

Case Study # 1  
Special Base Fine Distribution, DUI

**San Diego Court Case Information:**

- Violation Date: 9/12/2017
- Disposition Date: 11/5/2017
- Arresting Agency= County Arrest
- Violation= VC 23152 (a, b) Driving under influence of alcohol
- Violation Type= Misdemeanor
- Disposition = Bail Forfeiture

**Local BOS Penalties:**

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

**Court and local Fees:**

- PC 1463.14(b) - DUI Lab Test Penalty (BOS: up to \$50)
- PC 1202.4(b)- State Restitution Fine (min. \$150 misd./\$300 fel)
- PC 1202.4(l) - County Collection fee (BOS, up to 10% of Rest. Fine)
- VC 23645 (a) - Alcohol Edu and Prevention Penalty (up to \$50)
- GC 29550.2 - Booking Fee = \$240
- VC 42006- Night Court Fee = \$1

Case Study # 1  
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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 **		
				10/10		7	5/10	5	20%	2	4	40	30	1	
23110	(a)	Throwing Substance at Vehicle Prohibited	250	250	175	125	125	50	50	4	1029	40	30	1	1100
23112.5	(a)	Hazardous Materials-Notification of Agency Required	2000	2000	1400	1000	1000	400	400	4	8204	40	30	1	8275
23118	(f)(4)	Release of Impounded Vehicle by Legal Owner or Agent Prior to End of Impoundment Period	2000	2000	1400	1000	1000	400	400	4	8204	40	30	1	8275
23127		Motor Vehicle on Riding/Hiking Trails Prohibited	50	50	35	25	25	10	10	4	209	40	30	1	280
23152	(a,b)	<sup>101</sup> Driving Under Influence of Alcohol	390	390	273	195	195	78	78	4	1603	40	30	1	1674
23152	(c)	<sup>102</sup> Driving While Addicted to Drug	390	390	273	195	195	78	78	4	1603	40	30	1	1674
23152	(d)	<sup>103</sup> Driving Commercial Vehicle Under Influence of Alcohol	450	450	315	225	225	90	90	4	1849	40	30	1	1920
23152	(f)	<sup>104</sup> Driving Under Influence of Drug	390	390	273	195	195	78	78	4	1603	40	30	1	1674
23152	(g)	<sup>105</sup> Driving Under Influence of Alcohol and Drug	500	500	350	250	250	100	100	4	2054	40	30	1	2125
23153	(a,b)	Causing Injury	500	500	350	250	250	100	100	4	2054	40	30	1	2125
23153	(d)	Alcohol While Driving	250	250	175	125	125	50	50	4	1029	40	30	1	1100
23153	(f)	Causing Injury	250	250	175	125	125	50	50	4	1029	40	30	1	1100
23153	(g)	While Causing Injury	250	250	175	125	125	50	50	4	1029	40	30	1	1100
23224	(a,b)		50	50	35	25	25	10	10	4	209	40	30	1	280
23247	(a-e)	<sup>111</sup> Unlawful to Rent/Loan Vehicle; Solicit Someone to Engage Requiring Interlock Device	500	500	350	250	250	100	100	4	2054	40	30	1	2125
23253		Failure to Obey CHP or DOT Officers at Vehicle Crossing	50	50	35	25	25	10	10	4	209	40	30	1	280
23332		Trespass on Vehicular Crossing Prohibited	50	50	35	25	25	10	10	4	209	40	30	1	280
23573	(i)	<sup>112</sup> Willful Failure to Install Ignition Interlock Device Within Required 30 Days	500	500	350	250	250	100	100	4	2054	40	30	1	2125
24002.5	(a)	<sup>115</sup> Unlawful Operation of a Farm Labor Vehicle	1000	1000	700	500	500	200	200	4	4104	40	30	1	4175
24011.3	(a)	<sup>116</sup> Passenger Vehicle Manufacturer Willfully Fails to Affix Bumper Strength Notice or Willfully Misstates Information in the Notice	200	200	140	100	100	40	40	4	824	40	30	1	895
24011.3	(c)(2)	<sup>117</sup> Willful Defacement, Alteration, or Removal of New Vehicle Bumper Strength Notice Prior to Delivery of the Vehicle	200	200	140	100	100	40	40	4	824	40	30	1	895
27150.1		<sup>118</sup> Sale of Exhaust Systems Restricted	50	50	35	25	25	10	10	4	209	40	30	1	280
27317	(a)	<sup>119</sup> Manufacture or Sell Counterfeit or Nonfunctioning Airbag	500	500	350	250	250	100	100	4	2054	40	30	1	2125
27317	(b)	<sup>120</sup> Sell or Install Device That Disables a Vehicle's Counterfeit Airbag Indicator	500	500	350	250	250	100	100	4	2054	40	30	1	2125
27362	(a)	<sup>121</sup> Sale of Nonapproved Child Restraint System Prohibited	200	200	140	100	100	40	40	4	824	40	30	1	895

Base fine used in worksheet to calculate additional penalties and surcharges.

This subtotal includes state and local penalties.

Total includes Court Operations Assessment, Criminal Conviction Assessment, and Night Court Fee.

Case Study # 1  
Special Base Fine Distribution, DUI

**Penal Code 1463.14.**

(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.**

(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.**

(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.)*

# Case Study # 1

## Driving Under the Influence (DUI)

Trial Court Revenue Distribution Guidelines

Revision 28

**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 <i>(collected as a fine, distributed as a fee)</i>	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.  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.	County special account, less up to 5% for administrative costs.	Alcohol programs and services for the general public.	3
		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, 2018

Updated Items within the Tables are **Bolded**

California State Controller- Page 11

Trial Court Revenue Distribution Guidelines

Revision 28

**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 1463.18 — 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 # 1 Driving Under the Influence (DUI)

Case Study--Special Base Fine Distribution, Driving Under Influence									
CASE INFORMATION									
Case Number		COUNT 1 Violation Code	VC23152(a)	BASE FINE	390				
Violation Date	9/12/2017	Violation Description	Driving Under Influence of Alcohol	Priors	0				
Disposition Date	11/5/2017	Violation Type	Misdemeanor	BASE FINE	390				
Arresting Agency	County	Disposition	Bail forfeiture						
County %	100%	COUNT 2 Violation Code (if any)		BASE FINE	0				
City %	0%	Violation Description		Priors					
TOTAL Enhanced Base	\$390.00	Violation Type		Enhanced BASE	0				
Portion of 10	39	Disposition		GC 76000	\$ 7.00				
		STANDARD BASE-UP			TOP-DOWN				
2%	Per 10	DISTRIBUTION	DISTRIB ENTITY	Standard-Per UBS	2% Amt	FINAL (After 2%)	Prorate % After Fixed Amts	2% Amt	FINAL (After 2%)
Y - Def									
	TOTAL BASE	<b>BASE REDUCTION: PC 1463.14(a) - DUI Lab Spec Acct (\$50)</b>	COUNTY	50.00	1.00	49.00	0.00	0.00	0.00
		<b>BASE REDUCTION: PC 1463.16 - DUI Prog Spec Acct (BOS: \$50)</b>	COUNTY	50.00	1.00	49.00	0.00	0.00	0.00
		<b>BASE REDUCTION: PC 1463.18 - DUI Indemnity Alloc (\$20)</b>	STATE	20.00	0.40	19.60	0.00	0.00	0.00
Y		PC 1463.001 - Base County	COUNTY	270.00	5.40	264.60	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
Y	7	PC 1464 - State PA - State portion (70%)	STATE	273.00	5.46	267.54	0.00	0.00	0.00
Y	3	PC 1464 - State PA - County portion (30%)	COUNTY	117.00	2.34	114.66	0.00	0.00	0.00
Y	1	GC 76104.6 - DNA PA (1/10)	COUNTY	39.00	0.78	38.22	0.00	0.00	0.00
Y	4	GC 76104.7 - DNA Addl PA (4/10 eff 6-27-12; prev 3/10)	STATE	156.00	3.12	152.88	0.00	0.00	0.00
Y	2.00	GC 76100 - LCCF	COUNTY	78.00	1.56	76.44	0.00	0.00	0.00
Y	2.00	GC 76101 - LCJF	COUNTY	78.00	1.56	76.44	0.00	0.00	0.00
Y	2.00	GC 76104 - EMS	COUNTY	78.00	1.56	76.44	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
Y	1.00	GC 76102 - Auto	COUNTY	39.00	0.78	38.22	0.00	0.00	0.00
Y	2.00	GC 76000.5 - EMS Addl PA (BOS: 2/10)	COUNTY	78.00	1.56	76.44	0.00	0.00	0.00
Y		GC 76000.10(c) - EMAT Penalty (\$4 eff 1-1-11)	STATE	4.00	0.08	3.92	0.00	0.00	0.00
Y	2.00	GC 70372(a): ICNA (=LCCF on	STATE	78.00	1.56	76.44	0.00	0.00	0.00
Y	3.00	GC 70372(a): SCFCF (=5/10 - ICNA)	STATE	117.00	2.34	114.66	0.00	0.00	0.00
N		PC 1465.7 - 20% Surcharge	STATE	78.00	0.00	78.00	0.00	0.00	0.00
		<b>SUBTOTAL</b>		<b>1603.00</b>		<b>1572.50</b>	<b>0.00</b>		<b>0.00</b>
N		PC 1465.8 - Court Ops Assmnt (\$40 eff 10-19-10)	STATE	40.00	0.00	40.00	0.00	0.00	0.00
N		GC 70373 - Crim Conv Assmnt (\$30 for misd/\$35 for infr)	STATE	30.00	0.00	30.00	0.00	0.00	0.00
N		VC 40508.6 - Priors/DMV Admin Fee (up to \$10)	COUNTY	0.00	0.00	0.00	0.00	0.00	0.00
N		PC 1463.13 - Alcohol & Drug Assmnt (BOS: up to \$150)	COUNTY	0.00	0.00	0.00	0.00	0.00	0.00
Y		<b>PC 1463.14(b) - DUI Lab Test Penalty (BOS: up to \$50)</b>	CNTY or CTY	<b>50.00</b>	1.00	49.00	0.00	0.00	0.00
Y		<b>VC 23645(a) - Alcohol Abuse Edu. and Prevention Penalty (up to \$50)</b>	COUNTY	<b>50.00</b>	1.00	49.00	0.00	0.00	0.00
N		VC 23649(a) - Co Alc & Drug Prob Assmnt (up to \$100)	COUNTY	0.00	0.00	0.00	0.00	0.00	0.00
Y		<b>PC 1202.4(b) - State Restitutn Fine (min: \$150 misd/\$300 fel)</b>	STATE	<b>150.00</b>	3.00	147.00	0.00	0.00	0.00
N		PC 1202.4(l) - County Collect Fee (BOS: up to 10% of Rest Fine)	COUNTY	15.00	0.00	15.00	0.00	0.00	0.00
N		GC 29550.2 - Booking Fee	COUNTY	240.00	0.00	240.00	0.00	0.00	0.00
N		VC 42006 - Night Court Assmnt (\$1)	STATE	1.00	0.00	1.00	0.00	0.00	0.00
N		GC 68090.8 - 2% State Automation (for fines, penalties & forfeitures)	STATE			35.50			0.00
								0.00	
		<b>TOTAL FINE</b>		<b>2179.00</b>		<b>2179.00</b>	<b>0.00</b>		<b>0.00</b>

