NAME OF COURT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME: TELEPHONE:		To keep other people from seeing what you entered on your form, please press the Clear This Form button at the end of the form when finished.
PEOPLE OF THE STATE OF CALIFORNIA vs. DEFENDANT:		
OFFICER'S DECLARATION **(Trial by Written Declaration—Vehicle Code, § 40902**		
RETURN DATE:	ARRESTING/CITING OFFICER NAME/ID NO.:	CITATION NUMBER/DATE ISSUED:
AGENCY NAME:	OFFICE [IF ANY]:	CASE NUMBER:

INSTRUCTIONS: The defendant in the case listed above has opted for trial by written declaration pursuant to Vehicle Code section 40902. The officer named above shall check all statements that apply, date, sign, and complete and return this form to the court named above by the return date.

1. **OFFICER'S DECLARATION:** Except as expressly stated below, I have personal knowledge of the facts stated herein. The events occurred in the County of *(specify)*: at about the date, time, and location stated in the citation.
   a. ☐ At the time of the citation I was a peace officer on-duty ☐ for the exclusive or main purpose of traffic enforcement ☐ not for the exclusive or main purpose of traffic enforcement, and I ☐ was ☐ was not wearing a uniform as required by the Vehicle Code section 40800. Any vehicle used by me complied with Vehicle Code section 40800.
   b. ☐ The offense(s) were not committed in my presence.
   c. ☐ Any statement(s) made by the defendant were voluntary, recorded ☐ verbatim ☐ not verbatim and is/are reasonably complete and accurate in substance.
   d. ☐ Safety is an element of the violation alleged. In my opinion, the defendant's operation of the vehicle was unsafe.
   e. ☐ Any equipment used by me to gather evidence in support of this violation was properly maintained, in good working order, and I have been trained in its use.
   f. ☐ Any traffic sign, signal, or device mentioned was official and properly located, maintained, in good working order, and clearly visible to a driver of a vehicle controlled, governed, or affected by such sign, signal, or device.
   g. ☐ Any diagram(s) submitted is/are not exact or to scale, but is/are reasonably complete, accurate, and fairly depict(s) the location, situation, and events described.
   h. ☐ Speed supported by the patrol vehicle's speedometer was a significant factor. Pursuant to department policy, the patrol vehicle used in connection with this citation was officially calibrated on *(date)*:
   The result was *(specify)*:
   The calibration was considered by me in determining defendant's speed.
   i. ☐ Defendant was identified by Driver's License ☐ or other *(specify)*:

2. **THE METHOD(S) USED TO DETERMINE THE SPEED OF THE INVOLVED VEHICLE WAS/WERE:**
   a. ☐ Odometer
   b. ☐ Visual estimation
   c. ☐ Pacing
   d. ☐ Radar (see items 4, 5, 6, below)
   e. ☐ Laser
   f. ☐ Aircraft
   g. ☐ Other *(specify)*:

3. ☐ Engineering and traffic survey (ETS) not required per Vehicle Code section 40802, subdivision (b).

4. ☐ ETS completed within five (5) years prior to date of alleged violation.
   a. ☐ ETS attached.
   b. ☐ ETS on file with the court.

5. ☐ ETS completed within five (5) and seven (7) years prior to date of alleged violation.
   a. ☐ ETS attached.

(Continued on reverse)

PEOPLE v. DEFENDANT *(Name)*:	CASE NUMBER:

5. b. ☐ ETS on file with the court.
   c. ☐ Arresting/citing officer has successfully completed a radar operator course of not less than 24 hours approved and certified by the Commission on Peace Officer Standards and Training (POST).
   d. ☐ Laser or other electronic device was used to measure speed. Arresting/citing officer successfully completed an additional training course of not less than two hours approved and certified by POST.
   e. ☐ The speed measuring device used to measure the speed of defendant (Serial No:) meets or exceeds the minimum operational standards of the National Highway Traffic Safety Administration (NHTSA) and was last calibrated on *(date)*: by an independent certified laser/radar repair and testing/calibration facility.
   f. ☐ Equipment accuracy check conducted on *(date)*: at *(time)*: and again on *(date)*: at *(time)*:

6. ☐ ETS completed within seven (7) and ten (10) years prior to the date of the alleged violation.
   a. ☐ A registered engineer has evaluated the section of the highway in question and has determined that no significant changes in roadway or traffic conditions have occurred.
   b. ☐ All of the elements marked under item 5, above, which are applicable.

7. **FACTS AND CIRCUMSTANCES** *(Type or print only. State what happened)*:

☐ Continued on attachment.

8. **OTHER EVIDENCE AND STATEMENTS** *(Explain any other evidence and statements)*:

☐ Continued on attachment.

9. **DIAGRAM(S)** *(specify)*:
   ☐ Attached.

10. Number of pages attached: _____

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
Date:

. . . . . .
(TYPE OR PRINT NAME)

(SIGNATURE OF OFFICER)

ID Number: _____

Agency NCIC Number: _____

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