

Chapter Trans 114

UNIFORM TRAFFIC CITATION

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Note: Chapter Trans 114 was created as an emergency rule effective 5–1–89; chapter MVD 21 as it existed on December 31, 1989, was repealed and a new chapter Trans 114 was created effective 1–1–90.

Trans 114.01 Purpose and scope. As authorized by s. 345.11 (4), Stats., the purpose of this chapter is to establish a uniform traffic citation form and to provide a mechanism for field testing future revisions to the uniform traffic citation form as proposed by the council on uniformity of traffic citations and complaints.

History: Cr. Register, December, 1989, No. 408, eff. 1–1–90.

Trans 114.02 Definitions. The words and phrases defined in ss. 340.01 and 343.01, Stats., and ch. 345, Stats., have the same meaning in this chapter unless a different meaning is expressly provided or the context clearly indicates a different meaning. In this chapter:

(1) “Automated citation” means an automated uniform traffic citation described in s. 345.11 (2), Stats., created on a computer and printed on paper in the format prescribed by this chapter, rather than on a preprinted citation form.

(2) “Field test” means to utilize a prototype traffic citation form among a representative number of law enforcement jurisdictions that volunteer to field test it.

(3) “Prototype uniform traffic citation form” means a form created by the secretary’s council on uniformity of traffic citations and complaints, which serves as a model for field testing and against which the secretary’s council bases its recommendations for improvements when drafting the final version of the uniform traffic citation form.

(4) “Field test jurisdiction” means a law enforcement jurisdiction which volunteers to field test a prototype uniform traffic citation form.

History: Cr. Register, December, 1989, No. 408, eff. 1–1–90; CR 02–153: am. (intro.), renum. (1) to (3) to be (2) to (4) and am. (2), cr. (1) Register June 2003 No. 570, eff. 7–1–03.

Trans 114.03 Prototype uniform traffic citation form use. A prototype uniform traffic citation form may be used in field tests for the purpose of evaluating the changes authorized under s. 345.11, Stats., and to allow for input by affected parties toward the final design of the uniform traffic citation form. The prototype uniform traffic citation form will be used in lieu of the current traffic citation form in the field test jurisdictions during the field test. However, use of the prototype uniform traffic citation form does not invalidate the use of the current uniform traffic citation in the field test jurisdictions or in any other jurisdiction during the field test period.

History: Cr. Register, December, 1989, No. 408, eff. 1–1–90; CR 02–153: am. Register June 2003 No. 570, eff. 7–1–03; CR 12–019: am. (title) Register September 2015 No. 717, eff. 10–1–15.

Trans 114.04 Safeguards. To ensure the authenticity of documents and prevent fraud, the department may implement procedures designed to prevent duplication or fraudulent alteration of documents, including:

(1) Requiring control numbers appear on preprinted and automated citations.

(2) Issuing blocks of control numbers to designated law enforcement agencies, law enforcement officers, or specific computers, to be printed on automated citations.

(3) Auditing the use of citation forms and automated citation systems.

History: Cr. Register, December, 1989, No. 408, eff. 1–1–90; CR 02–153: r. and recr. Register June 2003 No. 570, eff. 7–1–03.

Trans 114.05 Field test findings. The department shall analyze the uniform traffic citation form field test findings and make recommendations for improvements to the council on uniformity of traffic citations and complaints.

History: Cr. Register, December, 1989, No. 408, eff. 1–1–90; CR 02–153: am. Register June 2003 No. 570, eff. 7–1–03.

Trans 114.06 Uniform traffic citation. (1) PREPRINTED UNIFORM TRAFFIC CITATIONS. The preprinted uniform traffic citation forms shall be a 4–page preprinted form distributed by the department, the pages of which shall conform to the following requirements:

(a) Each printed copy of the form shall contain a unique control number, determined by the department.

(b) The front side of each page of the uniform traffic citation shall be identical and shall be in the format set forth in figure 1.

(c) The reverse sides of each page shall differ according to use as follows:

1. Page one of the form is intended for use and filing by the court in which the citation is used. The reverse side of page one shall contain information needed by the court in the format set forth in figure 2.

2. Page 2 of the form is intended for eventual submission to the department. The reverse side of page 2 shall contain a report of court disposition in the format set forth in figure 3. The report shall be sent to the department within 5 days of the resolution of the case.

Note: s. 345.37 (5).

3. Page 3 of the form is intended for distribution to the person who is issued the citation. The reverse side of that page shall contain information for the person who was issued the citation in the format set forth in figure 4.

4. Page 4 of the form is intended for retention by the issuing agency. The reverse side of that page shall contain space for the issuing officer or agency to enter notes or other information, and shall be in the format set forth in figure 5.

