

Case Study #1: Speeding Traffic School Violation

Case Study #1- Speeding Traffic School									
CASE INFORMATION									
Case Number	0	COUNT 1			BASE FINE	0			
Violation Date		Violation Description			Priors				
Disposition Date		Violation Type			Enhanced BASE	0			
Arresting Agency		Disposition							
County %	100%	COUNT 2 (if any)			BASE FINE	0			
City %	0%	Violation Description			Priors				
TOTAL Enhanced Base	\$0.00	Violation Type			Enhanced BASE	0			
Portion of 10	0	Disposition			GC 76000	\$	7.00		
						STANDARD BASE-UP	TOP-DOWN		
Zz	Per 10	DISTRIBUTION			DISTRIB ENTITY	Std Distrib (UBS)	Pre-TYS Fee Distrib	Standard (based on VC 42007) A	Using Sub total % of Std incl LCCF & LCJF IDIV78: C
N		VC 42007 - TYS Fee (rem bal: Total fine minus Pre-TYS)			COUNTY			0.00	0.00
N		VC 42007 - Base County			COUNTY	0.00		0.00	0.00
N		VC 42007(c) - Base City (36% of city portion)			CITY	0.00	0.00	0.00	0.00
N	7	PC 1464 - State PA - State portion (70%)			STATE	0.00		0.00	0.00
N	3	PC 1464 - State PA - County portion (30%)			COUNTY	0.00		0.00	0.00
N	1	GC 76104.6 - DNA PA (1/10)			COUNTY	0.00		0.00	0.00
N	4	GC 76104.7 - DNA Addl PA (4/10 off 6-27-12; prev 3/10)			STATE	0.00		0.00	0.00
N	0.00	GC 76100 - LCCF			COUNTY	0.00	0.00	0.00	0.00
N	0.00	GC 76101 - LCJF			COUNTY	0.00	0.00	0.00	0.00
N	0.00	GC 76104 - EMS			COUNTY	0.00	0.00	0.00	0.00
N	0.00	GC 76104.5 - DNA ID			COUNTY	0.00		0.00	0.00
N	0.00	GC 76102 - Auto			COUNTY	0.00		0.00	0.00
N	0.00	GC 76000.5 - EMS Addl PA (BOS: 2/10)			COUNTY	0.00	0.00	0.00	0.00
N	0.00	GC 76000.10(c) - EMAT Penalty (\$4 off 1-1-11)			STATE	0.00		0.00	0.00
N	2.00	GC 70372(a): ICNA (=LCCF on			STATE	0.00	0.00	0.00	0.00
N	3.00	GC 70372(a): SCFCF (=5/10 - ICNA)			STATE	0.00	0.00	0.00	0.00
		SUBTOTAL				0.00	0.00	0.00	0.00
N		PC 1465.7 - 20% Surcharge			STATE	0.00	0.00	0.00	0.00
N		PC 1465.8 - Court Ops Assmnt (\$40 off 10-13-10)			STATE	0.00	0.00	0.00	0.00
N		GC 70373 - Crim Conv Assmnt (\$30 for misd/\$35 for infr)			STATE	0.00	0.00	0.00	0.00
N		VC 42007.1 - Traffic School Fee (\$49 -43% to County)			COUNTY	0.00	0.00	0.00	0.00
N		VC 42007.1 - Traffic School Fee (\$49-51% to State ICNA)			STATE	0.00	0.00	0.00	0.00
N		VC 11205.2(c) - Addl Court TS Admin Fee (up to act costz)			COURT			0.00	0.00
N		VC 11208(c) - Addl DMV TS Admin Fee			STATE		0.00	0.00	0.00
N		VC 40508.6 - Priors/DMV Admin Fee (up to \$10)			COURT		0.00	0.00	0.00
N		VC 42006 - Night Court Assmnt (\$1)			STATE	0.00	0.00	0.00	0.00
		GC 68090.8 - 2% Automation			STATE			0.00	0.00
		TOTAL FINE				0.00	0.00	0.00	0

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VIII. Traffic Violator School

A. Vehicle Code section 42007 provides that

1. The court shall collect a fee from every person ordered or permitted to attend traffic violator school in an amount equal to the total bail set forth for the eligible offense in the uniform countywide bail schedule;
2. Where multiple offenses are charged on a single notice to appear, the “total bail” amount collected is the amount applicable to the greater of the eligible offenses; and
3. The court may set a lesser fee upon a showing that the defendant is unable to pay the full amount.

B. Vehicle Code section 40512.6 provides that the fee may be converted to bail and forfeited if the defendant fails to submit proof of school completion within the time ordered by the court.

C. Vehicle Code section 42007.1(a) provides that a \$49 fee, a fee for monitoring traffic violator schools, and a TAP fee under Vehicle Code section 11205.2(c) are to be added to the “total bail” of the offense eligible for traffic violator school.

D. Vehicle Code section 42005 prohibits drivers of commercial vehicles from eligibility for traffic violator school. Drivers with a Class A, Class B, or commercial Class C driver’s license may attend traffic violator school to avoid points for traffic violations in a vehicle that requires only a class M or noncommercial class C license. Vehicle Code section 42005(d) excludes violations of Vehicle Code sections 20001, 20002, 23103, 23104, 23105, 23140, 23152, 23153, or 23103, as specified in section 23103.5, from eligibility for traffic violator school for pretrial diversion, a confidential conviction, or to avoid points.

