

What Does the Law Require to be Printed on a Citation?

1. **Transportation Code § 543.003. GENERALLY.** A written notice to appear in court must contain:
 - a) The time (must be at least 10 days after the date of arrest unless the person arrested demands an earlier hearing) and place (must be before a magistrate having jurisdiction of the offense who is in the municipality or county in which the offense is alleged to have been committed) the person is to appear (see § 543.006)
 - b) The offense charged
 - c) The name and address of the person charged
 - d) If applicable, the license number of the person's vehicle

2. **Code of Criminal Procedure Art. 14.06. GENERALLY.** A citation must contain:
 - a) Written notice of the time and place the person must appear before a magistrate
 - b) Name and address of the person charged
 - c) The offense charged
 - d) Information regarding the alternatives to the full payment of any fine or costs assessed against the person, if the person is convicted of the offense and is unable to pay that amount
 - e) The following in boldfaced or underlined type or in all caps: "If you are convicted of a misdemeanor offense involving violence where you are or were a spouse, intimate partner, parent, or guardian of the victim or are or were involved in another, similar relationship with the victim, it may be unlawful for you to possess or purchase a firearm, including a handgun or long gun, or ammunition, pursuant to federal law under 18 U.S.C. Section 922(g)(9) or Section 46.04(b), Texas Penal Code. If you have any questions whether these laws make it illegal for you to possess or purchase a firearm, you should consult an attorney."

3. **Transportation Code § 543.010. SPECIFICATIONS OF SPEEDING CHARGE.** The complaint and the summons or notice to appear on a charge of speeding must specify:
 - a) the maximum or minimum speed limit applicable in the district or at the location; and
 - b) the speed at which the defendant is alleged to have driven.

4. **Transportation Code § 601.191. OPERATION OF MOTOR VEHICLE IN VIOLATION OF MOTOR VEHICLE LIABILITY INSURANCE REQUIREMENT; OFFENSE.** A citation for an offense under this section must include an affirmative indication that the peace officer was unable at the time of the alleged offense to verify financial responsibility for the vehicle through the verification program established under Subchapter N.

5. **Transportation Code § 601.233. FMFR: NOTICE OF POTENTIAL SUSPENSION.** A citation for an offense of failure to maintain financial responsibility must include, in type larger than other type on the citation, except for the type of the statement required by Section 708.105: "A second or subsequent conviction of an offense under the Texas Motor Vehicle Safety Responsibility Act will result in the suspension of your driver's license and motor vehicle registration unless you file and maintain evidence of financial responsibility with the Department of Public Safety for two years from the date of conviction. The department may waive the requirement to file evidence of financial responsibility if you file satisfactory evidence with the department showing that at the time this citation was issued, the vehicle was covered by a motor vehicle liability insurance policy or that you were otherwise exempt from the requirements to provide evidence of financial responsibility."

6. **Transportation Code § 543.007. NOTICE TO APPEAR: COMMERCIAL VEHICLE OR LICENSE.** A notice to appear issued to the operator of a commercial motor vehicle or holder of a commercial driver's license or commercial driver learner's permit, for a violation of a law regulating the operation of vehicles on highways, must contain:
 - a) Information required to comply with Chapter 522, Transportation Code, and the Federal Commercial Motor Vehicle Safety Act of 1986 (Title 49, U.S.C. Section 31302).
 - b) The proposition that a citation issued to a CDL holder must contain the social security number of the driver is widely accepted but not expressly stated in federal or state law. Section 31308(4)(B) of the Federal Commercial Motor Vehicle Act of 1986 requires that the license contain the social security number or other number that the Secretary of Transportation determines is necessary to identify the driver.

- c) Section 543.201 of the Transportation Code requires courts to keep records reflecting that a person is charged with a law violation relating to the operation of a motor vehicle on a highway.
 - d) Section 543.202 states the record must be made on a form or by a data processing method acceptable to the department and must include, among other things, “the person’s social security number, if the person was operating a commercial motor vehicle or was the holder of a commercial driver’s license or commercial driver’s learning permit.”
 - e) Since CDL holders are not required to make an appearance in court, and because such information is still manually reported by court to DPS via the citation, the only way this information is guaranteed to be obtained is if it is collected by a peace officer at the time the citation is issued.
7. **Transportation Code § 702.004(b). TXDOT REGISTRATION SUSPENSION CONTRACT FOR ENFORCEMENT OF CERTAIN ARREST WARRANTS.** For a city contracting with TxDOT in the Scofflaw Program, the citation must include a warning that states that if the person fails to appear in court as provided by law for the prosecution of the offense or fails to pay a fine for the violation, the person might not be permitted to register a motor vehicle in this state.
8. **Transportation Code § 706.003. DPS FAILURE TO APPEAR PROGRAM CONTRACT FOR ENFORCEMENT OF CERTAIN ARREST WARRANTS.** For a city participating in the OmniBase program, the citation must include a warning that states that if the person fails to appear in court as provided by law for the prosecution of the offense or if the person fails to pay or satisfy a judgment ordering the payment of a fine and cost in the manner ordered by the court, the person may be denied renewal of the person's driver's license.
9. **Code of Criminal Procedure Art. 2.132. DATA FOR RACIAL PROFILING.** Each law enforcement agency must adopt a detailed written policy on racial profiling. This, in part, requires collection of information relating to traffic stops in which a citation is issued and arrests resulting from those traffic stops, including information relating to:
- a) the race and ethnicity of the individual detained;
 - b) whether a search was conducted and, if so, whether the person detained consented to the search; and
 - c) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual
 - d) whether the peace officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop;
 - e) the location of the stop; and
 - f) the reason for the stop;
- The data is submitted to the local governing body as part of an annual report on racial profiling.
10. **Code of Criminal Procedure Art. 45.0511(q). RIGHT TO A DRIVERS SAFETY OR MOTORCYCLE OPERATORS COURSE.** A defendant charged with an offense eligible for DSC or MOC must receive the following notice on the citation: “You may be able to require that this charge be dismissed by successfully completing a driving safety course or a motorcycle operator training course. You will lose that right if, on or before your appearance date, you do not provide the court with notice of your request to take the course.”
11. **Code of Criminal Procedure Art. 45.057(h). ADDRESS OBLIGATION.** A child and/or parent must keep the court informed of the child’s current address. For the obligation to become effective, notice must be provided to the child, parent, or both. One of the three ways that a person may be placed under such an obligation is by being provided with a copy of the language of the statute at the time they are issued a citation.
12. **Texas Administrative Code § 16.100. ADMINISTRATIVE RULE FOR COMMERCIAL DRIVER’S LICENSE-HOLDERS.** A traffic citation issued to a person driving a commercial motor vehicle, or who is the holder of a commercial driver’s license or commercial driver’s learner’s permit, for a violation of any law regulating the operation of vehicles on highways, must be on a form that contains:
- a) the name, address, physical description, and date of birth of the party charged;
 - b) the number, if any, of the person's driver's license;

- c) the registration number of the vehicle involved;
- d) whether the vehicle was a CMV as defined in Texas Transportation Code, Chapter 522;
- e) whether the vehicle was involved in the transporting of hazardous materials; and
- f) the date and nature of the offense, including whether the offense was a serious traffic violation as defined in Texas Transportation Code, Chapter 522.