

# Case Studies

## Basic Distributions Session A

### Case Study #1: Speeding

#### San Diego Court Case Information:

- Violation Date: 1/10/2017
- Disposition Date: 3/24/2017
- Arresting Agency= Coronado Police Department  
*--% Split between County and City (Refer to PC 1463.002)*
- Violation = VC 22349 (b) 1-15 MPH Over 55 MPH Limit
- Violation Type = Infraction
- Disposition = Bail forfeiture
- Prior VC Conviction = 0

#### Local BOS Penalties:

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

#### Additional Court Fees:

- DMV Administrative Fee = \$10
- VC42006 — Night Court Fee = \$1

# Case Studies

## Basic Distributions Session A

### Case Study #1: Speeding. UB&PS

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	Surchage*	EMS PA*/10	EMV PA* /10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess.	Night Court	TAP Fee	**Total Bail** / Fee	Category	Days /Fines
21809	(a)	44 Failure to Slow Down or Change Lane When Approaching and Passing Stationary Emergency Vehicle or Tow Truck Displaying Specific Lights	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	1
21950	(a,c)	Driver to Yield Right-of-Way at Crosswalks	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	1
21950	(b)	Pedestrian Right-of-Way at Crosswalks Regulated	25	30	21.00	15	15	5	6	4	121.00	40	35	1	0.00	197.00	1a	0
21951		44 Overtaking Vehicles Stopped for Pedestrians	100	100	70.00	50	50	20	20	4	414.00	40	35	1	0.00	490.00	2a	1
21952		Failure to Yield Right-of-Way on Side Walk to Pedestrian	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	1
21953		Pedestrian Must Use Tunnel or Overhead Crossing	25	30	21.00	15	15	5	6	4	121.00	40	35	1	0.00	197.00	1a	0
21954	(a)	Pedestrians Must Yield Right-of-Way Outside of Crosswalks	25	30	21.00	15	15	5	6	4	121.00	40	35	1	0.00	197.00	1a	0
21954	(b)	Failure of Driver to Exercise Due Care for Safety of Pedestrian on Roadway	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	1
21955		Crossing Between Controlled Intersections (Jaywalking)	25	30	21.00	15	15	5	6	4	121.00	40	35	1	0.00	197.00	1a	0
21956	(a)	Pedestrian on Roadway Prohibited	25	30	21.00	15	15	5	6	4	121.00	40	35	1	0.00	197.00	1a	0
21957		Soliciting Ride (Hitchhiking) Prohibited	25	30	21.00	15	15	5	6	4	121.00	40	35	1	0.00	197.00	1a	0
21959		Skating or Tobogganing Across Highway Prohibited	25	30	21.00	15	15	5	6	4	121.00	40	35	1	0.00	197.00	1a	0
21960	(a)	47 Violation of Freeway or Expressway Use Restrictions by Pedestrian, Motor-Driven Cycle, Motorized Bicycle, or Motorized Scooter	25	30	21.00	15	15	5	6	4	121.00	40	35	1	0.00	197.00	1a	0
21966		Pedestrian Prohibited in Bicycle Lane	25	30	21.00	15	15	5	6	4	121.00	40	35	1	0.00	197.00	1a	0
21968		Motorized Skateboard Prohibited	25	30	21.00	15	15	5	6	4	121.00	40	35	1	0.00	197.00	1a	0
21970	(a)	Vehicle Stopped Unnecessarily and Blocking Crosswalk	7	8	4	162.00	40	35	1	0.00	238.00	40	35	1	0.00	238.00	2a	1
21971		48 Violating Specified Provisions and Causing Bodily Injury	44	44	4	906.00	40	35	1	0.00	982.00	40	35	1	0.00	982.00	4a	0
22100	(a,b)	Turn at Intersection From Wrong Position	7	8	4	162.00	40	35	1	0.00	238.00	40	35	1	0.00	238.00	2a	1
22100.5		U-Turn at Controlled Intersection	7	8	4	162.00	40	35	1	0.00	238.00	40	35	1	0.00	238.00	2a	1
22101	(d)	Violating Special Traffic Control Markers	7	8	4	162.00	40	35	1	0.00	238.00	40	35	1	0.00	238.00	2a	1
22102		Illegal U-Turn in Business District	7	8	4	162.00	40	35	1	0.00	238.00	40	35	1	0.00	238.00	2a	1
22103		Illegal U-Turn in Residential District	7	8	4	162.00	40	35	1	0.00	238.00	40	35	1	0.00	238.00	2a	1
22104		Illegal U-Turn in Business District	7	8	4	162.00	40	35	1	0.00	238.00	40	35	1	0.00	238.00	2a	1
22104		Illegal U-Turn in Residential District	7	8	4	162.00	40	35	1	0.00	238.00	40	35	1	0.00	238.00	2a	1
22104		Illegal U-Turn in Business District	7	8	4	162.00	40	35	1	0.00	238.00	40	35	1	0.00	238.00	2a	1
22104		Illegal U-Turn in Residential District	7	8	4	162.00	40	35	1	0.00	238.00	40	35	1	0.00	238.00	2a	1
22104		Illegal U-Turn in Business District	7	8	4	162.00	40	35	1	0.00	238.00	40	35	1	0.00	238.00	2a	1
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22104		Illegal U-Turn in Business District	7	8	4	162.00	40	35	1	0.00	238.00	40	35	1	0.00	238.00	2a	1
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22104		Illegal U-Turn in Business District	7	8	4	162.00	40	35	1	0.00	238.00	40	35	1	0.00	238.00	2a	1
22104		Illegal U-Turn in Residential District	7	8	4	162.00	40	35	1	0.00	238.00	40	35	1	0.00	238.00	2a	1
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22104		Illegal U-Turn in Business District	7	8	4	162.00	40	35	1	0.00	238.00	40	35	1	0.00	238.00	2a	1
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22104		Illegal U-Turn in Business District	7	8	4	162.00	40	35	1	0.00	238.00	40	35	1	0.00	238.00	2a	1
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22104		Illegal U-Turn in Business District	7	8	4	162.00	40	35	1	0.00	238.00	40	35	1	0.00	238.00	2a	1
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22104		Illegal U-Turn in Business District	7	8	4	162.00	40	35	1	0.00	238.00	40	35	1	0.00	238.00	2a	1
22104		Illegal U-Turn in Residential District	7	8	4	162.00	40	35	1	0.00	238.00	40	35	1	0.00	238.00	2a	1