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TRAFFIC INFRACTION FIXED PENALTY SCHEDULE (* See Preface, Section III) (** See Preface, Section IV) (Vehicle Code)																	
Section	Notes	Offense	Base Fine /Fee	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge**	EMS PA*/10	EMAT PA*	Fine Surcharge & PA Subtotal	Court OPS Conv. Assess.	Night Court	TAP Fee	"Total Bail" *** / Fee	Category	DMV Points
22349 (a)		Speeding 16-25 MPH Over 65 MPH Limit	70	70	49.00	35	35	14	14	4	291.00	40	35	1	0.00	367.00	4a 1
22349 (a)		Speeding ≥ 26 MPH Over 65 MPH Limit	100	100	70.00	50	50	20	20	4	414.00	40	35	1	0.00	490.00	4a 1
22349 (b)		Speeding 1-15 MPH Over 55 MPH Limit	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	4a 1
22349 (b)		Speeding 16-25 MPH Over 55 MPH Limit	70	70	49.00	35	35	14	14	4	291.00	40	35	1	0.00	367.00	4a 1
		Limit	100	100	70.00	50	50	20	20	4	414.00	40	35	1	0.00	490.00	4a 1
		ons 1-15	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	4a 1
		ons							14	4	291.00	40	35	1	0.00	367.00	4a 1
22351 (a) (b)		Driving in Excess of Prima Facie Speed Established in VC 22352															
22352 (a) (1)		Operating Vehicle in Excess of 15 MPH Railroad Crossing															
22352 (a) (2)		Operating Vehicle in Excess of 15 MPH Freeway Intersection With No Clear Field of Vision															
22352 (a) (3)		Operating Vehicle in Excess of 15 MPH on Any Alley															4a 1
22352 (b) (1)		Operating Vehicle in Excess of 25 MPH in Business District															4a 1
22352 (b) (2)		Operating Vehicle in Excess of 25 MPH by School															4a 1
22352 (b) (3)		Operating Vehicle in Excess of 25 MPH by Senior Center															4a 1
22354		Failure to Abide by Speed Limits Set by the State Department of Transportation (DOT) on State Highways															4a 1
22355		Failure to Abide by Variable Speed Limits Set by the State Department of Transportation (DOT)															4a 1

Base fine used in work sheet to calculate additional penalties and surcharges.

This subtotal, less the 20% State Surcharge, is the "total bail" that is converted to a traffic violator school fee on cases disposed by traffic school.

Total bail includes the base fine, state/local penalties, assessments and surcharge.

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Trial Court Revenue Distribution Guidelines



California State Controller's Office

Revision 26

Updated as of *January 1, 2016*

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Table 7 Criminal Related Fee Distribution						
CODE SECTION	VIOLATION/SITUATION	DISTRIBUTION	APPLICABLE FUND	FUND USE/SPECIAL PROVISION	PRIORITY OF INSTALLMENT PAYMENTS	
<p>VC 42007 — Uniform Fee for Attending Traffic Violator School (TVS) or Court-Supervised Driving Instruction</p> <p>TVS Fee equals (total bail):</p> <p>Step 1: county base fine + state penalty + local penalty + DNA penalty (Prop 69) + Add'l DNA penalty (AB 1806) + EMAT penalty</p> <p>Step 2: city base fine + EMS penalty + state court facilities construction penalty + additional EMS Penalty</p> <p>Excluded from Total Bail: The 20% state surcharge, the court security fee, the criminal conviction assessment, and the Add'l TVS fee (VC 42007.1) are imposed and collected in addition to the TVS fee; they are not components of the TVS fee itself. They are distributed pursuant to their own codes.</p>	<p>Fee equal to the total bail for the eligible offense from every person ordered to attend a traffic violator school or other court-supervised program of driving instruction.</p>	<p>For fees resulting from a City arrest:</p> <p>An amount equal to the amount that would have been deposited into the treasury of the appropriate city pursuant to PC 1463.001(b)(3) (i.e. net of 2% court automation).</p>	<p>City, City and County — For Vehicle Code violations, Traffic Safety Fund.</p>	<p>Not specified.</p>	4	
		<p>Amount of the traffic violator school fee attributed to local penalties, pursuant to GC 76000:</p>	<p>Other agencies, not specified.</p>	<p>Not specified.</p>		
		<p>\$2 of each \$7 of amount attributed to the local penalty.</p>	<p>Maddy Emergency Medical Services Fund (GC 76004).</p>	<p>For support of emergency medical services as specified.</p>		
		<p>Balance of amount attributed to the local penalty.</p>	<p>County General Fund.</p>	<p>Not specified.</p>		
		<p>Amount of the traffic violator school fee attributed to the EMS penalty, pursuant to GC 760005:</p>	<p>\$2 of each \$10 of amount attributed to the base fine.</p>	<p>Maddy Emergency Medical Services Fund (GC 76004).</p>		<p>For support of emergency medical services as specified.</p>
		<p>Amount of the traffic violator school fee attributed to court construction penalties, pursuant to GC 70372:</p>	<p>To the State, pursuant to GC 70372(a).</p>	<p>State Court Facilities Construction Fund.</p>		<p>See Table 6, GC 70372(a).</p>
		<p>Balance of the traffic violator school fee:</p>	<p>100% to the County.</p>	<p>\$1 to the Courthouse Construction Fund (GC 76100), if applicable.</p>		<p>See GC 76000 (Table 6).</p>
				<p>\$1 to the Criminal Justice Facilities Construction Fund (GC 76101), if applicable.</p>		<p>See GC 76000 (Table 6).</p>
				<p>General Fund</p>		<p>Not specified</p>
		<p>Additional fee up to \$35 if TVS fee is collected in installments</p>	<p>To the Court</p>	<p>Not specified</p>		<p>To cover administrative and clerical costs for processing an installment payment.</p>

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Vehicle Code section 42007

(a)(1) The clerk of the court shall collect a fee from every person who is ordered or permitted to attend a traffic violator school pursuant to Section 41501 or 42005 in an amount equal to the total bail set forth for the eligible offense on the uniform countywide bail schedule. As used in this subdivision, "total bail" means the amount established pursuant to Section 1269b of the Penal Code in accordance with the Uniform Bail and Penalty Schedule adopted by the Judicial Council, including all assessments, surcharges, and penalty amounts. Where multiple offenses are charged in a single notice to appear, the "total bail" is the amount applicable for the greater of the qualifying offenses. However, the court may determine a lesser fee under this subdivision upon a showing that the defendant is unable to pay the full amount.

