



SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

CITATION REJECTION POLICY

I. Purpose

This document memorializes criteria for rejecting traffic and minor offense Notice to Appear citations ("citations") filed with the court by law enforcement agencies. This policy is based on requirements established by the Judicial Council (*Notice to Appear and Related Forms*, June 26, 2015), the court, and various statutes that govern what information must be included on citations. For information on juvenile citations and contact reports, see *Where to File Juvenile Citations and Juvenile Contact Reports* (SDSC Form #JUV-260).

II. Policy

When a citation is filed with the court that fails to meet any of the established criteria listed below, it will be rejected and returned to the issuing agency for correction. The clerk will include a completed Citation Return Form (SDSC Form #MO-006), specifying the reason(s) the citation is being returned.

The following is a list of reasons for which a citation will be rejected and returned to the issuing agency:

- Date/time of violation is illegible, missing, or incorrect
- Name is illegible, missing, or does not match DMV record
- Address is illegible, missing (unless the citation is marked "Transient," "Homeless," or "General Delivery"), or abbreviated
- Driver License # is illegible, * missing* (unless "None" is designated), incorrect, * incomplete, * or does not match DMV record*
- Social Security number is listed on the citation
- Commercial License – Yes/No box is not marked
- Date of birth is illegible, * missing, * or does not match DMV record*
- Sex/Gender is missing*
- License Plate #or VIN is illegible or missing (does not apply to pedestrian/bicycle citations)
- Correctable Offenses
 - Offense is potentially correctable but Yes/No box is not checked
 - Offense is NOT correctable and box is marked "Yes"
- Offense is either NOT identified as an infraction or misdemeanor, or is incorrectly identified as an infraction or misdemeanor
- Code Section (VC, PC, etc.) is illegible or missing
- Offense and description do not match
- Offense cited is not a valid offense
- Offense description is illegible or missing
- Approx. speed is illegible, missing, or is less than max speed for section cited
 - Veh. Code § 22349(a) Approx. speed must be more than 65 MPH
 - Veh. Code § 22349(b) Approx. speed must be more than 55 MPH
- Location and/or city of violation is illegible, missing, or abbreviated
- Officer's badge # is illegible or missing
- Defendant's** and/or officer's signature is missing
- Defendant's signature is not in the Promise to Appear box
- Appear-by-date is illegible, missing, or incorrect (e.g. Sat., Sun., holiday, past-date, or is less than 21 days after violation date)
- Appearance location is illegible, missing, or incomplete
- Appearance location on citation is different than where citation was filed
- Citation was filed with the court but should be filed with district or city attorney
- Citation was filed in adult court but is a juvenile court case (see SDSC Form #JUV-260)
- Citation was filed in juvenile court but is an adult court case (see SDSC Form #JUV-260)
- Citation is not the original
- Correction notice filed without the original citation
- Citation number cannot be read (torn or damaged)
- Juvenile arrest report is missing (applies to citations filed with the Juvenile Court) (see SDSC Form #JUV-260)
- Original affidavit is missing (applies to citations filed with the Juvenile Court) (see SDSC Form #JUV-260)
- Overweight violation (Veh. Code § 4000.6) – overweight is less than 1,001 pounds
- Overweight violation – weight is illegible or missing
- Parking violation, unless the offense is a misdemeanor or a violation of VC §§ 21718, 22500(i), 22500(l), 22507.8(a)-(c), 22511.1(a)-(b), 22513(a), or 22522 filed on a Notice to Appear Form
- Owner's responsibility – proof of service is incomplete or missing
- Owner's responsibility – owner's name/information is not on citation; only the driver's name/information/signature is included

*Does not apply to "Owner's Responsibility" citations.

**Does not apply to "Owner's Responsibility" or Red Light Camera citations.