

TRAFFIC COURT TEMPORARY JUDGE TRAINING CORRECTABLE VIOLATIONS

Vehicle Code 40610 outlines offenses for which correction is available and can be addressed in a Notice to Correct form approved by the Judicial Council.

Offenses that are correctable include: registration, license, all-terrain safety certificate and mechanical violations. Bicycle violations are also correctable. (Vehicle Code section 40303.5)

Correctable offenses may also be submitted on a Notice to Appear.

An offense that is otherwise correctable is not correctable if the citing officer finds any of the following:

- (1) Evidence of fraud or persistent neglect
- (2) The violation presents an immediate safety hazard
- (3) The violator does not agree to, or cannot, promptly correct violation.

If violation is submitted on a Notice to Correct form, correction must be accomplished within 30 days (90 days for all-terrain vehicle safety certificate) with proof submitted to the citing agency.

Willfully violating a written promise to correct or willfully failing to deliver proof of the correction is a misdemeanor (Vehicle Code 40616).

A \$25 fee should be charged when a person submits proof of correction and the court dismisses the charge. (Vehicle Code sections 40522 and 40611)

Proof of correction of brake, lamp, smog device or muffler violations must be certified as corrected by any station licensed to inspect and certify for the violation. (Vehicle Code 40616(a))

Driver license and registration violations may be certified as corrected by the DMV or clerk of the court. (Vehicle Code section 40616(b))

Any violation may be certified as corrected by law enforcement agencies engaged in enforcement of the Vehicle Code. (Vehicle Code 40616(c))

Failure to have proof of insurance pursuant to Vehicle Code 16028(a) is correctable by submitting appropriate proof (Vehicle Code 16020) to the clerk of the court and the charge will be dismissed.