The fee shall not include the cost, or any part thereof, of traffic safety instruction offered by a traffic violator school.

(2) The clerk may accept from a defendant who is ordered or permitted to attend traffic violator school a payment of at least 10 percent of the fee required by paragraph (1) upon filing a written agreement by the defendant to pay the remainder of the fee according to an installment payment schedule of no more than 90 days as agreed upon with the court. The Judicial Council shall prescribe the form of the agreement for payment of the fee in installments. When the defendant signs the Judicial Council form for payment of the fee in installments, the court shall continue the case to the date in the agreement to complete payment of the fee and submit the certificate of completion of traffic violator school to the court. The clerk shall collect a fee of up to thirty-five dollars (\$35) to cover administrative and clerical costs for processing an installment payment of the traffic violator school fee under this paragraph.

(3) If a defendant fails to make an installment payment of the fee according to an installment agreement, the court may convert the fee to bail, declare it forfeited, and report the forfeiture as a conviction under Section 1803. The court may also charge a failure to pay under Section 40508 and impose a civil assessment as provided in Section 1214.1 of the Penal Code or issue an arrest warrant for a failure to pay. For the purposes of reporting a conviction under this subdivision to the department under Section 1803, the date that the court declares the bail forfeited shall be reported as the date of conviction.

(b) Revenues derived from the fee collected under this section shall be deposited in accordance with Section 68084 of the Government Code in the general fund of the county and, as may be applicable, distributed as follows:

(1) In any county in which a fund is established pursuant to Section 76100 or 76101 of the Government Code, the sum of one dollar (\$1) for each fund so established shall be deposited with the county treasurer and placed in that fund.

(2) In any county that has established a Maddy Emergency Medical Services Fund pursuant to Section 1797.98a of the Health and Safety Code, an amount equal to the sum of each two dollars (\$2) for every seven dollars (\$7) that would have been collected pursuant to Section 76000 of the Government Code and, commencing January 1, 2009, an amount equal to the sum of each two dollars (\$2) for every ten dollars (\$10) that would have been collected pursuant to Section 76000.5 of the Government Code with respect to those

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counties to which that section is applicable shall be deposited in that fund. Nothing in the act that added this paragraph shall be interpreted in a manner that would result in either of the following:

(A) The utilization of penalty assessment funds that had been set aside, on or before January 1, 2000, to finance debt service on a capital facility that existed before January 1, 2000.

(B) The reduction of the availability of penalty assessment revenues that had been pledged, on or before January 1, 2000, as a means of financing a facility which was approved by a county board of supervisors, but on January 1, 2000, is not under construction.

(3) The amount of the fee that is attributable to Section 70372 of the Government Code shall be transferred pursuant to subdivision (f) of that section.

(c) For fees resulting from city arrests, an amount equal to the amount of base fines that would have been deposited in the treasury of the appropriate city pursuant to paragraph (3) of subdivision (b) of Section 1463.001 of the Penal Code shall be deposited in the treasury of the appropriate city.

(d) The clerk of the court, in a county that offers traffic school shall include in any courtesy notice mailed to a defendant for an offense that qualifies for traffic school attendance the following statement:

NOTICE: If you are eligible and decide not to attend traffic school your automobile insurance may be adversely affected. For drivers with a noncommercial driver's license, one conviction in any 18-month period will be held confidential and not show on your driving record if you complete a traffic violator school program. For drivers with a commercial driver's license, one conviction in any 18-month period will show on your driving record without a violation point if you complete a traffic violator school program.

(e) Notwithstanding any other provision of law, a county that has established a Maddy Emergency Medical Services Fund pursuant to Section 1797.98a of the Health and Safety Code shall not be held liable for having deposited into the fund, prior to January 1, 2009, an amount equal to two dollars (\$2) for every ten dollars (\$10) that would have been collected pursuant to Section 76000.5 of the Government Code from revenues derived from traffic violator school fees collected pursuant to this section.

(Amended by Stats. 2013, Ch. 523, Sec. 31. Effective January 1, 2014.)

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Penal Code section 1465.7

(a) A state surcharge of 20 percent shall be levied on the base fine used to calculate the state penalty assessment as specified in subdivision (a) of Section 1464.

(b) This surcharge shall be in addition to the state penalty assessed pursuant to Section 1464 of the Penal Code and may not be included in the base fine used to calculate the state penalty assessment as specified in subdivision (a) of Section 1464.

(c) After a determination by the court of the amount due, the clerk of the court shall cause the amount of the state surcharge collected to be transmitted to the General Fund.

(d) Notwithstanding Chapter 12 (commencing with Section 76000) of Title 8 of the Government Code and subdivision (b) of Section 68090.8 of the Government Code, the full amount of the surcharge shall be transmitted to the State Treasury to be deposited in the General Fund. Of the amount collected from the total amount of the fines, penalties, and surcharges imposed, the amount of the surcharge established by this section shall be transmitted to the State Treasury to be deposited in the General Fund.

(e) When any deposited bail is made for an offense to which this section applies, and for which a court appearance is not mandatory, the person making the deposit shall also deposit a sufficient amount to include the surcharge prescribed by this section.

(f) When amounts owed by an offender as a result of a conviction are paid in installment payments, payments shall be credited pursuant to Section 1203.1d. The amount of the surcharge established by this section shall be transmitted to the State Treasury prior to the county retaining or disbursing the remaining amount of the fines, penalties, and forfeitures imposed.

(g) Notwithstanding Sections 40512.6 and 42007 of the Vehicle Code, the term "total bail" as used in subdivision (a) of Section 42007 of the Vehicle Code does not include the surcharge set forth in this section. The surcharge set forth in this section shall be levied on what would have been the base fine had the provisions of Section 42007 not been invoked and the proceeds from the imposition of the surcharge shall be treated as otherwise set forth in this section.

(Amended by Stats. 2007, Ch. 176, Sec. 63. Effective August 24, 2007.)

