

OREGON UNIFORM CITATION AND COMPLAINT

Use For All Violations or Crimes Where Separate Complaint Will Not Be Filed / ORS
153.045 or 153.069

COMPLAINT AND SUMMONS

CITATION #

DA #

COURT #

☒ Violation(s) Or (not both) ☐ Crime(s)
☒ Traffic ☐ Wildlife ☐ Boating ☐ Commercial Fishing ☐ Other

In the Municipal Court for the City of Newberg for: Yamhill County:

STATE OF OREGON VS.

DEFENDANT

The undersigned certifies and says that the following person:

ID Type: ID No: Class: State:
Name: Last:

First MI

Address:

City: State: Zip:

Sex: Race: DOB: Telephone:

Height: Weight: Hair: Eyes:

☐ Emp. to Drive ☐ Def. is Passenger ☐ Def. is Pedestrian ☐ Def. is Bicyclist ☐ Other

TIME AND PLACE

On or about the following Time and Place in the above mentioned State and County:

Date / Time:

At or Near:

☐ Premises Open To The Public ☒ Highway

VEHICLE

Involving the following:

Type: PC Registration/Vin/ID # State:

Year: Make: Model:

Style: Color: 2nd Color:

Desc:

☐ Accident ☐ Property Damage ☐ Injury ☐ Endanger Other
☐ Commercial Vehicle ☐ Hazardous Material ☐ Driver not Registered Owner

OFFENSE(S)

Did then and there commit the following offense(s):

#1 Violated (ORS/ORD/RULE) : 811.265 Presumptive Fine:

Charge: Failure To Obey Traffic Control Device

☐ VBR ☐ Posted Limit Alleged Speed: Posted Speed: 0

☐ Pace ☐ Radar ☐ Laser ID #

☐ Highway Work Zone ☐ Posted School Zone ☐ Safety Corridor

☐ Intentional ☐ Knowing ☐ Reckless ☐ Criminal Negligence

☐ No Culpable Mental State

OTHER/EXPLAIN: ☐ Custody Report Done ☐ Video Evidence ☐ Vehicle Towed

SIGNATURE

I certify under ORS 153.045 and 153.990 and under other applicable law and under penalties for false swearing, do swear/affirm that I have sufficient grounds to and do believe that the above-mentioned defendant/person committed the above offense(s) and I have served the defendant/person with this complaint.

Signature of Officer _____

Officer Name #1: Officer ID#

Agency: City of Newberg

Officer Name #2:

Agency: Officer ID#

Date Issued:

YOUR COURT APPEARANCE DATE / TIME AND LOCATION

Date:

Location:

Reason You Received This Notice:

The City of Newberg uses automated cameras and sensor devices to record and photograph red light and speeding violations in an effort to reduce the number of accidents, injuries, and deaths. The enclosed images were taken automatically by an automated camera system.

The camera is connected to the traffic signal and is only activated when the light is red – not yellow or green. Vehicles crossing the stop line or entering the pedestrian crosswalk after the light turned red are detected automatically.

Camera units are also activated if they detect a vehicle going at a rate of speed of 11MPH or more over the posted speed limit.

A vehicle registered in your name was photographed running a red light or speeding.

Please read the instructions below regarding how to take care of this citation/summons.

View the Violation on the internet:

A video of the violation is available for viewing and can be accessed from any computer with internet access. It is recommended that you view the video before you proceed with a response.

To view the video: _____

Options:

