



# SAN JOSE POLICE DEPARTMENT

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## TRAINING BULLETIN

**TO: ALL DEPARTMENT PERSONNEL**

**FROM: Anthony Mata**  
Chief of Police

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

**DATE: March 22, 2024**

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Bulletin #2024-005

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[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

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**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:

<b>Citation Type:</b>	<b>Note:</b>	<b>Court Time:</b>
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)

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

SAN JOSE POLICE DEPARTMENT		No. J [REDACTED]	
<b>NOTICE TO:</b> <input type="checkbox"/> APPEAR IN COURT AT _____ <input type="checkbox"/> AM <input type="checkbox"/> PM <b>ON:</b> <b>OR</b> <input type="checkbox"/> RESPOND TO CITATION BEFORE: <b>DATE:</b> ___/___/___ <i>See back for detailed instructions</i>		<input type="checkbox"/> Criminal Superior Court 190 W Hedding St., San Jose CA 95110 408.808.6600 <a href="https://www.sccourt.org/">https://www.sccourt.org/</a> <input type="checkbox"/> Family Justice Center Court 201 N First St., San Jose CA 95113 408.792.4200 <a href="https://www.sccourt.org/">https://www.sccourt.org/</a> <input type="checkbox"/> Traffic Court (Adult/Juvenile) 301 Dians Av., Morgan Hill CA 95037 408.556.3000 <a href="https://www.sccourt.org/">https://www.sccourt.org/</a>	
		<b>ACT BY THIS DATE TO AVOID A WARRANT OR ADDED FEES</b>	
Date of Violation (mm/dd/yy)	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Driver's License Number (all states)	Class State
Name (first, middle, last)			
Current Address (no., street, city, state, zip) <input type="checkbox"/> Traffic Court			
Date of Birth (mm/dd/yy)	Parent/Guardian Phone No. <input type="checkbox"/> Juvenile	Commercial <input type="checkbox"/> Y <input type="checkbox"/> N	Insurance <input type="checkbox"/> Y <input type="checkbox"/> N
Race / Ethnicity	Sex	Hair	Eyes
		Height	Weight
Vehicle License/VIN	State	Reg (mm/yy)	Year of Veh. Make
Registered Owner/Lessee <input type="checkbox"/> Same as driver <input type="checkbox"/> Owner's responsibility (VC, § 40001)	Model	Body Style	
Address (no., street, city, state, zip) <input type="checkbox"/> Same as driver			Color
Reason for Stop		CHP / DOT / PUC / ICC	
<b>CITATION DETAILS</b> <input type="checkbox"/> Booking Required (see reverse)			
Correctable (Fix-It)		M = Misdemeanor I = Infraction (pencil)	
<input type="checkbox"/> Y <input type="checkbox"/> N		M	I
<input type="checkbox"/> Y <input type="checkbox"/> N		M	I
<input type="checkbox"/> Y <input type="checkbox"/> N		M	I
<input type="checkbox"/> Y <input type="checkbox"/> N		M	I
Approx. Speed	PF/Max Speed	Veh. Limit	Safe Speed Radar/Lidar
Location of Violation		<input type="checkbox"/> Commercial Veh. VC, § 15210(b) <input type="checkbox"/> Hazardous Mat. VC, § 353	
City/County of Occurrence		Agency Case No.	
Comments (weather, road, traffic conditions) <input type="checkbox"/> Crash			
<input type="checkbox"/> 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.
<b>I promise to act by the date at the top of this citation. Signing DOES NOT admit guilt.</b> (_____) _____ 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:
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MARGINALS

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

**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.)

1 Date of Violation    Time     AM    Day of Week    Case No.  
 /    /    /    S M T W T F S

2 Name (First, Middle, Last)

3 Veh. Lic. No. or VIN    State

Correctable Violation (Veh. Code, § 40610)

Yes	No	Code and Section	Description	Misdemeanor or Infraction (Circle)
4 <input type="checkbox"/>	<input type="checkbox"/>			M I
5 <input type="checkbox"/>	<input type="checkbox"/>			M I
6 <input type="checkbox"/>	<input type="checkbox"/>			M I
7 <input type="checkbox"/>	<input type="checkbox"/>			M I
8 <input type="checkbox"/>	<input type="checkbox"/>			M I
9 <input type="checkbox"/>	<input type="checkbox"/>			M I
10 <input type="checkbox"/>	<input type="checkbox"/>			M I
11 <input type="checkbox"/>	<input type="checkbox"/>			M I
12 <input type="checkbox"/>	<input type="checkbox"/>			M I
13 <input type="checkbox"/>	<input type="checkbox"/>			M I
14 <input type="checkbox"/>	<input type="checkbox"/>			M I
15 <input type="checkbox"/>	<input type="checkbox"/>			M I
16 <input type="checkbox"/>	<input type="checkbox"/>			M I
17 <input type="checkbox"/>	<input type="checkbox"/>			M I
18 <input type="checkbox"/>	<input type="checkbox"/>			M I
19 <input type="checkbox"/>	<input type="checkbox"/>			M I
20 <input type="checkbox"/>	<input type="checkbox"/>			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    /    /    \_\_\_\_\_ Name of Arresting Officer, if different from Citing Officer    Serial No. \_\_\_\_\_  
 Date

24 **WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AT THE TIME AND PLACE INDICATED.**  
 X Signature

Judicial Council of California Form    **SEE REVERSE**  
 Rev. 01-01-04 (Veh. Code, §§ 40500(b), 40513(b), 40522, 40600, 40610(d), 40618; Pen. Code, § 853.9)    TR-108