Case Study #1:
Speeding Traffic School Violation

**DNA PENALTY ASSESSMENT
(PROPOSITION 69) DISTRIBUTION
GUIDELINES**



California State Controller

DIVISION OF ACCOUNTING AND REPORTING

DECEMBER 2004

Case Study #1:
Speeding Traffic School Violation

Traffic Violator School Fee Distribution:

For traffic school violations, the DNA Identification Penalty Assessment is part of the total bail. Therefore, it is part of the traffic violator school fee pursuant to Vehicle Code (VC) section 42007. There is no specific distribution to the DNA Identification Fund from the traffic violator school fee; thus, it is like PC section 1464, part of the VC section 42007 distribution to the county general fund.

Case Study #1: Speeding Traffic School Violation

Information for Speeding Traffic School

Case Study #1

San Diego Court Case Information:

- Violation Date= 8/10/2013
- Disposition Date= 12/10/2014
- Arresting Agency= County Sheriff
- Violation= VC 22349(b) 1-15 MPH Over 55 MPH Limit
- Violation Type= Infraction
- Disposition = Traffic School

Local BOS Penalties:

- LCCF = \$2
- LCJF = \$2
- EMS = \$2
- DNA = \$0
- Auto Fingerprint = \$1
- Additional EMS = \$2

Court Fees:

- VC11205.2— Add'l Court TS Admin Fee up to actual costs (\$8)
- VC11208(c)—Add'l DMV TS Admin Fee (\$3 per CCR, Title 13, Sec 345.00(g))
- VC42006— Night Court Assessment of \$1
- VC40508.6—DMV Administrative Fee of \$10 (*Note: DMV Priors Admin. Fee does not apply to cases disposed with Traffic School.*)

Caste Study #2 Red Light Bail Forfeiture

Case #2- Red Light Bail Forfeiture													
CASE INFORMATION													
Case Number		COUNT 1			BASE FINE			0					
Violation Date		Violation Description			Priors								
Disposition Date		Violation Type			Enhanced BASE			0					
Arresting Agency		Disposition											
County %		COUNT 2 (if any)			BASE FINE			0					
City %		Violation Description			Priors								
TOTAL Enhanced Base		\$0.00			Enhanced BASE			0					
Portion of 10		Dispo			GC 76000			7					
					<div style="color: red; font-weight: bold; font-size: 1.2em;">30% Distribution</div>								
					STANDARD BASE-UP				TOP-DOWN				
Y-Def	Per 10	Priority	DISTRIBUTION		DISTRIB ENTITY	Standard-Per UBS	30% Red Light PC 1463.11	Standard	2% Amt	FINAL (After 2%)	Prorate % After Fixed Amts #DIV/0!	2% Amt	FINAL (After 2%)
Y			PC 1463.11 - 30% Red Light Allocation		COUNTY			0.00	0.00	0.00	0.00	0.00	0.00
Y	TOTAL BA		PC 1463.001 - Base County		COUNTY	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Y			PC 1463.002 - Base City		CITY	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Y		7		PC 1464 - State PA - State portion (70%)		STATE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Y	3		PC 1464 - State PA - County portion (30%)		COUNTY	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Y	1		GC 76104.6 - DNA PA (1/10)		COUNTY	0.00		0.00	0.00	0.00	0.00	0.00	0.00
Y	4		GC 76104.7 - DNA Addl PA (4/10 eff 6-27-12; prev 3/10)		STATE	0.00		0.00	0.00	0.00	0.00	0.00	0.00
Y	0.00		GC 76100 - LCCF		COUNTY	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Y	0.00		GC 76101 - LCJF		COUNTY	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Y	0.00		GC 76104 - EMS		COUNTY	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Y	0.00		GC 76104.5 - DNA ID		COUNTY	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Y	0.00		GC 76102 - Auto Fingerprint		COUNTY	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Y	0.00		GC 76000.5 - EMS Addl PA (BOS: 2/10)		COUNTY	0.00		0.00	0.00	0.00	0.00	0.00	0.00
Y			GC 76000.10(c) - EMAT Penalty (\$4 eff 1-1-11)		STATE	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Y	0.00		GC 70372(a): ICNA (=LCCF on 1/1/1998)		STATE	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Y	5.00		GC 70372(a): SCFCF (=5/10 - ICNA)		STATE	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
N			PC 1465.7 - 20% Surcharge		STATE	0.00		0.00	0.00	0.00	0.00	0.00	0.00
SUBTOTAL						0.00		0.00		0.00	0.00	0.00	0.00
N			PC 1465.8 - Court Ops Assmnt (\$40 eff 10-19-10)		STATE	0.00		0.00	0.00	0.00	0.00	0.00	0.00
N			GC 70373 - Crim Conv Assmnt (\$30 for misd/\$35 for infr)		STATE	0.00		0.00	0.00	0.00	0.00	0.00	0.00
N			VC 40508.6 - Priors/DMV Admin Fee (up to \$10)		COURT	0.00		0.00	0.00	0.00	0.00	0.00	0.00
N			GC 68090.8 - 2% State Automation (for fines, penalties & forfeitures)		STATE					0.00			0.00
TOTAL FINE						0.00	0.00	0.00		0.00	0.00	0.00	0.00

Caste Study #2 Red Light Bail Forfeiture

TRAFFIC INFRACTION FIXED PENALTY SCHEDULE (*See Preface, Section III) (**See Preface, Section IV) (Vehicle Code)