1. **Appear in Court** on your registered Court date/time.
2. **Enter a plea of No Contest.** Choose this option on the back of the citation and return to the Court with the full fine amount prior to the Court date/time or submit a request for a payment contract. You may also appear at the Court during office hours prior to the court date/time to make payment in full or request a payment contract.
3. **Enter a plea of Not Guilty.** Choose this option on the back of the citation and return to the Court prior to the Court date/time or do this in person. The Court will set a future court date for the trial and provide you with a trial notice. Inquire of the Court if you are needing a Trial By Affidavit.
4. **Traffic School Request:** Qualified defendants may participate in a traffic safety program in exchange for a dismissal of the violation. To be eligible: no traffic citations were received with in the last two years, have not completed a traffic safety program in the last two years, and are not a Commercial Driver's License holder. If you feel you are eligible, contact the court to confirm eligibility and get a referral.
5. **Fill out the Certificate of Innocence form.** If you were not the driver of the vehicle at the time and location described on the citation, you may fill out the enclosed Certificate of Innocence form and return it along with a legible photocopy of the front and back of your driver's license. You must complete and return form to the court prior to the date/time the Citation requires you to appear. If your form and attachments are properly submitted, your citation will be dismissed. A Police Officer may review your

Certificate of Innocence form by comparing the photo red light photograph(s) with your driver's license photograph. If the Officer believes you were the driver at the time of the violation, a Citation/Summons will be reissued. If your form and attachments are not properly submitted, information is omitted, or you do not include a photocopy of the front and back of your driver's license, the citation will not be dismissed.

6. **Fill out a Non Liability form.** The Certificate of Non-Liability form requires you to identify the driver of the vehicle. You will need to complete and return the form to the court prior to the date/time the citation requires you to appear. When the court receives the completed form, the citation will be dismissed against the business or public agency. The information will be forwarded to the Police Department to review the information and possibly re-issued the citation/summons to the identified driver. Where the citation is issued to a business or public agency and you do not identify the driver, the citation/summons will not be dismissed.

If you do not respond to this citation/summons, a default judgment finding that you committed the traffic violation may be entered against you and ultimately your driver's license may be suspended. Any amount due may be forwarded to a Collection Agency.

Mail Correspondence or written appearance and make checks payable to:

Newberg Municipal Court

401 E. Third Street

Newberg, OR 97132

(503) 537-1241

**A COMPLAINT WILL BE FILED AGAINST YOU IN THE COURT
SHOWN AT THE TOP OF THIS CITATION.**

READ CAREFULLY

If the top of the citation shows you are charged with a:

A. CRIME, YOU MUST APPEAR at the court on the day and time written at the top.

B. VIOLATION, You must do ONE OF THE OPTIONS listed below:

OPTION #1

Enter a plea of no contest and pay the court the amount of the presumptive fine found under the section named **OFFENSE** located at the middle of this citation. If the court accepts your plea, the court may not impose a fine that is more than the amount of the presumptive fine.

Sign/date here: _____

(Signature)

(Date)

OPTION #2

Enter a plea of no contest and send a letter of explanation. You must do **ALL** of the following **BEFORE** the day and time this citation requires you to appear in court. If you respond by mail, the mail must arrive at the court before you are required to appear.

1. Sign/date here: _____

(Signature)

(Date)

2. **AND** Send or take to the court this citation and **the full amount of the presumptive fine;**

3. **AND** Attach a written statement explaining the circumstances of the violation(s) charged.

IMPORTANT: If you choose this option, you will make a written appearance and waive your right to a trial. The court may consider your written statement when establishing the amount of the fine. The court cannot impose a fine that is less than the minimum fine amount. If the court finds you guilty, the court may keep all or part of the money you pay. The court will not fine you more without giving you notice to come to the court for a hearing.

OPTION #3

Enter a plea of not guilty and request a trial by doing **ONE** of the following:

A. Go to the court ON OR BEFORE the day and time written at the top of this citation to plead not guilty and request a trial.

B. Submit a written request for a trial by doing **ALL** of the following **BEFORE** the day and time this citation requires you to appear in court. If you respond by mail, the mail must arrive at the court before you are required to appear.

1. Sign/date here: _____

(Signature)

(Date)

2. **AND** Send or take to the court this citation by itself or with a written request for a trial.

IMPORTANT: You have the right to a trial. The court will give you notice of the time and place when you **MUST** appear in person and may impose penalties if you do not appear. The court may require you to deposit money to assure your appearance if you failed to appear on any offense charges in the past. If the court finds at trial that you are guilty, the court cannot impose a fine that is less than the minimum fine amount. The court will not impose a fine if it finds you not guilty.

