



SAN JOSE POLICE DEPARTMENT

TRAINING BULLETIN

TO: ALL DEPARTMENT PERSONNEL

FROM: Anthony Mata
Chief of Police

**SUBJECT: NEW TRAFFIC / NONTRAFFIC
NOTICE TO APPEAR CITATION**

DATE: March 22, 2024

Bulletin #2024-005

[California Assembly Bill 2773 \(AB 2773\)](#) went into effect January 1, 2024, as Vehicle Code section 2806.5, which requires a peace officer making a traffic or pedestrian stop to state the reason for the stop before asking any questions related to a criminal investigation or traffic violation, unless the officer reasonably believes that withholding the reason for the stop is necessary to protect life or property from imminent threat. The new statute also requires the officer to document the reason for the stop on any citation or police report resulting from the stop. See [Duty Manual Revision Memo #2024-006](#) for the new Department policy on stating the purpose for a traffic or pedestrian stop.

As a result of AB 2773, a new Traffic/Nontraffic Notice to Appear (TR-130) has been printed and distributed to Central Supply to comply with the new requirements necessary of a peace officer. The old TR-130 (updated 05/17) will no longer be accepted by the Santa Clara County Superior Court after March 31, 2024. The Department currently has the new TR-130 available for pick up at Central Supply. Department members should return their old citation books and request the new TR-130 as a back-up to the E-Cite.

Department members are reminded to "SYNC" your E-cite to download the latest electronic citation software prior to use. Once the "SYNC" is completed, the E-Cite will be compliant with AB 2773 and California Vehicle Code section 2806.5, which states officers are required to provide the reason for the vehicle or pedestrian stop on any citation and to document the reason for any citation or police report resulting from the stop. When completing the TR-130, Department Members should include a specific vehicle code violation and not write, "See General Offense Report or See G.O." Not including a specific criminal or traffic violation will cause a citation to be rejected or "kicked back" and may be used for the basis of filing a Motion to Suppress hearing in court.

As a reminder, [Duty Manual Revision Memorandum #2022-030](#) went into effect July 1, 2022. All Department members except Reserve Officers are required to use the Department electronic citation system (E-cite) when issuing a Traffic/Non Traffic Notice to Appear citation. Paper citations are only to be used in instances of E-Cite connectivity issues or by Reserve Officers. Department members should refer to the following Duty Manual sections regarding additional information about issuing TR-130 citations:

- L 2502 - Completing and Issuing Citations for Moving Violations
- L 3103 - Completing the Citation

ALL DEPARTMENT PERSONNEL

SUBJECT: NEW TRAFFIC / NON TRAFFIC NOTICE TO APPEAR CITATION

March 22, 2024

Page 2

L 2406 - Vehicle and Pedestrian Stops

The E-Cite system currently allows Department members to issue multiple violations on a citation and will automatically print a Continuation of Notice to Appear form if more than four violations are cited. Department members having problems connecting to the E-Cite system, using the new paper TR-130, and citing a subject for more than four violations will be required to complete a Continuation of Notice to Appear / Complaint (TR-108).

Court Times

Department members are reminded to reference the Department issued [2024 Citation and Warrant Citation Reference Guide](#) for additional information about citations, court dates, and times.

Department members are reminded to fill in the appropriate appearance time for citations and should remember the following:

Citation Type:	Note:	Court Time:
Traffic	No court time assigned	Leave blank
Criminal Superior Court / Family Justice Center	Court time assigned by last name. last name starts with A-M last name starts with N-Z	Court time required 9:00am 1:30pm

Effectively immediately, all Department members should obtain the new TR-130 booklets from Central Supply as a back-up citation and turn-in their old TR-130 paper citations for destruction. E-Citations are still the required form of citation. For additional questions, please contact OSSD at extension #74303.



Anthony Mata
Chief of Police

AM:PH:JP

Attachment 1: Traffic / Nontraffic Notice to Appear (TR-130)

Attachment 2: Continuation of Citation (TR-108)

ALL DEPARTMENT PERSONNEL

SUBJECT: NEW TRAFFIC / NON TRAFFIC NOTICE TO APPEAR CITATION

March 22, 2024

Page 3

Attachment 1: Traffic / Nontraffic Notice to Appear (TR-130)