Section	Notes	Offense	Base Fine /Fee	State PA*	County PA*/10	DNA PA*	Court PA* /10	Surcharge*	EMS PA* /10	EMAT PA*	Fine Surcharge & PA Subtotal	Court OPS	Conv.-Assess.	Night Court	TAP Fee	"Total Bail" ** / Fee	Category	DMV Points
				10/10	7.00	5/10	5.00	20%	2.00	4		40	35	1	0.00			
21452 (b)		Failure of Pedestrian to Properly Respond to Signal of Yellow Light or Arrow	25	30	21.00	15	15	5	6	4	121.00	40	35	1	0.00	197.00	1a	0
21453 (a,c)	24	"Red" Signal-Vehicular Responsibilities	100	100	70.00	50	50	20	20	4	414.00	40	35	1	0.00	490.00	4a	1
21453 (b)		"Red" Signal-Vehicular Responsibilities With Right Turn	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	1
21453 (d)		"Red" Signal-Pedestrian Responsibilities	25	30	21.00	15	15	5	6	4	121.00	40	35	1	0.00	197.00	1a	0
21454 (c)	24	Lane Use-Red Control Signal	100	100	70.00	50	50	20	20	4	414.00	40	35	1	0.00	490.00	4a	1
21454 (d)		Lane Use-Flashing Yellow Control Signals	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	1
21455		Traffic Control Signal at Other Than Intersection	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	1
21456 (a,b)		Pedestrian Violation of "Walk" or "Wait" Signals	25	30	21.00	15	15	5	6	4	121.00	40	35	1	0.00	197.00	1a	0
21457 (a)	24	Actions Required at Flashing Red Signal	100	100	70.00	50	50	20	20	4	414.00	40	35	1	0.00	490.00	4a	1
21457 (b)		Actions Required at Flashing Yellow Signal	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	1
21460 (a,b)		Improper Turns Over Double Lines/Solid Lines to Right Prohibited	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	1
21460.5 (c)		Improper Turn From Two-Way Left-Turn Lane	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	1
21461 (a)		Driver Failure to Obey Signs/Signals	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	1
21461.5		Pedestrian Failure to Obey Signs/Signals	25	30	21.00	15	15	5	6	4	121.00	40	35	1	0.00	197.00	1a	0
21462		Disobedience of Driver or Streetcar Motorman to Traffic Control Signal	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	1
21462		Disobedience of Pedestrian or Person in Control of an Animal to Traffic Control Signal	25	30	21.00	15	15	5	6	4	121.00	40	35	1	0.00	197.00	1a	0
21463		No Person Shall Illegally Operate Signals	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	0
21464 (a)		Unauthorized Interference With Traffic Device Prohibited	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	0
21464 (b)		Unauthorized Use of Traffic Interference Device	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	0
21464 (c)		Unauthorized Possession or Distribution of Traffic Interference Device	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	0

Trial Court Revenue Distribution Guidelines



California State Controller's Office

Revision 26

Updated as of *January 1, 2016*

Caste Study #2
Red Light Bail Forfeiture

CODE SECTION	VIOLATION	DISTRIBUTION		FUND USE/SPECIAL	PRIORITY OF INSTALLMEN
		FROM	TO		
PC 1305.3 — Recovery of Costs by Prosecuting Agency for Opposing Motion to Vacate Forfeiture	Forfeited bail, when a prosecuting agency incurs costs in successfully opposing a motion to vacate the forfeiture and in collecting on the summary judgment.	Actual costs of opposing a motion to vacate a forfeiture and of collecting on the summary judgment from forfeited bail prior to PC 1463.001 distribution.	District attorney, county counsel, or applicable prosecuting attorney.	To reimburse actual costs incurred by a prosecuting agency in successfully opposing a motion to vacate the forfeiture and in collecting the summary judgment.	N/A
			Remainder: General distribution pursuant to PC 1463.001.	See PC 1463.001 (Table 1).	
PC 1463.9 — Litter Fines	Any of the following: H&S 13002, PC 374.3, VC 23111, VC 23112, VC 23113(a).	50% of PC 1463.001 moneys collected for PC 1463.9 during the preceding month.	General distribution pursuant to PC 1463.001.	County or City portion restricted to litter cleanup activities.	3
		Remaining 50% of PC 1463.001 moneys collected for PC 1463.9 during the preceding month.	General distribution pursuant to PC 1463.001.	See PC 1463.001 (Table 1).	
PC 1463.11 — Red Light Violations	Any of the following: VC 21453(a) and (c), VC 21454(c), VC 21457(a).	30% of PC 1463.001, PC1464, GC 76000, and GC 70372(a) moneys.	If a County arrest, to County General Fund.	Not specified.	3 Updated as of January 1, 2015 Updated Items within the Tables are Bolded <i>California State Controller- Page C 1</i>
		30% excludes penalties pursuant to GC 76000.5 (EMS), GC 76104.6, and GC76104.7 (DNAs).	If a City arrest, to City General Fund.	Not specified.	
		Balance of PC 1463.001, PC 1464, GC 76000, and GC 70372(a) moneys.	Distributions pursuant to PC 1463.001, PC 1464, GC 76000, and GC 70372(a), on a pro rata basis.	See PC 1463.001 (Table 1), PC 1464, GC 76000 (Table 6) and GC 70372(a).	

Updated as of January 1, 2015

Updated Items within the Tables are **Bolded**

California State Controller- Page C 1

Caste Study #2
Red Light Bail Forfeiture

Penal Code section 1463.11.

Notwithstanding Sections 1463 and 1464 of this code and Section 76000 of the Government Code, moneys that are collected for a violation of subdivision (a) or (c) of Section 21453 of, subdivision (c) of Section 21454 of, or subdivision (a) of Section 21457 of, the Vehicle Code, and which are required to be deposited with the county treasurer pursuant to Section 1463 of this code shall be allocated as follows:

(a) The first 30 percent of the amount collected shall be allocated to the general fund of the city or county in which the offense occurred.

(b) The balance of the amount collected shall be deposited by the county treasurer under Sections 1463 and 1464.

(Added by Stats. 1997, Ch. 852, Sec. 2. Effective January 1, 1998.)

Caste Study #2 Red Light Bail Forfeiture

Penal Code section 1463.002.