# Case Studies

## Basic Distributions Session A

### Case Study #1: Speeding. City/County Base Fine Split.

**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 a 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 Studies

## Basic Distributions Session A

### Case Study #1. Scenario 2: "prior" added *only* to moving violations

#### VII. Prior Convictions

A. The base fine for one Vehicle Code moving violation that is assessed "points" on a current arrest or citation shall be enhanced by \$10 for each "prior" conviction within 36 months of the new alleged offense. For calculating the enhancement, **both the current and "prior" offense must be a moving violation for which a "point" has been assigned** per Vehicle Code section 12810 or 12810.2. A confidential conviction after completion of traffic violator school is not assigned a point or counted as a prior offense for purposes of enhancing the fine of a subsequent offense. Regardless of the number of moving violation convictions on a citation, only one "prior" per citation shall be counted in determining the enhancement on the current offense.

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* PA*/10	Fine Surcharge & PA Subtotal	Court OPS Court OPS	Conv. Assess. Conv. Assess.	Night Court Night Court	TAP Fee	"Total Bail" ** / Fee	Category DMV Points
21464	(e)	<sup>49</sup> Willful Interference With Traffic Device or Willful Use, Possession, or Distribution of Traffic Interference Device That Does Not Result in Injury	500	500	350.00	250	250	100	100	4	2,054.00	40	35	1	0.00	2,130.00	4a 0
21465		Placement of Unauthorized Traffic Devices Prohibited	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a 0
21466		Unlawful Display of Light Prohibited	25	30	21.00	15	15	5	6	4	121.00	40	35	1	0.00	197.00	1a 0
21466.5		Light Impairing Driver's Vision Prohibited	25	30	21.00	15	15	5	6	4	121.00	40	35	1	0.00	197.00	1a 0
21650		Failure to Keep to Right Side of Road	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a
21650.1		Bicycle to Travel in Same Direction as Vehicles	25	30	21.00	15	15	5	6	4	121.00	40	35	1	0.00	197.00	1a 0
21651	(a)	Driving Across Dividing Section on Freeway Prohibited	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a
21652		Improperly Entering or Leaving Highway or Service Road	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a
21654	(a)	Slow-Moving Vehicles Keep to Right Edge of Roadway	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a
21655	(b)	Failure to Use Designated Lanes	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a
21655.1	(a)	<sup>50</sup> Driving in Restricted Use Designated Public Transit Bus Lane	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a 0
21655.5	(b)	<sup>51</sup> Improper Use of Preferential Lanes	100	100	70.00	50	50	20	20	4	414.00	40	35	1	0.00	490.00	4a 0
21655.8	(a)	<sup>52</sup> Driving Over Double Lines of Preferential Lanes	100	100	70.00	50	50	20	20	4	414.00	40	35	1	0.00	490.00	4a
21655.9	(b)	<sup>53</sup> Driving Low Emission Vehicle Without Required Decal or Label	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a 0
21656		Failure of Vehicle to Turn Out As Required	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a
21657		Driving Against One-Way Traffic Patterns	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a
21658	(a,b)	Lane Straddling/Failure to Use Specified Lanes	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a
21659		Unsafe Driving on Three-Lane Highway	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a