(2) **AUTOMATED UNIFORM TRAFFIC CITATION SYSTEMS.** (a) A person who is issued an automated citation shall be served with a printed citation in the format set forth in figure 6. The citation shall be printed on 8.5 inch by 11 inch white paper and shall match the format and content requirements of figure 6 exactly. The citation shall include a unique control number assigned to the issuing agency, officer or computer by the department.

(b) The issuing agency shall supply data included on an automated citation to the clerk of court for the court before whom the person is required to appear. Data shall be provided in the format and within the timeframe required by that court.

(c) Within 5 days of the resolution of the case, the clerk of courts shall transmit the data included on the automatic citation, together with information regarding the resolution of the case to the department in the format required by the department.

Note: s. 345.37 (5), Stats.

(d) An agency or court using an automated citation system shall maintain the data necessary to recreate a copy of the originally issued citation according to the agencies' or courts' records disposition policies.

(e) If a court is unable to transmit data related to electronic citations to the department through the use of automated systems, the court may send the information necessary to enter the citation and court disposition in the department's records to the department by other means, provided the information is submitted in the format required by the department.

Note: The Council on Uniformity of Traffic Citations and Complaints is adopting these rules to encourage the use of electronic citations because they find the electronic exchange of data to be efficient and cost effective.

History: Cr. Register, December, 1989, No. 408, eff. 1-1-90; emerg. r. and recr. eff. 7-16-90; r. and recr. Register, October, 1990, No. 418, eff. 11-1-90; CR 02-153: cr. (1) and (2) Register June 2003 No. 570, eff. 7-1-03; **CR 12-019: am. (2) (a) Register September 2015 No. 717, eff. 10-1-15.**

Trans 114.07 Use of uniform traffic citation. (1) USE OF OLD FORMS. Law enforcement agencies may use any of the uniform traffic citation forms that have been printed and are in use or storage, until stores of printed forms are consumed.

(2) NEWLY PRINTED FORMS. All uniform traffic citation forms printed after October 1, 2015, shall conform to the requirements of s. Trans 114.06.

(3) NOTICE OF COURT DATE REQUIRED ON COMPLETED CITATION. In addition to the information specified in s. 345.11 (2), Stats., the completed uniform traffic citation served on a defendant driver shall include the date and time at which the defendant driver is required to appear in court or by which the defendant driver must post deposit or bail for the offense or pay the forfeiture.

Note: At the time the Uniform Traffic Citation was initially created, different jurisdictions printed and used different forms. Use of those forms was prohibited and remains prohibited. Subsequent changes to the uniform traffic citation, however, are largely cosmetic and have been made for convenience of law enforcement, the courts and the Department. All uniform traffic citation forms provide the essential information needed by a defendant, the courts and DOT. Therefore, this chapter permits old stores of forms to be used as a cost-saving measure for law enforcement agencies. Using up old stores of forms also helps to prevent misuse of discarded forms.

History: Emerg. cr. eff. 7-16-90; cr. Register, October, 1990, No. 418, eff. 11-1-90; CR 02-153: am. (1), r. and recr. (2) Register June 2003 No. 570, eff. 7-1-03; **CR 12-019: cr. (1) (title), (2) (title), am. (2), cr. (3) Register September 2015 No. 717, eff. 10-1-15.**

Trans 114.08 Changes to the uniform traffic citation.

(1) The secretary may change the citation content and format in this chapter without rule making in order to:

(a) Change the order of fields for data processing purposes.

(b) Make any change needed to conform the form to changes in state law.

(c) Make any content or format change on the reverse side of page one of the form requested by the director of state courts.

Note: The reverse side of page one of the form is shown in Figure 2 to this rule.

(d) Make any content or format change on the reverse side of page 4 of the form requested by law enforcement agencies.

Note: The reverse side of page one of the form is shown in Figure 5 to this rule.

(2) Any change made under this section shall be promptly reported to the council on uniformity of traffic citations and complaints.

Note: The Department adopts this provision as necessary to the implementation and operation of s. 345.11(4), Stats., at the recommendation of the Council on Uniformity of Traffic Citations and Complaints.

Conforming the traffic citation to changes in state law without rule making or to changing the form or content of the citation may be accomplished without rule making. s. 227.01(13)(j) and (q), Stats. The provisions of sub. (1)(c) and (d) should not be used by the Department to make substantive changes relating to the use of the Uniform Traffic Citation. Clearinghouse Rules 02-153 Comments, Wisconsin Legislative Council Rules Clearinghouse.

History: CR 02-153: cr. Register June 2003 No. 570, eff. 7-1-03.