The base fine amounts from city arrests shall be subject to distribution according to the following schedule:

San Diego	
Carlsbad	8
Chula Vista	23
Coronado	25
Del Mar	8
El Cajon	17
Escondido	16
Imperial Beach	8
La Mesa	23
Lemon Grove	8
National City	14
Oceanside	15
San Marcos	8
Vista	8
San Diego	6
County percentage	25

With respect to any city arrest from a city which is not set forth in the above schedule, the county percentage shall apply. A county and city therein may, by mutual agreement, adjust these percentages. Where a county and a city have, prior to June 1, 1991, entered into an agreement to adjust the percentage specified in this section, or where a county and a city have entered into an agreement governing the distribution of revenue from parking penalties, those agreements shall remain in full force and effect until changed by mutual agreement. *(Added by Stats. 1991, Ch. 189, Sec. 20. Effective July 29, 1991.)*

**Caste Study #2
Red Light Bail Forfeiture**

**DNA PENALTY ASSESSMENT
(PROPOSITION 69) DISTRIBUTION
GUIDELINES**



California State Controller

DIVISION OF ACCOUNTING AND REPORTING

DECEMBER 2004

Red Light Violations:

The DNA Identification Penalty Assessment is not reduced by the 30% red light distribution (PC section 1463.11) or railroad crossing distribution (PC section 1463.12). These distributions only reduce the base fine and the penalty assessments imposed pursuant to PC section 1464 and GC section 76000.

**Caste Study #2
Red Light Bail Forfeiture**

Information for Red-Light Violation

Case Study #1

San Diego Court Case Information:

- Violation Date: 1/10/2014
- Disposition Date: 3/25/2014
- Arresting Agency= City Police Arrest (Scenario 1: Arrest=City Police Department)
-Split between County and City (Refer to PC 1463.002)
- Violation= VC 21457(a) Actions Required at Flashing Red Signal
- Violation Type= Infraction
- Disposition = Bail Forfeiture

Local BOS Penalties:

- LCCF = \$2
- LCJF = \$2
- EMS = \$1
- DNA = \$1
- Auto Fingerprint = \$1
- Additional EMS = \$2

Court Fees:

- Night Court \$0

**Case Study #3
Driving Under the Influence (DUI)**

Case Study #3- DUI

CASE INFORMATION				
Case Number		COUNT 1 Violation Code	BASE FINE	0
Violation Date		Violation Description	Priors	
Disposition Date		Violation Type	Enhanced BASE	0
Arresting Agency		Disposition		
County %	0%	COUNT 2 Violation Code (if any)	BASE FINE	0
City %	0%	Violation Description	Priors	
TOTAL Enhanced Base	\$0.00	Violation Type	Enhanced BASE	0
Portion of 10	0	Disposition	GC 76000 =	\$ 7.00

2% Y-Def	Per 10	DISTRIBUTION	DISTRIB ENTITY	STANDARD BASE-UP			TOP-DOWN			
				Standard-Per UBS	2% Amt	FINAL (After 2%)	Prorate Fixed	2% Amt	FINAL	
Y	TOTAL BASE	BASE REDUCTION: PC 1463.14(a) - DUI Lab Spec Acct (\$50)	COUNTY	0.00	0.00	0.00				
Y		BASE REDUCTION: PC 1463.16 - DUI Prog Spec Acct (BOS: \$50)	COUNTY	0.00	0.00	0.00				
Y		BASE REDUCTION: PC 1463.18 - DUI Indemnity Alloc (\$20)	STATE	0.00	0.00	0.00				
Y		PC 1463.001 - Base County	COUNTY	0.00	0.00	0.00				
Y		PC 1463.002 - Base City	CITY	0.00	0.00	0.00				
Y		7	PC 1464 - State PA - State portion (70%)	STATE	0.00	0.00	0.00			
Y		3	PC 1464 - State PA - County portion (30%)	COUNTY	0.00	0.00	0.00			
Y	1	GC 76104.6 - DNA PA (1/10)	COUNTY	0.00	0.00	0.00				
Y	4	GC 76104.7 - DNA Addl PA (4/10 eff 6-27-12; prev 3/10)	STATE	0.00	0.00	0.00				
Y	0.00	GC 76100 - LCCF	COUNTY	0.00	0.00	0.00				
Y	0.00	GC 76101 - LCJF	COUNTY	0.00	0.00	0.00				
Y	0.00	GC 76104 - EMS	COUNTY	0.00	0.00	0.00				
Y	0.00	GC 76104.5 - DNA ID	COUNTY	0.00	0.00	0.00				
Y	0.00	GC 76102 - Auto Fingerprint	COUNTY	0.00	0.00	0.00				
Y	2.00	GC 76000.5 - EMS Addl PA (BOS: 2/10)	COUNTY	0.00	0.00	0.00				
Y		GC 76000.10(c) - EMAT Penalty (\$4 eff 1-1-11)	STATE	0.00	0.00	0.00				
Y	2.00	GC 70372(a): ICNA (=LCCF on 1/1/1998)	STATE	0.00	0.00	0.00				
Y	3.00	GC 70372(a): SCFCF (=5/10 - ICNA)	STATE	0.00	0.00	0.00				
N		PC 1465.7 - 20% Surcharge	STATE	0.00	0.00	0.00				
		SUBTOTAL		0.00		0.00				
N		PC 1465.8 - Court Ops Assmnt (\$40 eff 10-19-10)	STATE	0.00	0.00	0.00				
N		GC 70373 - Crim Conv Assmnt (\$30 for misd/\$35 for infr)	STATE	0.00	0.00	0.00				
N		VC 40508.6 - Priors/DMV Admin Fee (up to \$10)	COURT		0.00	0.00				
N		PC 1463.13 - Alcohol & Drug Assmnt (BOS: up to \$150)	COUNTY		0.00	0.00				
Y		PC 1463.14(b) - DUI Lab Test Penalty (BOS: up to \$50)	CNTY or CTY		0.00	0.00				
Y		PC 1463.25 - Alcohol Edu Penalty (up to \$50)	COUNTY		0.00	0.00				
N		VC 23649(a) - Co Alc & Drug Prob Assmnt (up to \$100)	COUNTY		0.00	0.00				
Y		PC 1202.4(b) - State Restitutn Fine (min: \$150 misd/\$300 fel)	STATE		0.00	0.00				
N		GC 68090.8 - 2% State Automation (for fines, penalties & forfeitures)	STATE			0.00				
		TOTAL FINE		0.00		0.00		0.00	0.00	

ERROR! GC 76000 PA total is not \$7. Check local Board of Supervisor resolution.