# Case Studies

## Basic Distributions Session A

### Case Study #2: DUI. Case Information.

#### San Diego Court Case Information:

- Violation Date: 9/12/2016
- Disposition Date: 1/5/2017
- Arresting Agency= County Arrest
- Violation= VC 23152 (a, b) Driving under the influence of alcohol
- Violation Type= Misdemeanor
- Disposition = Bail Forfeiture

#### Local BOS Penalties:

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

#### Court and local Fees:

- PC 1463.14(b) - DUI Lab Test Penalty (BOS: up to \$50)
- PC 1463.25 - Alcohol Edu Penalty (up to \$50)
- Night Court Fee = \$1

# Case Studies

## Basic Distributions Session A

### Case Study #2: DUI. UB&PS.

<b>TRAFFIC MISDEMEANOR BAIL AND PENALTY SCHEDULE</b>													
(*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	Fine EMAT PA* & PA Subtotal	Court OPS Conv. Assess.	Conv. Assess. Night Court	"Total Bail" **
22513 (d)(4)	85	Failure to Provide or Maintain Required Information for Tow or Storage Services	250	10/10	7.00	5/10	5.00	20%	2.00	4	40	30	1,100.00
22513.1 (a)(1)	86	Failure to Maintain Required Information for Tow and Storage of Vehicle	150	150	105.00	75	75	30	30	4	40	30	690.00
22513.1 (b)	87	Business Taking Possession Of A Vehicle From A Tow Truck After Hours	250	250	175.00	125	125	50	50	4	40	30	1,100.00
22513.1 (b)(c)	88	Failure to Maintain and Provide Required Information for Tow and Storage of Vehicle	250	250	175.00	125	125	50	50	4	40	30	1,100.00
22658 (g)(1)(B)	89	Failure of Tow Company or Driver on Request by Owner or Owner's Agent to Release Vehicle Not Yet in Transit	250	250	175.00	125	125	50	50	4	40	30	1,100.00
22658 (i)(1)(B)	90	Failure to Make Rate Approved by CHP Available for Inspection Within 24 Hours of Request	1,000	1,000	700.00	500	500	200	200	4	40	30	4,175.00
22658 (j)(2)	91	Charging Excessive Rate for Towing Service or Storage	1,000	1,000	700.00	500	500	200	200	4	40	30	4,175.00
22658 (k)(1,2)	92	Refusal of Credit Card by Storage Facility for Payment of Charges for Towed Vehicle	1,000	1,000	700.00	500	500	200	200	4	40	30	4,175.00
22658 (l)	93	Violation by Tow Company of Requirements for Removal of Vehicle From Private Property	1,000	1,000	700.00	500	500	200	200	4	40	30	4,175.00
22658 (m)(1)	94	Failure of Tow Company to Provide Notice of Removal of Vehicle As Required	250	250	175.00	125	125	50	50	4	40	30	1,100.00
23103 (a,b)	95	Reckless Driving	145	150	105.00	75	75	29	30	4	40	30	684.00
23104 (a)	96	Reckless Driving--Bodily Injury	350	350	245.00	175	175	70	70	4	40	30	1,510.00
23104 (b)	97	Reckless Driving--Great Bodily Injury	500	500	350.00	250	250	100	100	4	40	30	2,125.00
23105 (a)	98	Reckless Driving--Specific Injury	750	750	525.00	375	375	150	150	4	40	30	3,150.00
23109 (a)	99	Engaging in Speed Contests Prohibited	360	360	252.00	180	180	72	72	4	40	30	1,551.00
23109 (b)	100	Abetting Speed Contest Prohibited	100	100	70.00	50	50	20	20	4	40	30	485.00
23109 (c)	101	Engaging in or Abetting Exhibition of Speed Prohibited	100	100	70.00	50	50	20	20	4	40	30	485.00
23109 (d)	102	Placing Baricades or Obstructions Prohibited	100	100	70.00	50	50	20	20	4	40	30	485.00
23109 (e)(2)	103	Engaging in Speed Contest and Causing Bodily Injury	500	500	350.00	250	250	100	100	4	40	30	2,125.00
23109.1	104	Engaging in Speed Contest--Specific	750	750	525.00	375	375	150	150	4	40	30	3,150.00
23110 (a)		Throwing Substance at Vehicle Prohibited	250	250	175.00	125	125	50	50	4	40	30	1,100.00
23112.5 (a)		Hazardous Materials--Notification of Agency Required	2,000	2,000	1,400.00	1,000	1,000	400	400	4	40	30	8,275.00
23118 (f)(4)		Release of Impounded Vehicle by Legal Owner or Agent Prior to End	2,000	2,000	1,400.00	1,000	1,000	400	400	4	40	30	8,275.00
23127		Motor Vehicle on Riding/Hiking Trails Prohibited	50	50	35.00	25	25	10	10	4	40	30	280.00
23152 (a,b)	105	Driving Under Influence of Alcohol	390	390	273.00	195	195	78	78	4	40	30	1,674.00

