. Persons Authorized to Clear Documents.
 - (1) Uniformed California Highway Patrol (CHP) employees.
 - (2) A CHP Motor Carrier Specialist for mechanical violations relating to motor vehicles and trailers and correctable hazardous materials packaging violations.
 - (3) The Associate Automotive Equipment Standards Engineer assigned to Commercial Vehicle Section as the Department's hazardous materials packaging coordinator for correctable hazardous materials packaging violations.
 - (4) Nonuniformed CHP employees specifically authorized by the Area/Division/section commander (Section 40616[c] of the California Vehicle Code [CVC]).
 - (5) Department of Motor Vehicles employees (driver license and registration violations).
 - (6) Licensed lamp, brake, and exhaust system installers for the specific violation(s).
 - (7) Smog check stations licensed by the California Bureau of Automotive Repair.
 - (8) Fleet owners licensed as inspection and maintenance stations pursuant to Section 2525.4 CVC.
 - b. Certification of Correction.
 - (1) Employees certifying a violation has been corrected must ensure compliance with the instructions on the form.

(2) Violations involving motor vehicle pollution control devices can only be certified as corrected by a licensed smog check station.

(3) Violations involving lamp or brake adjustments should be cleared by licensed adjusters.

(4) Employees certifying corrections should accomplish the following:

(a) Sign their name, agency, ID number, and date in the space provided in the violation correction block.

(b) When all listed violations have not been corrected, note on the document the violations certified as corrected.

c. Disposition of Cleared Documents.

(1) Return the cleared citation to the violator.

(2) If the document is a CHP 281, Notice to Correct Violation, and the violator has satisfied all of the directives on the notice, do one of the following:

(a) If the document is being certified at the Area office of jurisdiction where the violation occurred, retain the document and follow Area Standard Operating Procedures for filing and destruction procedures.

(b) If the CHP 281 was issued in another jurisdiction, return the cleared citation to the violator, and instruct them to mail the document to the address listed on the reverse side of the violator's copy.