**Case Study #3
Driving Under the Influence (DUI)**

**TRAFFIC MISDEMEANOR BAIL AND PENALTY SCHEDULE
(*See Preface, Section III) (**See Preface, Section IV)
(Vehicle Code)**

Section	Notes	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA* /10	Surcharge*	EMS PA* /10	EMAT PA*	Fine Surcharge & PA Subtotal	Court OPS	Conv.Assess.	Night Court	"Total Bail" **	DMV Points
23109 (e)(2)	57	Engaging in Speed Contest and Causing Bodily Injury	500	500	350.00	250	250	100	100	4	2,054.00	40	30	1	2,125.00	1
23109.1	58	Engaging in Speed Contest-Specific Injury	750	750	525.00	375	375	150	150	4	3,079.00	40	30	1	3,150.00	2
23110 (a)		Throwing Substance at Vehicle Prohibited	250	250	175.00	125	125	50	50	4	1,029.00	40	30	1	1,100.00	0
23112.5 (a)		Hazardous Materials-Notification of Agency Required	2,000	2,000	1,400.00	1,000	1,000	400	400	4	8,204.00	40	30	1	8,275.00	0
23118 (f)(4)		Release of Impounded Vehicle by Legal Owner or Agent Prior to End of Impoundment Period	2,000	2,000	1,400.00	1,000	1,000	400	400	4	8,204.00	40	30	1	8,275.00	0
23127		Motor Vehicle on Riding/Hiking Trails Prohibited	50	50	35.00	25	25	10	10	4	209.00	40	30	1	280.00	1
23152 (a,b)	59	Driving Under Influence of Alcohol	390	390	273.00	195	195	78	78	4	1,603.00	40	30	1	1,674.00	2
23152 (c)	59	Driving While Addicted to Drug	390	390	273.00	195	195	78	78	4	1,603.00	40	30	1	1,674.00	2
23152 (d)	59	Driving Commercial Vehicle Under Influence of Alcohol	450	450	315.00	225	225	90	90	4	1,849.00	40	30	1	1,920.00	3
23152 (e)	59	Driving Under Influence of Drug	390	390	273.00	195	195	78	78	4	1,603.00	40	30	1	1,674.00	2
23152 (f)	59	Driving Under Influence of Alcohol and Drug	390	390	273.00	195	195	78	78	4	1,603.00	40	30	1	1,674.00	2
23153 (a,b)	60	Driving Under Influence of Alcohol While Causing Injury	500	500	350.00	250	250	100	100	4	2,054.00	40	30	1	2,125.00	2
23153 (d)	60	Driving Commercial Vehicle Under Influence of Alcohol While Causing Injury	500	500	350.00	250	250	100	100	4	2,054.00	40	30	1	2,125.00	3
23153 (e)	60	Driving Under Influence of Drug While Causing Injury	500	500	350.00	250	250	100	100	4	2,054.00	40	30	1	2,125.00	2
23153 (f)	60	Driving Under Influence of Alcohol and Drug While Causing Injury	500	500	350.00	250	250	100	100	4	2,054.00	40	30	1	2,125.00	2
23224 (a,b)	61	Possession of Alcohol by Minor Prohibited	100	100	70.00	50	50	20	20	4	414.00	40	30	1	485.00	0

Case Study #3
Driving Under the Influence (DUI)

Penal Code 1463.14: DUI Laboratory Testing

(a) Notwithstanding the provisions of Section 1463, of the moneys deposited with the county treasurer pursuant to Section 1463, fifty dollars (\$50) of each fine collected for each conviction of a violation of Section 23103, 23104, 23105, 23152, or 23153 of the Vehicle Code shall be deposited in a special account that shall be used exclusively to pay for the cost of performing for the county, or a city or special district within the county, analysis of blood, breath or urine for alcohol content or for the presence of drugs, or for services related to that testing. The sum shall not exceed the reasonable cost of providing the services for which the sum is intended.

(Amended by Stats. 2007, Ch. 682, Sec. 5. Effective January 1, 2008.)

Penal Code 1463.16: DUI Program Special Account

(a) Notwithstanding Section 1203.1 or 1463, fifty dollars (\$50) of each fine collected for each conviction of a violation of Section 23103, 23104, 23105, 23152, or 23153 of the Vehicle Code shall be deposited with the county treasurer in a special account for exclusive allocation by the county for the county's alcoholism program, with approval of the board of supervisors, for alcohol programs and services for the general population. These funds shall be allocated through the local planning process and expenditures reported to the State Department of Health Care Services pursuant to subdivision (c) of Section 11798.2 and subdivision (a) of Section 11818.5 of the Health and Safety Code. Programs shall be certified by the State Department of Health Care Services or have made application for certification to be eligible for funding under this section. The county shall implement the intent and procedures of subdivision (b) of Section 11812 of the Health and Safety Code while distributing funds under this section.

(Amended by Stats. 2013, Ch. 22, Sec. 78. Effective June 27, 2013. Operative July 1, 2013, by Sec. 110 of Ch. 22.)

Penal Code 1463.18: DUI Indemnity Allocation

(a) Notwithstanding the provisions of Section 1463, moneys which are collected for a conviction of a violation of Section 23152 or 23153 of the Vehicle Code and which are required to be deposited with the county treasurer pursuant to Section 1463 shall be allocated as follows:

(1) The first twenty dollars (\$20) of any amount collected for a conviction shall be transferred to the Restitution Fund. This amount shall be aggregated by the county treasurer and transferred to the State Treasury once per month for deposit in the Restitution Fund.

(2) The balance of the amount collected, if any, shall be deposited by the county treasurer pursuant to Section 1463.

