

DOWNEY POLICE DEPARTMENT

TRAINING



BULLETIN

Dean Milligan
Chief of Police

No. 20-05

14601 VC Changes for Filings

The DA's Office will not file a 14601 case if the only suspension is for authority 13365 (Failure to Appear), unless there is a 40509 or 40509.5 in the "Failures to Appear" section.

The DMV erroneously suspended licenses for failure to appear when they didn't get confirmation from the court that the defendant had actually received the notice to appear.

If the DMV printout indicates a suspension for authority 13365 only, check the "Failures to Appear" section. If it is blank or only lists 40508, issue the driver a citation for 12500(a) VC (Misdemeanor or Infraction based on whether or not there is a prior conviction for 12500 for 14601). If there is a 40509 or 40509.5 listed, go ahead and issue the citation for 14601.1(a) VC (as long as there is good service).

This does not affect any other suspensions. It only affects authority 13365. If there are additional suspensions for any other authority section, issue the citation for 14601.1(a) VC or 14601.2(a) VC if DUI.

See attached printout that has both 40508 and 40509.5 listed in "Failures to Appear". This would allow a citation to be issued for 14601.1(a) VC.