# Case Studies

## Basic Distributions Session A

### Case Study #2: DUI. Guidelines: PC1463.14 (a) and PC1463.16

Table 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)	DUI Under: VC 23152, VC 23153.  Reckless Driving Under: VC 23103, VC 23104, VC 23105.	\$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.  Remainder to the City or County pursuant to PC 1463.001.	To reimburse the County for administrative costs incurred to implement PC 1463.14.  See PC 1463.001 (Table 1).	
PC 1463.15 — Vehicle Inspection and Sobriety Checkpoint	VC 42001.2(b), if the County establishes a combined vehicle inspection and sobriety checkpoint program 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	DUI Under: VC 23152, VC 23153.  Reckless Driving Under: VC 23103, VC 23104, VC 23105.	\$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 programs and services for the general public.	3
		Contra Costa County Board of Supervisors may impose \$50 assessment on each defendant convicted under VC 23152 or VC 23153.			
		\$50 of fine collected under PC 1463.001 for all other Counties.  Up to 5% of funds collected	County General Fund.	To offset administrative costs of collection and disbursement.	
PC 1463.17 — Alcohol and Drug Testing	DUI Under: VC 23152, VC 23153.  Reckless Driving Under: VC 23103, VC 23104, VC 23105.	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: County special account City special account Special district special account	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

Updated as of January 1, 2017

Updated Items within the Tables are **Bolded**

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# Case Studies

## Basic Distributions Session A

### Case Study #2: DUI. Guidelines on PC1463.18

Trial Court Revenue Distribution Guidelines						Revision 27
Table 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			
PC1463.18 — 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 PC1463.001.	General distribution pursuant to PC1463.001.	See PC1463.001 (Table 1).		
PC1463.22 — Defray Costs of Municipal and Superior Courts Incurred in Administering VC16028, 16030 and 16031	Evidence of Financial Responsibility of Vehicle: VC16028, VC16030, and VC16031.	PC1463.001 general collections.	\$17.50 per conviction to a county special account (PC1463.22(a)).	Court's cost of administering VC16028, 16030, and 16031.	3	
			\$3 per conviction of VC 16028 initially deposited by county treasurer into a special account.	DMV's cost of administering VC16031, 16032, 16034, and 16035.		
			Once per month, to the Controller for deposit into the Motor Vehicle Account in the State Treasury Transportation Fund (PC1463.22(b)).			
			\$10 per conviction to the State General Fund (PC1463.22(c)).	Not specified.		
		FUNDS NOT EXPENDED: Any moneys from PC1463.22(a) in excess of costs.	City or County pursuant to PC1463.001 general distribution.	See PC1463.001 (Table 1).		
PC1463.28 — Special Distribution for Bail Increases in Option Counties (Trial Court Funding Program)	All laws, if a resolution has been adopted pursuant to GC 77004; in specified Counties (City arrests only).	PC1463.001 (City arrests only) moneys resulting from amounts attributable to an increase in the bail amounts adopted and collected pursuant to PC1269b(c) or PC1269b(d) and that would otherwise be distributed per PC1463.001.	County General Fund up to a specified annual limit.	Not specified.	3	

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