

## OFFICE OF OPERATIONS

NOTICE NO. 55

December 20, 1996

TO: All Personnel, Office of Operations

RECEIVED

FROM: Director, Office of Operations

JAN 01 1997

PLANNING AND RESEARCH  
DIVISIONSUBJECT: ISSUING CITATIONS UNDER NEW CALIFORNIA VEHICLE  
CODE SECTION 16028(a) - "EVIDENCE OF FINANCIAL  
RESPONSIBILITY"

EFFECTIVE: January 1, 1997

PURPOSE

This Notice sets forth the procedures for issuing a personal service citation for new California Vehicle Code (CVC) Section 16028(a) - "Evidence of Financial Responsibility."

INFORMATION

The California Legislature has enacted legislation which reinstates the enforcement authority of persons driving a motor vehicle without evidence of financial responsibility in their possession.

Section 16028(a) CVC is the new enforcement section for evidence of financial responsibility and is a correctable violation. This Section is to be used for enforcement on traffic stops and at the scenes of traffic collisions. Drivers are only required to provide an insurance company name and policy number. Drivers are not required to carry an insurance card issued by their insurance company.

Section 16028(a) CVC is not a mandatory enforcement section and law enforcement personnel and their agencies are exempted from any possible liability incurred from non-enforcement of this law.

This new legislation applies only to:

- \* A driven vehicle (does not apply to occupied stationary or parked vehicles); AND,
- \* California registered vehicles.

NOTE: This Section can not be used as the primary cause for a vehicle stop and shall not be the subject of nor enforced at Checkpoints.

Issuing Citations For 16028(a) CVC

Page 2

1.8.2

**PROCEDURE**

Officers issuing a personal service citation for "No Evidence of Financial Responsibility" shall:

- \* Enter 16028(a) CVC in the violation section.
- \* Mark an "X" in the Yes box under the "Eligible for Dismissal" column.


If the driver is an employee driving an employer's vehicle:

- \* Enter the employer's information in the violator's section of the citation.
- \* Enter the driver's identifying information in the violation narrative portion of the citation.
- \* Obtain the signature of the driver on the citation.

If any other violations are enforced, this Section must be written on the same citation. If other charges are being filed, as in a physical arrest situation, this charge must be requested under a filing request and can not be cited separately.

NOTE: Sections 16020 and 16025 CVC shall not be used for enforcement purposes until further notice.

If you have any questions, please contact Traffic Coordination Section, Traffic Legislative and Special Projects Unit at (6) 893-8118.

  
BAYAN LEWIS, Assistant Chief  
Director  
Office of Operations

DISTRIBUTION "A"