(b) The amount transferred to the Restitution Fund pursuant to this section shall be in addition to any amount of any additional fine or assessment imposed pursuant to Sections 1202.4 and 1203.04, as operative on or before August 3, 1995, or Section 13967, as operative on or before September 28, 1994, of the Government Code. The amount deposited to the Restitution Fund pursuant to this section shall be used for the purpose of indemnification of victims pursuant to Section 13965 of the Government Code, with priority given to victims of alcohol-related traffic offenses. *(Amended by Stats. 1996, Ch. 1077, Sec. 26. Effective January 1, 1997.)*

Trial Court Revenue Distribution Guidelines



California State Controller's Office

Revision 26

Updated as of *January 1, 2016*

**Case Study #3
Driving Under the Influence (DUI)**

Table 2 – 2

Special Distributions of Fines and Forfeitures Preceding PC 1463.001 Distribution

CODE SECTION	VIOLATION	DISTRIBUTION		FUND USE/SPECIAL PROVISION	PRIORITY OF INSTALLMENT PAYMENTS
		FROM	TO		
PC 1463.14(a) — Lab Fines for Convictions of Driving Under the Influence or Reckless Driving (collected as a fine, distributed as a fee)	<p>DUI Under: VC 23152, VC 23153.</p> <p>Reckless Driving Under: VC 23103, VC 23104, VC 23105.</p>	\$50 of each base fine collected. If the account becomes exhausted, the public entity ordering a test performed shall bear the costs of the test.	County special account.	To pay for the cost of performing analysis of blood, breath, or urine for alcohol content or for the presence of drugs; for criminalistics lab services related to such testing.	3
		FUNDS NOT EXPENDED: Special account funds collected in the preceding fiscal year and not expended by November 1.	County General Fund in an amount equal to administrative costs.	To reimburse the County for administrative costs incurred to implement PC 1463.14.	
			Remainder to the City or County pursuant to PC 1463.001.	See PC 1463.001 (Table 1).	
PC 1463.15 — Vehicle Inspection and Sobriety Checkpoint	VC 42001.2(b), and the County established the vehicle inspection and sobriety checkpoint pursuant to VC 2814.1	\$35 of fine collected to the County.	County special account.	To pay the cost incurred by the County for establishing and conducting the combined checkpoint program pursuant to VC 2814.1.	3
PC 1463.16 — Driving Under the Influence or Reckless Driving; Alcohol Programs and Services Fees	<p>DUI Under: VC 23152, VC 23153.</p> <p>Reckless Driving Under: VC 23103, VC 23104</p>	\$50 per conviction from PC 1463.001 general collections for Los Angeles, Orange, San Diego, San Joaquin, Sonoma, Stanislaus, and San Luis Obispo Counties.	County special account, less up to 5% for administrative costs.	Alcohol program and services for the general public.	3
		\$50 of fine collected under PC 1463.001 for all other Counties.			
		Up to 5% for administrative costs from the funds collected	County General Fund.	To offset administrative costs of collection and distribution activities.	

**Case Study #3
Driving Under the Influence (DUI)**

**Table 2 - 3
Special Distributions of Fines and Forfeitures Preceding PC 1463.001 Distribution**

CODE SECTION	VIOLATION	DISTRIBUTION		FUND USE/SPECIAL PROVISION	PRIORITY OF INSTALLMENT PAYMENTS
		FROM	TO		
PC 1463.17 — Alcohol and Drug	DUI Under: VC 23152, VC 23153. Reckless Driving Under: VC 23103, VC 23104.	PC 1463.001 - \$50 per conviction from general collections in Sonoma County.	Depending on where cost was incurred for performing analysis of blood, breath, or urine:	To pay the cost incurred for performing analysis of blood, breath, or urine for alcohol or drugs or for services related to this testing.	3
			County special account		
			City special account		
			Special district special account		
PC 1463.18 — Indemnification of Victims; Driving Under the Influence	DUI Under: VC 23152 VC 23153	First \$20 of any amount collected for a conviction.	State Restitution Fund.	Indemnification of victims of violent crimes, with priority given to victims of alcohol-related traffic accidents.	3 <i>Pursuant to PC 1462.5, PC 1463.18 disbursements have priority over all other Priority 3 distributions.</i>
		Balance of fine to PC 1463.001.	General distribution pursuant to PC 1463.001.	See PC 1463.001 (Table 1).	

**Case Study #3
Driving Under the Influence (DUI)**

Penal Code section 1463.002.

The base fine amounts from city arrests shall be subject to distribution according to the following schedule:

San Diego	
Carlsbad	8
Chula Vista	23
Coronado	25
Del Mar	8
El Cajon	17
Escondido	16
Imperial Beach	8
La Mesa	23
Lemon Grove	8
National City	14
Oceanside	15
San Marcos	8
Vista	8
San Diego	6
County percentage	25

With respect to any city arrest from a city which is not set forth in the above schedule, the county percentage shall apply. A county and city therein may, by mutual agreement, adjust these percentages. Where a county and a city have, prior to June 1, 1991, entered into an agreement to adjust the percentage specified in this section, or where a county and a city have entered into an agreement governing the distribution of revenue from parking penalties, those agreements shall remain in full force and effect until changed by mutual agreement. *(Added by Stats. 1991, Ch. 189, Sec. 20. Effective July 29, 1991.)*

**Case Study #3
Driving Under the Influence (DUI)**

Information for DUI Distribution

Case Study #3

San Diego Court Case Information:

- Violation Date: 1/10/2014
- Disposition Date: 3/25/2014
- Arresting Agency= City Police Arrest (Scenario 2: Arrest=City Police Department)
-Split between County and City (Refer to PC 1463.002)
- Violation= VC 23152
- Violation Type= Misdemeanor
- Disposition = Bail Forfeiture

Local BOS Penalties:

- LCCF = \$2
- LCJF = \$2
- EMS = \$2
- DNA = \$0
- Auto Fingerprint = \$1
- Additional EMS=\$2