



Vehicle Codes 40302/40302(A)

A person arrested for any violation of this code, not declared to be a felony, shall be taken without unnecessary delay before a magistrate within the county of jurisdiction.

When the person arrested:

- Fails to present their driver's license or other satisfactory evidence of their identity for examination.
- Refuses to give their written promise to appear in court.
- Demands an immediate appearance before a magistrate.
- Is charged with violating Section 23152.

Per Section 40307 CVC, persons arrested per 40302 (a) must be released within 2 hours from time of intake. The Detention Processing Technician must coordinate the 2 hours release time with the Sheriff's Records Division and Sworn staff. The incarcerated individual must be printed, processed and released within 2 hours.

If an incarcerated individual refuses to sign the J-14, write "**Refused**" on the signature line and the incarcerated individual will remain in custody with bail and be scheduled for court per 825 PC.

NOTE: The J-14 must remain with the incarcerated individual's custody record SIGNED or REFUSED.