Case Study # 2  
Base Enhancement Distribution, Health and Safety violation

**San Diego Court case information:**

- Violation Date: 2/9/2018
- Disposition Date: 3/21/2018
- Arresting Agency= County Arrest
- Violation= H&S 11364, Possession of Controlled Substance Paraphernalia
- Violation Type= Misdemeanor
- Disposition = Guilty

**Local BOS Penalties:**

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

Case Study # 2  
Base Enhancement Distribution, Health and Safety violation

**San Diego Superior Court, 2018 Misdemeanor and Infraction Bail Schedule**

**HEALTH AND SAFETY CODE**

I/M	SECTION	DESCRIPTION	BAIL	PA	CT	PC
M	11364(a)	Possession of drug paraphernalia	350		✓	
M	11375(b)	Possession of controlled substance without a prescription	1,000		✓	

**Guidelines, Table 4 — Drug and Domestic Violence Fine and Fee Distributions**

Table 4 includes fines and fees relating to drug and domestic violence violations. H&S 11372.5 requires that \$50 be deposited in the criminalistics laboratory fund for each conviction under specified controlled substance violations, regardless of whether this fee was collected or not collected. The required deposit can be made from money deposited under H&S 11502 prior to the monthly 75%-25% distribution required by H&S 11502.

Pursuant to *People v. Sierra*, 37 Cal. App. 4th 1690 (1995), and *People v. Sanchez*, 64 Cal.App.4th 1329 (1998), the “criminal laboratory analysis fee” (H&S 11372.5) and the “drug program fee” (H&S 11372.7) should be accounted for as fines subject to state penalties, local penalties, the 20% state surcharge, Proposition 69 penalty assessment, court facilities penalty assessment, and the 2% automation fee. The State Controller’s Office notes that court rulings are split on this issue. However, the majority of opinions have held that the amounts levied pursuant to H&S 11372.5 and H&S 11372.7 are to be treated as fines. The Guidelines are prepared in accordance with these decisions.

**California Legislative Information, LegInfo  
H&S section 11372.5.**

(a) Every person who is convicted of a violation of Section 11350, 11351, 11351.5, 11352, 11355, 11358, 11359, 11361, 11363, 11364, 11368, 11375, 11377, 11378, 11378.5, 11379, 11379.5, 11379.6, 11380, 11380.5, 11382, 11383, 11390, 11391, or 11550 or subdivision (a) or (c) of Section 11357, or subdivision (a) of Section 11360 of this code, or Section 4230 of the Business and Professions Code shall pay a criminal laboratory analysis fee in the amount of fifty dollars (\$50) for each separate offense. The court shall increase the total fine necessary to include this increment.

With respect to those offenses specified in this subdivision for which a fine is not authorized by other provisions of law, the court shall, upon conviction, impose a fine in an amount not to exceed fifty dollars (\$50), which shall constitute the increment prescribed by this section and which shall be in addition to any other penalty prescribed by law.

Case Study # 2  
Base Enhancement Distribution, Health and Safety violation

**H&S section 11372.7.**

(a) Except as otherwise provided in subdivision (b) or (e), each person who is convicted of a violation of this chapter shall pay a drug program fee in an amount not to exceed one hundred fifty dollars (\$150) for each separate offense. The court shall increase the total fine, if necessary, to include this increment, which shall be in addition to any other penalty prescribed by law.

<i>Trial Court Revenue Distribution Guidelines</i>						<i>Revision 28</i>
<b>Table 4 Drug and Domestic Violence Fine and Fee Distributions</b>						
CODE SECTION	VIOLATION/SITUATION	DISTRIBUTION	APPLICABLE FUND	FUND USE/SPECIAL PROVISION	PRIORITY OF INSTALLMENT PAYMENTS	
<b>H&amp;S 11372.5 — Criminal Laboratory Analysis Fee</b>  <i>NOTE: H&amp;S 11372.5 collections are considered fines subject to state (PC 1464) &amp; local penalties (GC 76000), State Surcharge (PC 1465.7), DNA Identification Penalty Assessment (GC 76104.6), DNA Additional Penalty Assessment (GC 76104.7) and the State Court Construction Penalty (GC 70372)</i>  <i>Please see Page 41</i>	B&P 4230, H&S 11350, 11351, 11351.5, 11352, 11355, 11357(a) 11357(c), 11358, 11359, 11360(a), 11361, 11363, 11364, 11368, 11375, 11377, 11378, 11378.5, 11379, 11379.5, 11379.6, 11380, 11380.5, 11382, 11383, 11390, 11391, 11550.	If the criminalistics lab is operated or contracted by the County: Up to \$50 (less administrative costs) to the County per conviction from H&S 11502 collections, including subsequent H&S 11502 collections.	County Criminalistics Laboratories Fund.	For costs incurred in criminalistics labs, the purchase of lab equipment, and lab employee education and training.	3	
		If the lab is a Department of Justice criminalistics lab: Up to \$50 (less up to 5% overhead) to the State per conviction from H&S 11502 collections, including subsequent H&S 11502 collections.	State General Fund.	Not specified.		
		FUNDS NOT EXPENDED: For funds collected in the preceding fiscal year and not expended, distribute according to H&S 11502.	See H&S 11502.	See H&S 11502.		
<b>H&amp;S 11372.7 — Drug Program Fee</b>  <i>NOTE: H&amp;S 11372.7 collections are considered fines subject to the same penalty assessment as H&amp;S 11372.5 above</i>  <i>Please see Page 41</i>	Any violation of this chapter except H&S 11357(b), subject to ability to pay pursuant to H&S 11372.7(b) <i>Note: H&amp;S 11550 is not a part of this chapter.</i>	100% of the fee collected (up to \$150) to the County.	County Drug Program Fund.	To help support the County's drug abuse programs in the schools and community.	3	