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See back for courtpoint information

Appearance Required No Yes Date: _____
 PLACE: CIRCUIT MUNICIPAL Time: am pm

5 Non-Individual Name (Last, First, MI) Area Code - Telephone No.		4 For Court Use Only 2 DEPOSIT BAIL <input type="checkbox"/> ESTIMATED CASH CARD <input type="checkbox"/> Points for this Citation \$ _____	
6 Street Address Apartment No. State Zip Code Post Office - City		42 Agency Space	
7 Driver License Number/ID No. State Exp. Yr.		8 HazMat No. 9 USDOT No.	
13 Birth Date 14 Sex Race HT WT Hair Eyes 15 Holds CDL YES No A B C D M O F H N P S T		16 Vehicle Class/Endorsement Operated at Time of Offense	
19 Vehicle License Plate or VIN 20 Plate Type 21 State 22 Exp. Yr. 23 Vehicle Year, Make Type Color 24 Waiver FAR FIR REC		28 Adopting State Statute No.	
26 Plaintiff 1 State of WI 2 County 3 City 4 Village 5 Town 27 Defendant Violated Ordinal No.		30 Overweight	
29 Description of Violation		31 Actual Legal Over 32 Violation Zone: M P H CONST. RAILROAD SCHOOL UTILITY	
34 Week Day 35 Month - Day - Year 36 Time AM PM 37 County Name		38 CVT Code	
39 On Hwy Street Name 40 Estimated FT MI 41 From/At Hwy Street Name		43 Print Officer Name 44 Dept.	
43 Print Officer Name		45 Officer ID No. 46 Date Citation Served 47 Accident Doc. No.	
49 Passenger Under 16: YES NO Method BY MAIL IN PERSON		Severity FATAL PI PD	

Wisconsin Uniform Citation
 MV4016 1/2010 (2) s. 345.11 Wis. Stats.

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To show placement of sequential number.

FIGURE 1

<p>COURT RECORD 1</p> <p><input type="checkbox"/> Traffic <input type="checkbox"/> Non-Traffic <input type="checkbox"/> Criminal</p>	<p>2 Date Filed</p>	<p>3 JUDGE</p>	<p>4 Judge Code</p>
<p>DEFENDANT 5</p> <p><input type="checkbox"/> Appeared <input type="checkbox"/> Default</p> <p><input type="checkbox"/> By Attorney <input type="checkbox"/> Warrant Issued - Date _____</p> <p><input type="checkbox"/> Plea By Mail <input type="checkbox"/> Warrant Fee Assessed \$ _____</p> <p><input type="checkbox"/> Failed to Appear</p>			
<p>6 _____</p> <p>7 \$ _____</p> <p>BOND: <input type="checkbox"/> Signature <input type="checkbox"/> License</p> <p><input type="checkbox"/> Credit Card Type _____ <input type="checkbox"/> Bond Card</p> <p><input type="checkbox"/> Cash / CK / MO \$ _____ <input type="checkbox"/> Not Required</p>			
<p>8 DATE _____</p> <p>9 PLEA: <input type="checkbox"/> Guilty <input type="checkbox"/> No Contest <input type="checkbox"/> Not Guilty</p> <p>10 FINDING: <input type="checkbox"/> Guilty <input type="checkbox"/> Not Guilty <input type="checkbox"/> Dismissed</p> <p>11 AMENDED CHARGE: Statute Number _____</p> <p>Describe Charge _____</p>			
<p>12 DISPOSITION:</p> <p><input type="checkbox"/> Assessment Ordered</p> <p><input type="checkbox"/> Co. Jail / H.O.C. for _____ Day / Mo. / Yr.</p> <p><input type="checkbox"/> License Susp. / Rev. for _____ Day / Mo. / Yr.</p> <p><input type="checkbox"/> Fine / Forfeiture pay within _____ Day / Mo. / Yr.</p> <p><input type="checkbox"/> License Susp. / Rev. for _____ Day / Mo. / Yr.</p> <p><input type="checkbox"/> County Jail/H.O.C. for _____ Day / Mo. / Yr.</p> <p><input type="checkbox"/> Community Service for _____ Hrs. / Days</p> <p><input type="checkbox"/> Indigent Hearing on _____</p>			
<p>13 \$ _____</p> <p>14 Date Disposed _____</p> <p>15 Judge At Disposition _____</p> <p>16 Code _____</p> <p>17 DOCKET INFORMATION</p> <p>18 Disposition Code _____</p> <p>19 Sentence Code _____</p> <p>20 Classification At Disposition If Changed _____</p>			

FIGURE 2

INSTRUCTIONS – READ CAREFULLY

----- COURT APPEARANCE REQUIRED -----

(See other side) If your citation is checked “yes” following “Appearance Required”, you MUST appear in court. The “Court Appearance Not Required” instructions do not apply to you.

----- COURT APPEARANCE NOT REQUIRED -----

(See other side)

• **If you wish to dispute the citation**, you must either appear in court or enter a “not guilty” plea by mail prior to your court date. Please include a photocopy of your ticket and your correct mailing address OR your correct name and mailing address, citation number, court appearance date listed on the citation, offense, and arresting police agency. These should be mailed to the court address written under “You Are Notified To Appear” on the other side. You may demand a jury trial, rather than a trial before a judge, but must make that demand in writing and pay the proper fee within 10 days of entering a not guilty fee. Make check payable to the Clerk of Court and forward it to address shown on the reverse side. Jury demands in Municipal Court can only be made for intoxicated driving charges.

