



SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

INSTRUCTIONS FOR SERVICE BY MAIL ON THE DMV

This form provides instructions for service on the California Department of Motor Vehicles (DMV) for a non-resident owner/operator of a motor vehicle involved in an accident in California.

1. The plaintiff must serve the Director of the DMV with a copy of the Plaintiff's Claim and Order to Go to Small Claims (JC Form #SC-100) ("lawsuit"). Service by mail on the Director of the DMV may be completed by certified or registered mail, return receipt requested.

Note: Service by certified mail may be completed by the clerk. There is a fee for this service.

A \$2.00 fee, payable to the DMV by check or money order, must be included when serving the DMV.

The address for service is as follows:

Director of DMV
California Department of Motor Vehicles
Legal Office E-128
PO Box 932382
Sacramento, CA 94232-3820

2. After the DMV has been served, you will receive a Notice of Service in the mail acknowledging service.
3. The plaintiff must serve the non-resident owner / operator of the vehicle with both a copy of the Notice of Service and a copy of the lawsuit. Service on the defendant may be completed by any of the methods described in the How to Serve a Defendant (Small Claims) – Information form (SDSC Form #SC-058), including the following:
 - a) By personal or substitute service by a third party who is at least 18-years-old. This may include an out-of-state officer, such as a sheriff or marshal, who has authority to serve the lawsuit in the state where the defendant resides.
 - b) By certified mail, completed by the clerk (for a fee). This service is valid **only** if the defendant signs for the certified mail. If the defendant does not sign, another form of service is required.
 - c) By registered mail by the plaintiff or the plaintiff's attorney.
Note: Although a plaintiff may hire an attorney to assist with the filing and preparation of the small claims case, an attorney may not represent any party at the small claims hearing.

If the defendant is personally served with the lawsuit, service must be completed at least 20 days prior to the small claims court hearing. If the defendant is served by substituted service, service must be completed at least 30 days prior to the small claims hearing.

4. Upon completion of service on the defendant, the plaintiff must file the following with the court:
 - (a) The original Notice of Service.
 - (b) The certified/registered mail return receipt signed by the defendant or a proof of service form (SC-104) from the server.
 - (c) In the event service is conducted by certified mail, the plaintiff must also provide a declaration asserting the defendant was served with the Notice of Service from the DMV and the lawsuit.
 - (d) In the event service is completed by registered mail, the plaintiff must also provide a declaration of mailing and the receipt for registered mailing signed by the defendant attached to a copy of the lawsuit.