Case Study # 2  
Base Enhancement Distribution, Health and Safety violation

Case Study #2--Health & Safety Violation										
CASE INFORMATION										
Case Number		COUNT 1	H&S11364	BASE FINE	350					
Violation Date		Violation Description	Poss Controlled Subs Paraph	Priors						
Disposition Date		Violation Type	Misdemeanor	Enhanced BASE	350					
Arresting Agency	County Sherriff	Disposition	Bail Forfeiture							
County Arrest?	Yes	COUNT 2 (if any)		BASE FINE	0					
City Arrest?	No	Violation Description		Priors						
TOTAL Enhanced Base	\$550.00	Violation Type		Enhanced BASE	0					
Portion of 10	55	Disposition		GC 76000	\$ 7.00					
STANDARD BASE-UP      TOP-DOWN										
2%	Per 10	DISTRIBUTION		DISTRIB ENTITY	Standard-Per UBS	2% Amt	FINAL (After 2%)	Prorate % After Fixed Amts 0.00%	2% Amt	FINAL (After 2%)
Y - Def										
N										
	TOTAL BASE	BASE ENHANCE: HS 11372.5 - Crim Lab Fee (\$50)		ST or CNTY	50.00	1.00	49.00	0.00	0.00	0.00
Y		BASE ENHANCE: HS 11372.7 - Drug Prg Fee (up to \$150)		COUNTY	150.00	3.00	147.00	0.00	0.00	0.00
Y		HS 11502 - Base State (75%)		STATE	262.50	5.25	257.25	0.00	0.00	0.00
Y		HS 11502 - Base County or City (25%)		COUNTY	87.50	1.75	85.75	0.00	0.00	0.00
Y	7	PC 1464 - State PA - State portion (70%)		STATE	385.00	7.70	377.30	0.00	0.00	0.00
Y	3	PC 1464 - State PA - County portion (30%)		COUNTY	165.00	3.30	161.70	0.00	0.00	0.00
Y	1	GC 76104.6 - DNA PA (1/10)		COUNTY	55.00	1.10	53.90	0.00	0.00	0.00
Y	4	GC 76104.7 - DNA Addl PA (4/10 eff 6-27-12; prev 3/10)		STATE	220.00	4.40	215.60	0.00	0.00	0.00
Y	2.00	GC 76100 - LCCF		COUNTY	110.00	2.20	107.80	0.00	0.00	0.00
Y	2.00	GC 76101 - LCJF		COUNTY	110.00	2.20	107.80	0.00	0.00	0.00
Y	2.00	GC 76104 - EMS		COUNTY	110.00	2.20	107.80	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
Y	1.00	GC 76102 - Auto Fingerprint		COUNTY	55.00	1.10	53.90	0.00	0.00	0.00
Y	2.00	GC 76000.5 - EMS Addl PA (BOS: 2/10)		COUNTY	110.00	2.20	107.80	0.00	0.00	0.00
Y	2.00	GC 70372(a): ICNA (=LCCF on 1/1/1998)		STATE	110.00	2.20	107.80	0.00	0.00	0.00
Y	3.00	GC 70372(a): SCFCF (=5/10 - ICNA)		STATE	165.00	3.30	161.70	0.00	0.00	0.00
N		PC 1465.7 - 20% Surcharge		STATE	110.00	0.00	110.00	0.00	0.00	0.00
		SUBTOTAL			2255.00		2212.10	0.00		0.00
N		PC 1465.8 - Court Ops Assmnt (\$40 eff 10-19-10)		STATE	40.00	0.00	40.00	0.00	0.00	0.00
N		GC 70373 - Crim Conv Assmnt (\$30 for misd/\$35 for infr)		STATE	30.00	0.00	30.00	0.00	0.00	0.00
Y		PC 1202.4(b) - State Restitution Fine (min: \$150 misd/\$300 fe)		STATE	150.00	3.00	147.00	0.00	0.00	0.00
N		PC 1202.4(l) - County Collect Fee (BOS: up to 10% of Rest Fine)		COUNTY	15.00	0.00	15.00	0.00	0.00	0.00
N		GC 68090.8 - 2% State Automation (for fines, penalties &		STATE	0.00	0.00	45.90	0.00	0.00	0.00
		TOTAL FINE			2490.00	45.90	2490.00	0.00	0.00	0.00

Case Study # 3:  
Regular Traffic School Distribution, Speeding Violation

**San Diego Court Case Information:**

- Violation Date: 1/7/2018
- Disposition Date: 3/22/2018
- Arresting Agency= Oceanside Police Department  
--% Split between County and City (Refer to PC 1463.002)
- Violation = VC 22349 (a) 16-25 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

**Additional Court Fees:**

- VC11205.2— Additional Court TS Admin Fee up to actual costs (\$67)
- VC11208(c)—Additional DMV TS Admin Fee (\$3 per CCR, Title 13, Sec 345.00(g))
- VC42006 — Night Court Fee = \$1
- VC40508.6— DMV Administrative Fee (up to \$10) (*Note: DMV Admin. Fee does not apply to cases disposed with traffic school.*)

Case Study # 3:  
Regular Traffic School Distribution, Speeding Violation

Uniform Bail and Penalty Schedules, pg. ix:

***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.

## Case Study # 3: Regular Traffic School Distribution, Speeding Violation

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	EMVAT PA* RENAT PA*	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DNV Points
21805	(c)	Violation of Right-of-Way by Rider-Posing Hazard	25	30	21	5/10	5	20%	2	4	40	35	1	0		197	1a	1
21806	(a,b)	64 Failure to Yield to Emergency Vehicle	100	100	70		50	50	20	4	414	40	35	1	0	490	2a	1
21806	(c)	65 Failure to Yield to Emergency Vehicle-Pedestrian	100	100	70		50	50	20	4	414	40	35	1	0	490	2a	0
21807		Driving Authorized Emergency Vehicle Without Due Regard for Safety of Persons and Property	35	40	28		20	20										
21809	(a)	66 Failure to Slow Down or Change Lane When Approaching and Passing Stationary Emergency Vehicle or Tow Truck Displaying Specific Lights	35	40	28		20	20										
21950	(a,c)	Driver to Yield Right-of-Way at Crosswalks	35	40	28		20	20										
21950	(b)	Pedestrian Right-of-Way at Crosswalks Regulated	25	30	21		15	15										
21951	(c)	67 Overtaking Vehicles Stopped for Pedestrians	100	100	70		50	50	20									
21952		Failure to Yield Right-of-Way on Sidewalk to Pedestrian	35	40	28		20	20										
21953		Pedestrian Must Use Tunnel or Overhead Crossing	25	30	21		15	15										
21954	(a)	Pedestrians Must Yield Right-of-Way Outside of Crosswalk	35	40	28		20	20										
21954	(b)	Failure of Driver to Exercise Due Care for Safety of Pedestrians	35	40	28		20	20										
21955		Crossing Between Controlled Intersections (Jaywalking)	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21956	(a)	Pedestrian on Roadway Prohibited	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	0
21957		Soliciting Ride (Hitchhiking) Prohibited	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21959		Skiing or Tobogganing Across Highway Prohibited	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21960	(a)	68 Violation of Freeway or Expressway Use Restriction	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21960		Driven Cycle, Motorized Bicycle, or Motorized Scooter	44	44	44		44	44	44	44	906	40	35	1	0	982	2a	1
21966		Pedestrian Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	7	8	4		162	40	35	1	0	0	0	0	0	238	2a	1
21966		Prohibited in Bicycle Lane	44	44	44		44	44	44	44	906	40	35	1	0	982	2a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
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21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20	7	8	121	40	35	1	0	197	1a	1
21966		Prohibited in Bicycle Lane	35	40	28		20	20										