• **If you do not wish to dispute the citation**, simply mail in the “deposit” amount indicated on the other side of the citation by your court date. You must include a photocopy of your citation OR your correct name and address, citation number, court appearance date listed on the citation, offense and arresting police agency. Make your check payable to the Clerk of Court and mail it to the court address written under “You Are Notified To Appear” on the other side. You do not need to appear. The court will find you guilty and keep the “deposit” amount as payment for your citation.

• **If you do nothing**, the court may issue a warrant for your arrest, or may find you guilty and suspend your driver license if you fail to pay your fine.

DEMERIT POINT, SUSPENSION & REVOCATION

INFORMATION - This charge may result in demerit points assessed against you. Accumulating 12 or more points within 12 consecutive months will be cause for suspending your driving privileges. **If you have a probationary license, points for the second and subsequent convictions may be doubled.** Depending on the circumstances and charge, conviction may result in revocation or suspension of your driving privileges. Traffic Safety School may be used to reduce points. For more information, contact the Division of Motor Vehicles (DMV).

If you have a disability and need help in court, please contact the Clerk of Court’s office listed on the reverse side of this form.

FIGURE 4

You Are Notified to Appear		Date	Time	Form No. and Version CTL		CITATION NO.	
Appearance Required:		<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	MV4017	0310	<input type="text"/>
				Estimated Points DEPOSIT		Cash - Card	
				Court Use			
Defendant (Last Name, First, Middle), Street Address, P.O. Box, City, State, Zip				Birth Date	Sex	Race	
<input type="text"/>							
Telephone Number				HT	WT	Hair	Eyes
				lbs			
Driver License/Identification Card Number		State	Exp. Yr.	OPERATING AS:			
License Plate Number	Plate Type	State	Exp. Yr.	Vehicle Class	Vehicle Endorsements		
Vehicle Identification Number		US DOT No.	Hazmat No.	Holds CDL	CDL Waiver		
Vehicle Year	Make	Type	Color				
Plaintiff		Ordinance Violated		Adopting State Statute			
		<input type="text"/>		<input type="text"/>			
Violation Description		BAC		Overweight		Agency Space	
Week Day	Date	Time	Actual Speed	Legal	Over		
County		City/Village/Town					
ON Hwy No. and/or Street Name				Estimate Distance			
From/AT Hwy No. and/or Street Name				GPS Coordinates		Minor Passenger	
Officer Name				Zone: RR - Utility - School - Const Accident Severity			
Officer ID	Department		Date Citation Served,		Method		

INSTRUCTIONS - READ CAREFULLY

COURT APPEARANCE REQUIRED - If your citation is checked "yes" following "Appearance Required," you MUST appear in court. The "Court Appearance Not Required" instructions do not apply to you.

COURT APPEARANCE NOT REQUIRED - IF YOU WISH TO DISPUTE THE CITATION, you must either appear in court or enter a "not guilty" plea by mail prior to your court date. Please include a photocopy of your ticket and your correct mailing address OR your correct name and mailing address, citation number, court appearance date listed on the citation, offense, and arresting police agency. These should be mailed to the court address.

Your trial will be before a judge, unless you demand a jury trial in writing within 10 days of the court date on your citation and enclose the proper fee. Make check payable to the Clerk of Court and forward it to the address shown above. Jury demands in Municipal court can only be made for intoxicated driving charges.

If you have a disability and need help in court, please contact the above Clerk of Court's office.

IF YOU DO NOT WISH TO DISPUTE THE CITATION, mail the "deposit" amount, by your court date, with a photocopy of your citation OR your correct name and address, citation number, court appearance date listed on the citation, offense and arresting police agency. Make check payable to the Clerk of Court and mail it to the court address. You do not need to appear. The court will find you guilty and keep the "deposit" amount as payment for your citation.

IF YOU DO NOTHING, the court may issue a warrant for your arrest, or may find you guilty and suspend your driver license if you fail to pay your fine.

DEMERIT POINT, SUSPENSION AND REVOCATION INFORMATION - This charge may result in demerit points assessed against you. Accumulating 12 or more points within 12 consecutive months will be cause for suspending your driving privileges. If you have a probationary license, points for the second and subsequent convictions may be doubled. Depending on the circumstances and charge, conviction may result in a suspension or revocation of your driving privileges. Attending Traffic Safety School prior to conviction may be used to reduce points. For more information, contact the DMV.

WISCONSIN UNIFORM CITATION
T331 3/2010 WDOT s345.11 Wis. Stats



FIGURE 6