

RULE [61] 411. PROCEDURES FOLLOWING FILING OF CITATION -- ISSUANCE OF SUMMONS.

(A) Upon the filing of the citation, the issuing authority shall issue a summons commanding the defendant to respond within 10 days of receipt of the summons, unless the issuing authority has reasonable grounds to believe that the defendant will not obey a summons in which case an arrest warrant shall be issued. The summons shall be served as provided in these rules.

(B) Except in cases charging parking violations when the citation is electronically filed, a copy of the citation shall be served with the summons.

(C) In cases charging parking violations when the citation is electronically filed, the summons shall also include:

- (1) the date, time, and location of the parking violation;
- (2) a description of the vehicle and the license number; and
- (3) a description of the parking violation.

COMMENT: No fine or costs should be specified in the summons in cases in which the issuing authority determines that there is a likelihood of imprisonment.

This rule was amended in 1996 to facilitate the electronic filing of citations charging parking violations. See Rule [95] 401 (Proceedings in Summary Cases Charging Parking Violations).

NOTE: Previous Rule 117, adopted June 30, 1964, effective January 1, 1965; suspended effective May 1, 1970; revised January 31, 1970, effective May 1, 1970; renumbered and amended to apply only to summary cases September 18, 1973, effective January 1, 1974; amended April 26, 1979, effective July 1, 1979; amended January 28, 1983, effective July 1, 1983; rescinded July 12, 1985, effective January 1, 1986, and replaced by present Rule [76] 431. Present Rule 61[,] adopted July 12, 1985, effective January 1, 1986. The January 1, 1986 effective dates all are extended to July 1, 1986; amended July 17,

1996, effective January 1, 1997 [.]; renumbered Rule 411 and Comment revised March 1, 2000, effective April 1, 2001.

* * * * *

COMMITTEE EXPLANATORY REPORTS:

Final Report explaining the July 17, 1996 amendments published with the Court's Order at 26 Pa.B. 3629 (August 3, 1996).

Final Report explaining the March 1, 2000 reorganization and renumbering of the rules published with the Court's Order at Pa.B. (_____, 2000).