Case Study # 3:  
Regular Traffic School Distribution, Speeding Violation

**Table 7  
Criminal Related Fee Distribution**

CODE SECTION	VIOLATION/SITUATION	DISTRIBUTION	APPLICABLE FUND	FUND USE/SPECIAL PROVISION	PRIORITY OF INSTALLMENT PAYMENTS			
<p><b>VC 42007 — Uniform Fee for Attending Traffic Violator School (TVS) or Court-Supervised Driving Instruction</b></p> <p><i>TVS Fee equals (total bail): Step 1: county base fine + state penalty + local penalty + DNA penalty (Prop 69) + Add'l DNA penalty (AB 1806) + EMAT penalty</i></p> <p><i>Step 2: city base fine + EMS penalty + state court facilities construction penalty+ additional EMS Penalty</i></p> <p><i>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.</i></p>	<p><b>Fee equal to the total bail for the eligible offense</b> from every person ordered to attend a traffic violator school or other court-supervised program of driving instruction.</p>	<p><b>For fees resulting from a City arrest:</b></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>Other agencies, not specified.</p>	<p>Not specified.</p> <p>Not specified.</p>	4			
		<p><b>Amount of the traffic violator school fee attributed to local penalties, pursuant to GC 76000:</b></p>				<p>\$2 of each \$7 of amount attributed to the local penalty.</p>	<p>Maddy Emergency Medical Services Fund (GC 76104).</p> <p>County General Fund.</p>	<p>For support of emergency medical services as specified.</p> <p>Not specified.</p>
		<p><b>Amount of the traffic violator school fee attributed to the EMS penalty, pursuant to GC 76000.5:</b></p>				<p>\$2 of each \$10 of amount attributed to the base fine.</p>	<p>Maddy Emergency Medical Services Fund (GC 76104).</p>	<p>For support of emergency medical services as specified.</p>
		<p><b>Amount of the traffic violator school fee attributed to court construction penalties, pursuant to GC 70372:</b></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><b>Balance of the traffic violator school fee:</b></p>				<p>100% to the County.</p>	<p>\$1 to the Courthouse Construction Fund (GC 76100), if applicable.</p> <p>\$1 to the Criminal Justice Facilities Construction Fund (GC 76101), if applicable.</p> <p>General Fund.</p>	<p>See GC 76000 (Table 6).</p> <p>See GC 76000 (Table 6).</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>		

Case Study # 3:  
Regular Traffic School Distribution, Speeding Violation

**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 counties to which that section is applicable shall be deposited in that fund. Nothing in the

**Case Study # 3:**  
**Regular Traffic School Distribution, Speeding Violation**

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.)*

Case Study # 3:  
Regular Traffic School Distribution, Speeding Violation

**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 # 3:  
Regular Traffic School Distribution, Speeding Violation

**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:  
Regular Traffic School Distribution, Speeding Violation

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



**California State Controller**

DIVISION OF ACCOUNTING AND REPORTING

DECEMBER 2004

**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 # 3:  
Regular Traffic School Distribution, Speeding Violation

Case Study #3 --Regular Traffic School Distribution, Speeding										
CASE INFORMATION										
Case Number		COUNT 1	VC22349(b)	BASE FINE	70					
Violation Date	1/7/2018	Violation Description	16-25 MPH over 55	Priors	0					
Disposition Date	3/22/2018	Violation Type	Infraction	Enhanced BASE	70					
Arresting Agency	City of Oceanside	Disposition	Traffic school							
County %	15%	COUNT 2 (if any)		BASE FINE	0					
City %	85%	Violation Description		Priors	0					
TOTAL Enhanced Base	\$70.00	Violation Type		Enhanced BASE	0					
Portion of 10	7	Disposition		GC 76000	\$ 7.00					
						STANDARD BASE-UP		TOP-DOWN		
2% N- FE Y	Per 10	DISTRIBUTION			DISTRIB ENTITY	Std Distrib (UBS)	Pre-TVS Fee Distrib	2% Amt	Standard (based on VC 42007)	Using Sub total % of Std incl LCCF & LCJF 0.00%
N		VC 42007 - TVS Fee (rem bal: Total fine minus Pre-TVS)			COUNTY		0.00	0.00	153.69	0.00
N	TOT AL	VC 42007 - Base County			COUNTY	10.50		0.00	0.00	0.00
N		VC 42007(c) - Base City (98% of city portion)			CITY	59.50	58.31	0.00	58.31	0.00
N	7	PC 1464 - State PA - State portion (70%)			STATE	49.00		0.00	0.00	0.00
N	3	PC 1464 - State PA - County portion (30%)			COUNTY	21.00		0.00	0.00	0.00
N	1	GC 76104.6 - DNA PA (1/10)			COUNTY	7.00		0.00	0.00	0.00
N	4	GC 76104.7 - DNA Addl PA (4/10 eff 6-27-12; prev 3/10)			STATE	28.00		0.00	0.00	0.00
N	2.00	GC 76100 - LCCF			COUNTY	14.00	1.00	0.00	1.00	0.00
N	2.00	GC 76101 - LCJF			COUNTY	14.00	1.00	0.00	1.00	0.00
N	2.00	GC 76104 - EMS			COUNTY	14.00	14.00	0.00	14.00	0.00
N	0.00	GC 76104.5 - DNA ID			COUNTY	0.00		0.00	0.00	0.00
N	1.00	GC 76102 - Auto Fingerprint			COUNTY	7.00		0.00	0.00	0.00
N	2.00	GC 76000.5 - EMS Addl PA (BOS: 2/10)			COUNTY	14.00	14.00	0.00	14.00	0.00
N		GC 76000.10(c) - EMAT Penalty (\$4 eff 1-1-11)			STATE	4.00		0.00	0.00	0.00
N	2.00	GC 70372(a): ICNA (=LCCF on 1/1/1998)			STATE	14.00	14.00	0.00	14.00	0.00
N	3.00	GC 70372(a): SCFCF (=5/10 - ICNA)			STATE	21.00	21.00	0.00	21.00	0.00
N		PC 1465.7 - 20% Surcharge			STATE	14.00	14.00		14.00	0.00
		SUBTOTAL				291.00	137.31	0.00	291.00	0.00
N		PC 1465.8 - Court Ops Assmnt (\$40 eff 10-19-10)			STATE	40.00	40.00	0.00	40.00	0.00
N		GC 70373 - Crim Conv Assmnt (\$30 for misd/\$35 for infr)			STATE	35.00	35.00	0.00	35.00	0.00
N		VC 42007.1 - Traffic School Fee (\$49 -49% to County)			COUNTY	24.01	24.01	0.00	24.01	0.00
N		VC 42007.1 - Traffic School Fee (\$49-51% to State ICNA)			STATE	24.99	24.99	0.00	24.99	0.00
N		VC 11205.2(c) - Addl Court TS Admin Fee (up to act costs)			COURT	67.00	67.00	0.00	67.00	0.00
N		VC 11208(c) - Addl DMV TS Admin Fee			STATE	3.00	3.00		3.00	0.00
N		VC 40508.6 - Priors/DMV Admin Fee (up to \$10)			COURT	0.00	0.00	0.00	0.00	0.00
N		VC 42006 - Night Court Assmnt (\$1)			STATE	1.00	1.00	0.00	1.00	0.00
N		GC 68090.8 - 2% Automation			STATE				0.00	0.00
		TOTAL FINE				486.00	332.31	0.00	486.00	0

Case Study # 4  
Bail Forfeiture Distribution, Red Light Violation

**San Diego Court Case Information:**

- Violation Date: 7/10/2017
- Disposition Date: 8/27/2017
- Arresting Agency= County Sheriff
- Violation= VC 21457(a) Actions Required at Flashing Red Signal
- Violation Type= Infraction
- Disposition = Bail Forfeiture
- Priors = 1 (one)