OPTION #4

Contact the court before the day and time this summons requires you to appear to determine if you qualify for a trial by declaration. If so, the trial will be based upon sworn, written statements. Future court appearances may not be necessary. If you do not qualify or the court does not offer this option, you must comply with one of the other options listed above.

NOTICE

1. IF YOU FAIL TO FOLLOW THESE INSTRUCTIONS, THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST AND/OR may suspend your license if you fail to appear on a citation for a traffic offense.
2. THE COURT MAY SEND YOU A NOTICE AND REQUIRE YOU TO APPEAR AT THE COURT FOR A HEARING.
3. For traffic offenses, this record will be sent to the licensing authority of the state where you are licensed to drive to decide if a license suspension is appropriate.
4. For violations, you must notify the court and the prosecuting attorney's office before you are required to appear in court if you are going to have an attorney represent you.
5. For violations, if you do not pay the full presumptive fine amount in advance AND do not appear, the court may enter a conviction and a judgment against you for more than the presumptive fine and up to the maximum penalty allowed by law for the charged offense(s) including the maximum fines, restitution, and other costs.

PAYMENT OR CORRESPONDENCE BY MAIL: Do not mail cash. Make checks or money orders payable to the **Newberg Municipal Court**. Write your **CITATION** number on your check or money order. Questions? Call **(503) 537-1241**

Newberg Municipal
Court PO Box 970
Newberg, OR 97132

FOR CITATIONS ISSUED IN THE NAME OF A PERSON *NOT DRIVING* THE VEHICLE

Citation #: **(Citation Number)**

CITY OF NEWBERG
CERTIFICATE OF INNOCENCE FORM

Instructions

If you were not the driver of the vehicle at the time and location described in the citation, you may fill out the Certificate of Innocence form below and return it along with a legible photocopy of the front and back of your driver's license. If your form and attachments are properly submitted, your citation will be dismissed.

1. Read and fill out this form.
2. Photocopy your driver's license (front and back). Attach the photocopies to this form.
3. Mail the completed form and photocopies to:

**Newberg Municipal Court
401 E. Third Street
Newberg, OR 97132**

If you have any questions about this form or your citation, please call (503) 537-1203.

Important Note

A police officer may verify your Certificate of Innocence by comparing the violation photograph(s) with your driver's license photograph. If the officer believes the vehicle's registered owner was the driver at the time of the violation, a citation will be reissued. If a citation is reissued, you may not submit a Certificate of Innocence in response to the reissued citation.

Certificate of Innocence

I truly swear under the penalty of law that I was not the driver of the vehicle when it was detected in violation as detailed below:

DATE & TIME OF VIOLATION	LOCATION OF VIOLATION	LICENSE PLATE
(Date & Time)	(Location)	(License Plate)

DECLARATION

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT

Signature: _____ **Date:** _____

Printed Name: _____ **Issued By: (Officer's Name)**

Be sure to attach a photocopy of the front & back of your driver's license.

FOR CITATIONS ISSUED IN THE NAME OF A BUSINESS

Citation #: (Citation Number)

CITY OF NEWBERG
CERTIFICATE OF NON-LIABILITY

Instructions

Complete the information below on the person actually driving the business vehicle. *Do not include payment for this citation*, as this document is certifying that you are not responsible for the citation.

1. Complete Section 1 OR Section 2 of this form.
2. Complete and sign the Declaration at the bottom of this form.
3. Mail the completed form to:

Newberg Municipal Court
401 E. Third Street
Newberg, OR 97132

Section 1

If you SOLD the business vehicle prior to the violation date, please indicate the new owner below.

New Owner's Name

Address

City, State, Zip

Section 2

If you OWN the business vehicle but were not driving at the time of the violation, please fill out the information below to identify the person driving the vehicle at the time of the violation.

No payments are due at this time.

Driver's Name

Driver's Address

City, State, Zip

Driver's License No: State

Date of Birth:

DECLARATION

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Signature: _____ **Date:** _____

Printed Name: _____ **Phone No:** _____