

## CALIFORNIA VEHICLE CODE 22108 VC FAILURE TO SIGNAL AND DUI ARRESTS

Failure to signal is not a serious crime, it is only a traffic violation that may result in a ticket. However, like any **traffic violation**, it is enough for the police to initiate a traffic stop to look for evidence of other crimes, including driving under the influence (DUI). Even if it just results in a ticket, failure to show up for the hearing may lead to misdemeanor charges.

Failure to signal is a common reason for police to pull over a vehicle because it happens so often. Even when most of us think we are properly signaling a turn, it may be done too early or too late, and could be a reason to make a traffic stop. Unfortunately, drivers may be stopped for failing to signal even if they were following the law. Do not let an unlawful stop be the reason for a more serious offense like a DUI. If you have questions about a 22108 VC violation, contact a **local East Bay DUI defense lawyer**.

### VEHICLE CODE 22108 VC TEXT

Under **California Vehicle Code Section 22108**:

Any signal of intention to turn right or left shall be given continuously during the last 100 feet traveled by the vehicle before turning.

Violation of 22108 VC is an infraction punishable by a fine of up to \$238.

### WHY SHOULD I BE CONCERNED ABOUT FAILING TO USE A TURN SIGNAL?

Online Agent

It does not take long driving along I-880 I-680 Highway 24 or the streets of Oakland, Berkeley, Walnut Creek and Martinez before you notice how many people are not using their turn signals to make a turn or change lanes. Even when drivers do use a signal, they may only turn it on for the last 20 feet before

making a turn. The main issue is whether or not traffic was affected. With so many people ignoring the turn signal law, why is it important for you to follow the rules?

The police need a **reason to make a traffic stop**. If they see a driver who they suspect is up to something, or looking suspicious, that is technically not enough for them to make a traffic stop. The police need “reasonable suspicion” to believe the driver is committing a crime or traffic violation in order to make a stop. This is a lower standard than “**probable cause**.” To meet this standard, the traffic stop must be based on “specific and articulable facts.”

Evidence of any traffic or **vehicle violation**, no matter how minor, is generally enough to justify a traffic stop. Even if the police are looking for drunk drivers, they may wait until they see a driver violate a traffic law before making a stop. Some of the minor traffic violations that justify a traffic stop may include:

- Driving without headlights,
- Broken tail light,
- Expired registration sticker,
- Items blocking rear window, or
- Failure to signal a turn.

## **EVIDENCE OF OTHER CRIMES DURING A TRAFFIC STOP**

Once a driver is pulled over, the police have more time to **look for other evidence of possible crimes**. When waiting to approach the car, the police may be watching for the driver's or passengers' movements. Walking up to the driver's vehicle, the police may be looking through the windows for any visual signs of possible unlawful activity, including containers of alcohol, drug paraphernalia, or something sticking out from under the seat.

When the police ask for the driver's license and registration, they may also be smelling inside the car for odors of alcohol or drugs. The police may also ask the driver or passengers questions, listening for inconsistencies, slurred speech, or conflicting statements. Even though a driver has the **right to remain silent**, most drivers do not invoke their rights thinking that it will make them seem more suspicious.

## **FAILURE TO APPEAR IN COURT**

Even if the police do not find any other evidence of a crime you get a ticket for failure to appear, you cannot just ignore the ticket. You may decide to pay the ticket, accept the fines and points on your driving record, with a possible increase in your insurance rates. However, if you ignore the ticket, it can lead to misdemeanor criminal charges.

Under **California Vehicle Code Section 40508**: A person willfully violating his or her written promise to appear or a lawfully granted continuance of his or her promise to appear in court or before a person

authorized to receive a deposit of bail is guilty of a misdemeanor regardless of the disposition of the charge upon which he or she was originally arrested.

This means that it is a crime to willfully fail to appear for a ticket when the driver signed the notice to appear on the ticket. Even if the driver can later prove that they were not in violation of the traffic law, failure to appear by itself is a crime.

If you are charged with a misdemeanor and fail to appear, a bench warrant can be issued for your arrest.

## **FAILURE TO SIGNAL 22108 VC VIOLATIONS IN ALAMEDA AND CONTRA COSTA COUNTIES**

Any minor traffic violation can lead to more serious DUI charges, talk to your East Bay criminal defense attorney for help. Attorney Lynn Gorelick has more than 37 years of DUI experience, and understands the consequences of a DUI for California drivers. [Contact Alameda County and Contra Costa County DUI lawyer Lynn Gorelick today.](#)

### **CALIFORNIA VEHICLE CODE VIOLATIONS**

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**VEHICLE CODE 23152 DUI**

**VEHICLE CODE 23103.5 WET RECKLESS**

**VEHICLE CODE 23572 DUI WITH MINOR PASSENGER**

**VEHICLE CODE 23152D COMMERCIAL DUI**

**VEHICLE CODE 23152E DUI FOR HIRE**

**VEHICLE CODE 23152F DRUG DUI**

**VEHICLE CODE 23152G DUI DRUG AND ALCOHOL**

**VEHICLE CODE 23153 INJURY DUI**

**VEHICLE CODE 23578 DUI HIGH BAC**

**VEHICLE CODE 23140 UNDER 21 DUI**

**VEHICLE CODE 23136 ZERO TOLERANCE**

**VEHICLE CODE 23103 AND 23103.5 RECKLESS DRIVING**

VEHICLE CODE 23109 STREET RACING AND EXHIBITION OF SPEED

VEHICLE CODE 23154 PROBATION DUI

VEHICLE CODE 23247 IGNITION INTERLOCK DEVICE VIOLATIONS

VEHICLE CODE 31 FALSE STATEMENTS TO POLICE

VEHICLE CODE 2800.1 EVADING POLICE

VEHICLE CODE 23123 TEXTING AND DRIVING

VEHICLE CODE 20 FALSE STATEMENTS TO DMV

VEHICLE CODE 21651 WRONG SIDE OF THE ROAD

VEHICLE CODE 14601 DRIVING ON A SUSPENDED LICENSE

VEHICLE CODE 22651 IMPOUNDED VEHICLES

VEHICLE CODE 4463 VEHICLE REGISTRATION FRAUD

VEHICLE CODE 12500 DRIVING WITHOUT A LICENSE

VEHICLE CODE 21453 RUNNING A RED LIGHT AND DUI ARREST

VEHICLE CODE 22108 VC FAILURE TO SIGNAL

CODE 148 RESISTING ARREST

CODE 25658 BPC GIVING ALCOHOL TO A MINOR

CODE 470B POSSESSION OF A FAKE DRIVER'S LICENSE

VEHICLE CODE 23572 CHILD ENDANGERMENT

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