**Local BOS Penalties:**

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

**Court Fees:**

- Priors/DMV Admin Fee, VC 40508.6, up to \$10
- Night Court \$1

## Case Study # 4

### Bail Forfeiture Distribution, Red Light Violation

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	EM/AT PA*	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DNTV Points	
21212	(a)	<sup>33</sup> Under 18 Shall Not Operate Bicycle, Nonmotorized Scooter, or Skateboard/Wear In-line or Roller Skates Ride Bicycle, Nonmotorized Scooter, or Skateboard as Passenger Without a Helmet	25	30	21		5/10	5	20%	2	4	40	35	1	0	197	1a	0	
21213	(a)	Operation of Class 3 Electric Bicycle by Person Under 16 Years of Age	25	30	21		15	15	5	6	4	121	40	35	1	0	197	1a	0
21213	(b)	Violation of Helmet Requirement for Class 3 Electric Bicycle	25	30	21		15	15	5	6	4	121	40	35	1	0	197	1a	0
21221		<sup>34</sup> Motorized Scooter Operation Requirements	25	30	21		15	15	5	6	4	121	40	35	1	0	197	1a	0
21221.5		<sup>35</sup> Operating a Motor Scooter While Under the Influence	70	70	49		35	35	14	14	4	291	40	35	1	0	367	4a	0
21223	(a-c)	<sup>36</sup> Motorized Scooter Equipment Requirements During Darkness	25	30	21		15	15	5	6	4	121	40	35	1	0	197	1a	1
21226	(b,c)	<sup>37</sup> Violation of Motorized Scooter Muffler Equipment Requirements	25	30	21		15	15	5	6	4	121	40	35	1	0	197	1a	0
21226	(d)	<sup>38</sup> Violation of Motorized Scooter Exhaust/Noise Level Requirements/Operation of Motorized Scooter With Unlawfully Modified Exhaust System	25	30	21		15	15	5	6	4	121	40	35	1	0	197	1a	0
21228		<sup>39</sup> Operating Motorized Scooter at Less Than Normal Speed of Traffic	25	30	21		15	15	5	6	4	121	40	35	1	0	197	1a	0
21229	(a,b)	Failure to Operate Motorized Scooter in Bicycle Lane	25	30	21		15	15	5	6	4	121	40	35	1	0	197	1a	0
21235	(a-j)	<sup>41</sup> Illegal Operation of Motorized Scooter	25	30	21		15	15	5	6	4	121	40	35	1	0	197	1a	0
21260	(a), (b)(2)	Illegal Operation of Low-Speed Vehicle	25	30	21		15	15	5	6	4	121	40	35	1	0	197	1a	0
21281.5	(a-d)	Illegal Operation of Electrical Personal Assistive Mobility Device	25	30	21		15	15	5	6	4	121	40	35	1	0	197	1a	0
21291		<sup>42</sup> Operation of Electrically Motorized Board by Person Under 16 Years of Age	25	30	21		15	15	5	6	4	121	40	35	1	0	197	1a	0
21292		<sup>43</sup> Operation of Electrically Motorized Board by Person Without Wearing Helmet as Required	25	30	21		15	15	5	6	4	121	40	35	1	0	197	1a	0
21293	(a-c)	<sup>44</sup> Operation of Electrically Motorized Board During Darkness Without Required Equipment	25	30	21		15	15	5	6	4	121	40	35	1	0	197	1a	0
21294	(a-c)	<sup>45</sup> Illegal Operation of Electrically Motorized Board	25	30	21		15	15	5	6	4	121	40	35	1	0	197	1a	0
21296	(a)	<sup>46</sup> Operation of Electrically Motorized Board While Under Influence of Alcohol or Drug	70	70	49		35	35	14	14	4	291	40	35	1	0	367	4a	0
21367	(b,c)	Failure to Obey Traffic Control/Devices at Construction Site	35	40	28		20	20	7	8	4	162	40	35	1	0	238	2a	0
21451	(a,b)	"Green" Signal-Vehicular Responsibilities	35	40	28		20	20	7	8	4	162	40	35	1	0	238	2a	0
21451	(c,d)	"Green" Signal-Pedestrian Responsibilities	25	30	21		15	15	5	6	4	121	40	35	1	0	197	1a	0
21452	(b)	Failure of Pedestrian to Properly Respond to Signal of Yellow Light or Arrow	25	30	21		15	15	5	6	4	121	40	35	1	0	197	1a	0
21453	(a),(c)	<sup>47</sup> "Red" Signal-Vehicular Responsibilities	100	100	70		50	50	20	20	4	414	40	35	1	0	490	1a	0
21453	(b)	<sup>48</sup> "Red" Signal-Vehicular Responsibilities with Right Turn	35	40	28		20	20	7	8	4	162	40	35	1	0	238	2a	1
21453	(d)	"Red" Signal-Pedestrian Responsibilities	25	30	21		15	15	5	6	4	121	40	35	1	0	197	1a	0
21454	(c)	<sup>49</sup> Lane Use-Red Control Signal	100	100	70		50	50	20	20	4	414	40	35	1	0	490	2a	0
21454	(d)	Lane Use-Flashing Yellow Control Signals	35	40	28		20	20	7	8	4	162	40	35	1	0	238	2a	0
21455		Traffic Control Signal at Other Than Intersection	35	40	28		20	20	7	8	4	162	40	35	1	0	238	2a	0
21456	(a-c)	Pedestrian Violation of "Walk" or "Wait" Signals	25	30	21		15	15	5	6	4	121	40	35	1	0	197	1a	0
21457	(a)	<sup>50</sup> Actions Required at Flashing Red Signal	100	100	70		50	50	20	20	4	414	40	35	1	0	490	1a	0
21457	(b)	Actions Required at Flashing Yellow Signal	35	40	28		20	20	7	8	4	162	40	35	1	0	238	2a	0
21460	(a,b)	Improper Turns Over Double Lines/Solid Lines to Right Prohibited	35	40	28		20	20	7	8	4	162	40	35	1	0	238	2a	0
21460.5	(c)	Improper Turn From Two-Way Left-Turn Lane	35	40	28		20	20	7	8	4	162	40	35	1	0	238	2a	0
21461	(a)	Driver Failure to Obey Signs/Signals	35	40	28		20	20	7	8	4	162	40	35	1	0	238	2a	0
21461.5		Pedestrian Failure to Obey Signs/Signals	25	30	21		15	15	5	6	4	121	40	35	1	0	197	1a	0

Case Study # 4  
Bail Forfeiture Distribution, Red Light Violation

State Controllers Office, Trial Court Revenue and Distribution Guidelines, pg. 10:

*Trial Court Revenue Distribution Guidelines*

*Revision 28*

<b>Table 2 Special Distributions of Fines and Forfeitures Preceding PC 1463.001 Distribution</b>					
CODE SECTION	VIOLATION	DISTRIBUTION		FUND USE/SPECIAL PROVISION	PRIORITY OF INSTALLMENT PAYMENTS
		FROM	TO		
PC 1305.3 — Recovery of Costs and Attorney's Fees by Prosecuting Agency for Opposing Motion to Vacate Forfeiture	Forfeited bail, when a prosecuting agency incurs costs and attorney's fees in successfully opposing a motion to vacate the forfeiture and in collecting on the summary judgment.	Actual costs and attorney's fees 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.  Remainder: General distribution pursuant to PC 1463.001.	To reimburse actual costs and attorney's fees incurred by a prosecuting agency in successfully opposing a motion to vacate the forfeiture and in collecting the summary judgment.  See PC 1463.001 (Table 1).	N/A
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. Remaining 50% of PC 1463.001 moneys collected for PC 1463.9.	General distribution pursuant to PC 1463.001. General distribution pursuant to PC 1463.001.	County or City portion restricted to litter cleanup activities. See PC 1463.001 (Table 1).	3
PC 1463.11 — Red Light Violations	Any of the following: VC 21453(a) and (c), VC 21454(c), VC 21457(a).	After deducting the 2% automation, 30% of PC 1463.001, PC 1464, GC 70372(a), GC 76000, and GC 76000.10 moneys. 30% excludes state surcharge and other penalty assessments, such as: GC 76000.5 (EMS), GC 76104.6 (DNA), and GC 76104.7 (DNA).	If a County arrest, to County General Fund.  If a City arrest, to City General Fund.	Not specified.  Not specified.	3
		Balance of PC 1463.001, PC 1464, GC 76000, and GC 70372(a) moneys.	Distributions pursuant to PC 1463.001, PC 1464, GC 70372(a), and GC 76000, on a pro rata basis.	See PC 1463.001 (Table 1), PC 1464, GC 70372(a), and GC 76000 (Table 6).	

**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.

**California Legislative Information (LegInfo):**

**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.)*

Case Study # 4  
Bail Forfeiture Distribution, Red Light Violation

Case Study -- Bail Forfeiture Distribution, Red Light											
CASE INFORMATION											
Case Number		COUNT 1	VC21457(a)	BASE FINE	100						
Violation Date	7/10/2017	Violation Description	Action Required at Flashing Red Signal	Priors	1						
Disposition Date	8/27/2017	Violation Type	Traffic Infraction	Enhanced BASE	110						
Arresting Agency	County Sheriff	Disposition	Bail forfeiture								
County %	100%	COUNT 2 (if any)		BASE FINE	0						
City %	0%	Violation Description		Priors							
TOTAL Enhanced Base	\$110.00	Violation Type		Enhanced BASE	0						
Portion of 10	11	Disposition		GC 76000	\$ 7.00						
											