SAN JOSE POLICE DEPARTMENT				No. J [REDACTED]	
NOTICE TO: ☐ APPEAR IN COURT AT ☐ AM ☐ PM ON: OR ☐ RESPOND TO CITATION BEFORE: DATE: ____/____/____ <i>See back for detailed instructions</i>				☐ Criminal Superior Court 190 W Hedding St., San Jose CA 95110 408.808.6600 https://www.sccourt.org/ ☐ Family Justice Center Court 201 N First St., San Jose CA 95113 408.792.4200 https://www.sccourt.org/ ☐ Traffic Court (Adult/Juvenile) 301 Diana Ave., Morgan Hill CA 95037 408.556.3000 https://www.sccourt.org/	
				ACT BY THIS DATE TO AVOID A WARRANT OR ADDED FEES	
Date of Violation (mm/dd/yy)		Time ☐ AM ☐ PM	Driver's License Number (all states)		Class State
Name (first, middle, last)					
Current Address (no., street, city, state, zip) ☐ Traffic Court					
Date of Birth (mm/dd/yy)		Parent/Guardian Phone No. ☐ Juvenile		Commercial ☐ Y ☐ N	Insurance ☐ Y ☐ N
Race / Ethnicity	Sex	Hair	Eyes	Height	Weight
Vehicle License/VIN		State	Reg (mm/yy)	Year of Veh.	Make
Registered Owner/Lessee ☐ Same as driver ☐ Owner's responsibility (VC, § 40001)				Model	Body Style
Address (no., street, city, state, zip) ☐ Same as driver					Color
Reason for Stop				CHP / DOT / PUC / ICC	
CITATION DETAILS ☐ Booking Required (see reverse)					
Correctable (Fix-It) ☐ Y ☐ N M = Misdemeanor I = Infraction (circle)					
☐ Y ☐ N M I					
☐ Y ☐ N M I					
☐ Y ☐ N M I					
☐ Y ☐ N M I					
Approx. Speed	PF/Max Speed	Veh. Limit	Safe Speed	Radars/Lidar	☐ Commercial Veh. VC, § 15210(b)
Location of Violation					☐ Hazardous Mat. VC, § 353
City/County of Occurrence				Agency Case No.	
Comments (weather, road, traffic conditions) ☐ Crash					
☐ Violations not committed in my presence, declared on information and belief (VC, § 40600) I declare under penalty of perjury under the laws of the State of CA that the foregoing is true and correct.					
DECL. DATE		ARRESTING OR CITING OFFICER		SERIAL NO.	
DECL. DATE		ARRESTING OFFICER, (if different from above)		SERIAL NO.	
I promise to act by the date at the top of this citation. Signing DOES NOT admit guilt.					
()					
CELLPHONE - OPTIONAL (may be used for reminders)				EMAIL - OPTIONAL (may be used for reminders)	
X _____ SIGNATURE					

Continuation form ☐Form Adopted for Mandatory Use
Judicial Council of California
TR-130, Traffic/Nontraffic Notice to Appear
[Rev. Jan. 1, 2024]
SEE REVERSE

PFN: CEN:

MARGINALS

Vehicle Code, §§40500(b), 40513(b),
40522, 40600; Pen. Code, §853.9

ALL DEPARTMENT PERSONNEL

SUBJECT: NEW TRAFFIC / NON TRAFFIC NOTICE TO APPEAR CITATION

March 22, 2024

Page 4

Attachment 2: Continuation of Citation

(Name of Agency and Jurisdiction)					
CONTINUATION OF CITATION		☐ NOTICE TO APPEAR		☐ MISDEMEANOR	
		☐ NOTICE TO CORRECT VIOLATION		☐ Traffic ☐ Nontraffic (Citation No.)	
Date of Violation		Time		Day of Week	
1 / /		☐ AM ☐ PM		S M T W T F S	
Case No.					
2					
Name (First, Middle, Last)					
3					
Veh. Lic. No. or VIN					
State					
3					
Correctable Violation (Veh. Code, § 40610)					
Yes	No	Code and Section	Description	Misdemeanor or Infraction (Circle)	
4 ☐	☐			M	I
5 ☐	☐			M	I
6 ☐	☐			M	I
7 ☐	☐			M	I
8 ☐	☐			M	I
9 ☐	☐			M	I
10 ☐	☐			M	I
11 ☐	☐			M	I
12 ☐	☐			M	I
13 ☐	☐			M	I
14 ☐	☐			M	I
15 ☐	☐			M	I
16 ☐	☐			M	I
17 ☐	☐			M	I
18 ☐	☐			M	I
19 ☐	☐			M	I
20 ☐	☐			M	I
21 ☐ Violations not committed in my presence, declared on information and belief.					
I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct, and a continuation of the enforcement document noted.					
22		Arresting or Citing Officer		Serial No.	
23		Date		Serial No.	
		Name of Arresting Officer, if different from Citing Officer			
24 WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AT THE TIME AND PLACE INDICATED. X Signature					
Judicial Council of California Form Rev. 01-01-04 (Veh. Code, §§ 40500(b), 40513(b), 40522, 40600, 40610(d), 40618; Pen. Code, § 853.9)					
SEE REVERSE TR-108					