Y - Def	Per 10	DISTRIBUTION	DISTRIB ENTITY	Standard-Per UBS	30% Red Light PC 1463.11	STANDARD BASE-UP			TOP-DOWN		
						Standard	2% Amt	FINAL (After 2%)	Prorate % After Fixed Amts 0.00%	2% Amt	FINAL (After 2%)
		PC 1463.11 - 30% Red Light Allocation	COUNTY			106.80	2.14	104.66	0.00	0.00	0.00
		PC 1463.001 - Base County	COUNTY	110.00	33.00	77.00	1.54	75.46	0.00	0.00	0.00
		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	77.00	23.10	53.90	1.08	52.82	0.00	0.00	0.00
Y	3	PC 1464 - State PA - County portion (30%)	COUNTY	33.00	9.90	23.10	0.46	22.64	0.00	0.00	0.00
Y	1	GC 76104.6 - DNA PA (1/10)	COUNTY	11.00		11.00	0.22	10.78	0.00	0.00	0.00
Y	4	GC 76104.7 - DNA Addl PA (4/10 eff 6-27-12; prev 3/10)	STATE	44.00		44.00	0.88	43.12	0.00	0.00	0.00
Y	2.00	GC 76100 - LCCF	COUNTY	22.00	6.60	15.40	0.31	15.09	0.00	0.00	0.00
Y	2.00	GC 76101 - LCJF	COUNTY	22.00	6.60	15.40	0.31	15.09	0.00	0.00	0.00
Y	2.00	GC 76104 - EMS	COUNTY	22.00	6.60	15.40	0.31	15.09	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	1.00	GC 76102 - Auto	COUNTY	11.00	3.30	7.70	0.15	7.55	0.00	0.00	0.00
Y	2.00	GC 76000.5 - EMS Addl PA (BOS: 2/10)	COUNTY	22.00		22.00	0.44	21.56	0.00	0.00	0.00
Y		GC 76000.10(c) - EMAT Penalty (\$4 eff 1-1-11)	STATE	4.00	1.20	2.80	0.06	2.74	0.00	0.00	0.00
Y	2.00	GC 70372(a): ICNA (=LCCF on	STATE	22.00	6.60	15.40	0.31	15.09	0.00	0.00	0.00
Y	3.00	GC 70372(a): SCFCF (=5/10 - ICNA)	STATE	33.00	9.90	23.10	0.46	22.64	0.00	0.00	0.00
N		PC 1465.7 - 20% Surcharge	STATE	22.00		22.00	0.00	22.00	0.00	0.00	0.00
		<b>SUBTOTAL</b>		<b>455.00</b>		<b>455.00</b>		<b>446.34</b>	<b>0.00</b>		<b>0.00</b>
N		PC 1465.8 - Court Ops Assmnt (\$40 eff 10-19-10)	STATE	40.00		40.00	0.00	40.00	0.00	0.00	0.00
N		GC 70373 - Crim Conv Assmnt (\$30 for misd/\$35 for infr)	STATE	35.00		35.00	0.00	35.00	0.00	0.00	0.00
N		VC 40508.6 - Priors/DMV Admin Fee (up to \$10)	COURT	10.00		10.00	0.00	10.00	0.00	0.00	0.00
N		VC 42006 - Night Court Assmnt (\$1)	STATE	1.00		1.00	0.00	1.00	0.00	0.00	0.00
N		GC 68090.6 - 2% State Automation (for fines, penalties &	STATE					8.66			0.00
<b>TOTAL FINE</b>					<b>541.00</b>	<b>541.00</b>	<b>8.66</b>	<b>541.00</b>		<b>0.00</b>	<b>0.00</b>

**Case Study # 5:  
Special Traffic School Distribution, Red Light Violation**

**San Diego Court Case Information:**

- Violation Date: 1/10/2018
- Disposition Date: 3/25/2018
- Arresting Agency= City of San Diego Police Department
  - %Split between County and City (Refer to PC 1463.002)
- Violation= VC 21453(a) Actions Required at Flashing Red Signal
- 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:**

- Additional DMV TS Admin Fee, CCR, Title 13, Section 345.00(g), \$3
- Additional Court TS Admin Fee (up to actual cost), VC11205.2(c), \$94.60
- Night Court \$1

## Case Study # 5: Special Traffic School Distribution, Red Light Violation

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
21212	(a)	<sup>33</sup> Under 18 Shall Not Operate Bicycle, Nonmotorized Scooter, or Skateboard/Wear In-line or Roller Skates/Ride Bicycle, Nonmotorized Scooter, or Skateboard as Passenger Without a Helmet	25	30	21	5/10	5	20%	2	4	121	40	35	1	0	197	1a	0
21213	(a)	Operation of Class 3 Electric Bicycle by Person Under 16 Years of Age	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
21213	(b)	Violation of Helmet Requirement for Class 3 Electric Bicycle	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
21221		<sup>34</sup> Motorized Scooter Operation Requirements	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
21221.5		<sup>35</sup> Operating a Motor Scooter While Under the Influence	70	70	49	35	35	14	14	4	291	40	35	1	0	367	4a	0
21223	(a-c)	<sup>36</sup> Motorized Scooter Equipment Requirements During Darkness	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	1
21226	(b,c)	<sup>37</sup> Violation of Motorized Scooter Muffler Equipment Requirements	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
21226	(d)	<sup>38</sup> Violation of Motorized Scooter Exhaust/Noise Level Requirements/Operation of Motorized Scooter With Unlawfully Modified Exhaust System	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
21228		<sup>39</sup> Operating Motorized Scooter at Less Than Normal Speed of Traffic	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
21229	(a,b)	<sup>40</sup> Failure to Operate Motorized Scooter in Bicycle Lane	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
21235	(a-j)	<sup>41</sup> Illegal Operation of Motorized Scooter	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
21260	(a), (b)(2)	Illegal Operation of Low-Speed Vehicle	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
21281.5	(a-d)	Illegal Operation of Electrical Personal Assistive Mobility Device	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
21291		<sup>42</sup> Operation of Electrically Motorized Board by Person Under 16 Years of Age	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
21292		<sup>43</sup> Operation of Electrically Motorized Board by Person Without Wearing Helmet as Required	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
21293	(a-c)	<sup>44</sup> Operation of Electrically Motorized Board During Darkness Without Required Equipment	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
21294	(a-c)	<sup>45</sup> Illegal Operation of Electrically Motorized Board	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
21296	(a)	<sup>46</sup> Operation of Electrically Motorized Board While Under Influence of Alcohol or Drug	70	70	49	35	35	14	14	4	291	40	35	1	0	367	4a	0
21367	(b,c)	Failure to Obey Traffic Control/Devices at Construction Site	35	40	28	20	20	7	8	4	162	40	35	1	0	238	2a	0
21451	(a,b)	"Green" Signal-Vehicular Responsibilities	35	40	28	20	20	7	8	4	162	40	35	1	0	238	2a	0
21451	(c,d)	"Green" Signal-Pedestrian Responsibilities	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
21452	(b)	Failure of Pedestrian to Properly Respond to Signal of Yellow Light or Arrow	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
21453	(a), (c)	<sup>47</sup> "Red" Signal-Vehicular Responsibilities	100	100	70	50	50	20	20	4	414	40	35	1	0	490	1a	0
21453	(b)	<sup>48</sup> "Red" Signal-Vehicular Responsibilities with Right Turn	35	40	28	20	20	7	8	4	162	40	35	1	0	238	2a	1
21453	(d)	"Red" Signal-Pedestrian Responsibilities	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
21454	(c)	<sup>49</sup> Lane Use-Red Control Signal	100	100	70	50	50	20	20	4	414	40	35	1	0	490	2a	0
21454	(d)	Lane Use-Flashing Yellow Control Signals	35	40	28	20	20	7	8	4	162	40	35	1	0	238	2a	0
21455		Traffic Control Signal at Other Than Intersection	35	40	28	20	20	7	8	4	162	40	35	1	0	238	2a	0
21456	(a-c)	Pedestrian Violation of "Walk" or "Wait" Signals	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
21457	(a)	<sup>50</sup> Actions Required at Flashing Red Signal	100	100	70	50	50	20	20	4	414	40	35	1	0	490	1a	0
21457	(b)	Actions Required at Flashing Yellow Signal	35	40	28	20	20	7	8	4	162	40	35	1	0	238	2a	0
21460	(a,b)	Improper Turns Over Double Lines/Solid Lines to Right Prohibited	35	40	28	20	20	7	8	4	162	40	35	1	0	238	2a	0
21460.5	(c)	Improper Turn From Two-Way Left-Turn Lane	35	40	28	20	20	7	8	4	162	40	35	1	0	238	2a	0
21461	(a)	Driver Failure to Obey Signs/Signals	35	40	28	20	20	7	8	4	162	40	35	1	0	238	2a	0
21461.5		Pedestrian Failure to Obey Signs/Signals	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0

## Case Study # 5: Special Traffic School Distribution, Red Light Violation

Trial Court Revenue Distribution Guidelines					Revision 28
<b>Table 7 Criminal Related Fee Distribution</b>					
CODE SECTION	VIOLATION/SITUATION	DISTRIBUTION	APPLICABLE FUND	FUND USE/SPECIAL PROVISION	PRIORITY OF INSTALLMENT PAYMENTS
VC 42007.1 — Public Offenses	Additional \$49 fee.	49% to the County.	General Fund.	Not specified.	4
		51% to the State.	Immediate Critical Needs Account of the State Court Facilities Construction Fund.	Established pursuant to GC 70371.5.	
	Additional fee determined by the department pursuant to VC 11208(c).	To the department administering this section.	Not specified.	To defray the cost of routine monitoring of traffic violator school instruction.	
VC 42007.3 — Traffic Violator School for Red Light Violations; Fees	Additional fee, if any, established by the court pursuant to VC 11205.2(c).	To the court administering this section.	Not specified.	To defray the costs incurred by a traffic assistance program.	4
		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.	30% of VC 42007 fee to the City or County, based on jurisdiction of arrest.	If a County arrest, to the County General Fund. If a City arrest, to the City General Fund.	
		Remainder of VC 42007 fee.	Distributions pursuant to VC 42007 of this table.	See VC 42007.	

### 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.

#### Penal Code section 1463.002.

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

<b>San Diego</b>	
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
<b>San Diego .....</b>	<b>6</b>
County percentage .....	25

## Case Study # 5: Special Traffic School Distribution, Red Light Violation

Case Study #5 -- Special Traffic School Distribution, Red Light								
CASE INFORMATION								
Case Number		COUNT 1	VC21453(a)	BASE FINE		100		
Violation Date	1/10/2018	Violation Description	Action Required at Flashing Red Signal	Priors		0		
Disposition Date	3/25/2018	Violation Type	Infraction	Enhanced BASE		100		
Arresting Agency	San Diego PD	Disposition	Traffic School					
County %	6%	COUNT 2 (if any)		BASE FINE		0		
City %	94%	Violation Description		Priors				
TOTAL Enhanced Base	\$100.00	Violation Type		Enhanced BASE		0		
Portion of 10	10	Disposition		GC 76000		\$ 7.00		
							STANDARD BASE-UP	TOP-DOWN
2% Y N	Per 10	DISTRIBUTION	DISTRIB ENTITY	Std Distrib (UBS)	30% Red Light	Pre-TVS Fee Distrib	Standard (based on VC 42007)	Using Sub total % of Std incl LCCF & 0.00%
N		VC 42007 - TVS Fee (rem bal: Total fine minus Pre-TVS)	COUNTY				119.32	0.00
N		VC 42007.3 - 30% Red Light Allocation	CITY			118.20	118.20	0.00
N	TOTAL BASE	VC 42007 - Base County	COUNTY	6.00	1.80		0.00	0.00
N		VC 42007(c) - Base City (98% of city portion)	CITY	94.00	28.20	64.48	64.48	0.00
N	7	PC 1464 - State PA - State portion (70%)	STATE	70.00	21.00		0.00	0.00
N	3	PC 1464 - State PA - County portion (30%)	COUNTY	30.00	9.00		0.00	0.00
N	1	GC 76104.6 - DNA PA (1/10)	COUNTY	10.00	3.00		0.00	0.00
N	4	GC 76104.7 - DNA Addl PA (4/10 eff 6-27-12; prev 3/10)	STATE	40.00	12.00		0.00	0.00
N	2.00	GC 76100 - LCCF	COUNTY	20.00	6.00	1.00	1.00	0.00
N	2.00	GC 76101 - LCJF	COUNTY	20.00	6.00	1.00	1.00	0.00
N	2.00	GC 76104 - EMS	COUNTY	20.00	6.00	20.00	20.00	0.00
N	0.00	GC 76104.5 - DNA ID	COUNTY	0.00	0.00		0.00	0.00
N	1.00	GC 76102 - Auto Fingerprint	COUNTY	10.00	3.00		0.00	0.00
N	2.00	GC 76000.5 - EMS Addl PA (BOS: 2/10)	COUNTY	20.00	6.00	20.00	20.00	0.00
N		GC 76000.10(c) - EMAT Penalty (\$4 eff 1-1-11)	STATE	4.00	1.20		0.00	0.00
N	2.50	GC 70372(a): ICNA (=LCCF on 1/1/1998)	STATE	25.00	7.50	25.00	25.00	0.00
N	2.50	GC 70372(a): SCFCF (=5/10 - ICNA)	STATE	25.00	7.50	25.00	25.00	0.00
N		PC 1465.7 - 20% Surcharge	STATE	20.00		20.00	20.00	0.00
		SUBTOTAL		414.00		294.68	414.00	0.00
N		PC 1465.8 - Court Ops Assmnt (\$40 eff 10-19-10)	STATE	40.00		40.00	40.00	0.00
N		GC 70373 - Crim Conv Assmnt (\$30 for misd/\$35 for infr)	STATE	35.00		35.00	35.00	0.00
N		VC 42007.1 - Traffic School Fee (\$49 -49% to County)	COUNTY	24.01		24.01	24.01	0.00
N		VC 42007.1 - Traffic School Fee (\$49-51% to State ICNA)	STATE	24.99		24.99	24.99	0.00
N		VC 11205.2(c) - Addl Court TS Admin Fee (up to act costs)	COURT	94.60		94.60	94.60	0.00
N		VC 11208(c) - Addl DMV TS Admin Fee	STATE	3.00		3.00	3.00	0.00
N		VC 40508.6 - Priors/DMV Admin Fee (up to \$10)	COURT	0.00		0.00	0.00	0.00
N		VC 42006 - Night Court Assmnt (\$1)	STATE	1.00		1.00	1.00	0.00
		GC 68090.8 - 2% Automation	STATE				0.00	
					118.20			
		TOTAL FINE		636.60		517.28	636.60	0.00

Case Study # 6:  
Multiple Violations Distribution

**San Diego Court Case Information:**

- Violation Date: 4/7/2018
- Disposition Date: 5/29/2018
- Arresting Agency= City of Imperial Beach  
--% Split between County and City (Refer to PC 1463.002)
- Violation type:  
VC §22450(a) Failure to Stop at Stop Sign— Infraction  
VC §23152(a) Driving under Influence of Alcohol— Misdemeanor
- Disposition = Bail Forfeiture

**Local BOS Penalties:**

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

**Additional Court Fees:**

- PC 1463.14(b) - DUI Lab Test Penalty (BOS: up to \$50)
- PC 1202.4(b)- State Restitution Fine (min. \$150 misd./\$300 fel)
- PC 1202.4(l)- County collection fee (BOS, up to 10% of Rest. Fine)
- VC 23645 (a) - Alcohol Edu and Prevention Penalty (up to \$50)
- GC 29550.2 - Booking Fee = \$240
- VC 42006- Night Court Fee = \$1

## Case Study # 6: Multiple Violations Distribution

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	Surchage* %	EMS PA*/10	EMAT PA* PA*/10	Fine Surcharge & PA Subtotal	Court OPS Conv. Assess Night Court	Total Bail **		
23110	(a)	Throwing Substance at Vehicle Prohibited	250	250	175	125	125	5	20%	2	4	40	30	1	1100
23112.5	(a)	Hazardous Materials–Notification of Agency Required	2000	2000	1400	1000	1000	400	400	4	8204	40	30	1	8275
23118	(f)(4)	Release of Impounded Vehicle by Legal Owner or Agent Prior to End of Impoundment Period	2000	2000	1400	1000	1000	400	400	4	8204	40	30	1	8275
23127		Motor Vehicle on Riding/Hiking Trails Prohibited	50	50	35	25	25	10	10	4	209	40	30	1	280
23152	(a,b)	101 Driving Under Influence of Alcohol	390	390	273	195	195	78	78	4	1603	40	30	1	1674
23152	(c)	102 Driving While Addicted to Drug	390	390	273	195	195	78	78	4	1603	40	30	1	1674
23152	(d)	103 Driving Commercial Vehicle Under Influence of Alcohol	450	450	315	225	225	90	90	4	1849	40	30	1	1920
23152	(f)	104 Driving Under Influence of Drug	390	390	273	195	195	78	78	4	1603	40	30	1	1674
23152	(g)	105 Driving Under Influence of Alcohol and Drug	500	500	350	250	250	100	100	4	2054	40	30	1	2125

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	EMAT PA* PA*/10	Fine Surcharge & PA Subtotal	Court OPS Conv. Assess Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points		
22407	77	Posted Speed for Designated Vehicles–In Excess of Speed Limit by 10 MPH or More	100	100	70	50	50	20	20	4	414	40	35	1	0	490	4a	1
22409		Speed Limit for Solid Tire Vehicle ≥ 26 MPH Over Limit	100	100	70	50	50	20	20	4	414	40	35	1	0	490	4a	1
22409		Speed Limit for Solid Tire Vehicle 16–25 MPH Over Limit	70	70	49	35	35	14	14	4	291	40	35	1	0	367	4a	1
22409		Speed Limit for Solid Tire Vehicle, 1–15 MPH Over Limit	35	40	28	20	20	7	8	4	162	40	35	1	0	238	2a	1
22410		Exceeding Speed Limit for Metal Tire Vehicles	35	40	28	20	20	7	8	4	162	40	35	1	0	238	2a	1
22413		Violation of Speed Limit Set by Local Authority for Steep Grades																
22450	(a)	78 Failure to Stop at Stop Sign	35	40	28	20	20	7	8	4	162	40	35	1	0	238	2a	1
22450	(b)	Failure to Stop at Stop Sign at Railroad Grade Crossing	100	100	70	50	50	20	20	4	414	40	35	1	0	490	4a	1

**1464.** (a) (1) Subject to Chapter 12 (commencing with Section 76000) of Title 8 of the Government Code, and except as otherwise provided in this section, there shall be levied a state penalty in the amount of ten dollars (\$10) for every ten dollars (\$10), or part of ten dollars (\$10), upon every fine, penalty, or forfeiture imposed and collected by the courts for all criminal offenses, including all offenses, except parking offenses as defined in subdivision (i) of Section 1463, involving a violation of a section of the Vehicle Code or any local ordinance adopted pursuant to the Vehicle Code.

(2) Any bail schedule adopted pursuant to Section 1269b or bail schedule adopted by the Judicial Council pursuant to Section 40310 of the Vehicle Code may include the necessary amount to pay the penalties established by this section and Chapter 12 (commencing with Section 76000) of Title 8 of the Government Code, and the surcharge authorized by Section 1465.7, for all matters where a personal appearance is not mandatory and the bail is posted primarily to guarantee payment of the fine.

(3) The penalty imposed by this section does not apply to the following:

(A) Any restitution fine.

(B) Any penalty authorized by Chapter 12 (commencing with Section 76000) of Title 8 of the Government Code.

(C) Any parking offense subject to Article 3 (commencing with Section 40200) of Chapter 1 of Division 17 of the Vehicle Code.

(D) The state surcharge authorized by Section 1465.7.

(b) Where multiple offenses are involved, the state penalty shall be based upon the total fine or bail for each case. When a fine is suspended, in whole or in part, the state penalty shall be reduced in proportion to the suspension.

Case Study # 6:  
Multiple Violations Distribution

**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
<b>Imperial Beach .....</b>	<b>8</b>
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 # 6:  
Multiple Violations Distribution

Case Study --Multiple Violations Distribution									
CASE INFORMATION									
<b>Case Number</b>		<b>COUNT 1 Violation Code</b>	VC23152(a)	<b>BASE FINE</b>	390				
<b>Violation Date</b>	4/7/2018	<b>Violation Description</b>	Driving under Influence of Alcohol	<b>Priors</b>					
<b>Disposition Date</b>	5/29/2018	<b>Violation Type</b>	Misdemeanor	<b>Enhanced BASE</b>	390				
<b>Arresting Agency</b>	Imperial Beach	<b>Disposition</b>	Bail Forfeiture						
<b>County %</b>	8%	<b>COUNT 2 Violation Code (if any)</b>	VC22450(a)	<b>BASE FINE</b>	35				
<b>City %</b>	92%	<b>Violation Description</b>	Failure to Stop at Stop Sign	<b>Priors</b>					
<b>TOTAL</b>	\$425.00	<b>Violation Type</b>	Infraction	<b>Enhanced BASE</b>	35				
<b>Portion of 10</b>	43	<b>Disposition</b>	Bail Forfeiture	<b>GC 76000 =</b>	\$ 7.00				
DISTRIBUTION									
2% Y - Def	Per 10	DISTRIBUTION	DISTRIB ENTITY	STANDARD BASE-UP			TOP-DOWN		
				Standard- Per UBS	2% Amt	FINAL (After 2%)	Prorate % After Fixed Amts	2% Amt	FINAL (After 2%)
		<b>BASE REDUCTION: PC 1463.14(a) - DUI Lab Spec Acct (\$50)</b>	COUNTY	50.00	1.00	49.00	0.00	0.00	0.00
		<b>BASE REDUCTION: PC 1463.16 - DUI Prog Spec Acct (BOS: \$50)</b>	COUNTY	50.00	1.00	49.00	0.00	0.00	0.00
		<b>BASE REDUCTION: PC 1463.18 - DUI Indemnity Alloc (\$20)</b>	STATE	20.00	0.40	19.60	0.00	0.00	0.00
Y	TOTAL BASE	PC 1463.001 - Base County	COUNTY	24.40	0.49	23.91	0.00	0.00	0.00
Y		PC 1463.002 - Base City	CITY	280.60	5.61	274.99	0.00	0.00	0.00
Y	7	PC 1464 - State PA - State portion (70%)	STATE	301.00	6.02	294.98	0.00	0.00	0.00
Y	3	PC 1464 - State PA - County portion (30%)	COUNTY	129.00	2.58	126.42	0.00	0.00	0.00
Y	1	GC 76104.6 - DNA PA (1/10)	COUNTY	43.00	0.86	42.14	0.00	0.00	0.00
Y	4	GC 76104.7 - DNA Addl PA (4/10 eff 6-27-12; prev 3/10)	STATE	172.00	3.44	168.56	0.00	0.00	0.00
Y	2.00	GC 76100 - LCCF	COUNTY	86.00	1.72	84.28	0.00	0.00	0.00
Y	2.00	GC 76101 - LCJF	COUNTY	86.00	1.72	84.28	0.00	0.00	0.00
Y	2.00	GC 76104 - EMS	COUNTY	86.00	1.72	84.28	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
Y	1.00	GC 76102 - Auto	COUNTY	43.00	0.86	42.14	0.00	0.00	0.00
Y	2.00	GC 76000.5 - EMS Addl PA (BOS: 2/10)	COUNTY	86.00	1.72	84.28	0.00	0.00	0.00
Y		GC 76000.10(c) - EMAT Penalty (\$4 eff 1-1-11)	STATE	8.00	0.16	7.84	0.00	0.00	0.00
Y	2.00	GC 70372(a): ICNA (=LCCF on	STATE	86.00	1.72	84.28	0.00	0.00	0.00
Y	3.00	GC 70372(a): SCFCF (=5/10 -	STATE	129.00	2.58	126.42	0.00	0.00	0.00
N		PC 1465.7 - 20% Surcharge	STATE	85.00	0.00	85.00	0.00	0.00	0.00
		<b>SUBTOTAL</b>		<b>1765.00</b>		<b>1731.40</b>	<b>0.00</b>		<b>0.00</b>
N		PC 1465.8 - Court Ops Assmnt (\$40 eff 10-19-10)	STATE	80.00	0.00	80.00	0.00	0.00	0.00
N		GC 70373 - Crim Conv Assmnt (\$30 for misd/\$35 for infr)	STATE	65.00	0.00	65.00	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
N		PC 1463.13 - Alcohol & Drug Assmnt (BOS: up to \$150)	COUNTY	0.00	0.00	0.00	0.00	0.00	0.00
Y		<b>PC 1463.14(b) - DUI Lab Test Penalty (BOS: up to \$50)</b>	CNTY or CT	<b>50.00</b>	1.00	49.00	0.00	0.00	0.00
Y		<b>VC 23645(a) - Alcohol Abuse Edu. and Prevention Penalty (up to \$</b>	COUNTY	<b>50.00</b>	1.00	49.00	0.00	0.00	0.00
N		VC 23649(a) - Co Alc & Drug Prob Assmnt (up to \$100)	COUNTY	0.00	0.00	0.00	0.00	0.00	0.00
Y		<b>PC 1202.4(b) - State Restitutn Fine (min: \$150 misd/\$300 fel)</b>	STATE	<b>150.00</b>	3.00	147.00	0.00	0.00	0.00
N		PC 1202.4(f) - County Collect Fee (BOS: up to 10% of Rest Fine)	COUNTY	15.00	0.00	15.00	0.00	0.00	0.00
N		GC 29550.2 - Booking Fee	COUNTY	240.00	0.00	240.00	0.00	0.00	0.00
N		VC 42006 - Night Court Assmnt (\$1)	STATE	1.00	0.00	1.00	0.00	0.00	0.00
N		GC 68090.8 - 2% State Automation (for fines, penalties & forfeitures)	STATE			38.60			0.00
		<b>TOTAL FINE</b>		<b>2416.00</b>		<b>2416.00</b>	<b>0.00</b>		<b>0.00</b>