

RULES COMMITTEE ACTION REQUEST FORM

Rules Committee Meeting Date: December 7, 2023

Rules Committee action requested [Choose from drop down menu below]:

Submit to JC (without circulating for comment)

Title of proposal: Civil Practice and Procedure: Form Revisions to Implement Senate Bill 71

Proposed rules, forms, or standards (include amend/revise/adopt/approve):

Revise forms ADR-103, ADR-104, ADR-105, ADR-106, APP-001-INFO, APP-101-INFO, APP-150-INFO, CIV-130, CIV-170, CM-010, CM-110, DISC-001, DISC-010, DISC-015, FW-001-INFO, PLD-050, PLD-C-001, PLD-C-500, PLD-C-505, PLD-PI-001, PLD-PI-002, SC-100, SC-100-INFO, SC-101, SC-500, UD-100

Committee or other entity submitting the proposal:

Civil and Small Claims Advisory Committee

Staff contact (name, phone and e-mail): Jenny Grantz, (415) 865-4394, jenny.grantz@jud.ca.gov

Identify project(s) on the committee's annual agenda that is the basis for this item:

Annual agenda approved by Rules Committee on (date): October 26, 2023

Project description from annual agenda: Item 5: Develop rule and form recommendations as appropriate. SB 71, which goes into effect January 1, 2024, raises the amount in controversy for limited civil and small claims court cases. Such a change will require narrow revisions to a potentially large number of forms, including the civil case cover sheet, certain discovery forms, and small claims pleading and information forms. Revision of the civil case cover sheet may also be appropriate to reorganize the form or to include additional types of cases. Certain rules of Court may also need to be amended to reflect the updated jurisdictional amounts.

Out of Cycle: *If requesting September 1 effective date or out of cycle, explain why:*

Action must be taken between the Judicial Council's regularly scheduled meetings to ensure that council forms do not contain inaccurate statements of law as of January 1, 2024, when SB 71 takes effect.

Additional Information for Rules Committee: (To facilitate Rules Committee's review of your proposal, please include any relevant information not contained in the attached summary.)

Additional Information for JC Staff (provide with reports to be submitted to JC):

- **Form Translations** (check all that apply)

This proposal:

- includes forms that have been translated.
- includes forms or content that are required by statute to be translated. Provide the code section that mandates translation: [Click or tap here to enter text.](#)
- includes forms that staff will request be translated.

- **Form Descriptions** (for any proposal with new or revised forms)

The forms in this proposal will require new or revised form descriptions on the JC forms webpage. (If this is checked, the form descriptions should be approved by a supervisor before submitting this RAR.)

- **Self-Help Website** (check if applicable)

This proposal may require changes or additions to self-help web content.



Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688

www.courts.ca.gov

CIRCULATING ORDER MEMORANDUM TO THE JUDICIAL COUNCIL

Circulating Order Number: CO-23-04

Title

Civil Practice and Procedure: Form Revisions
to Implement Senate Bill 71

Action Requested

VOTING MEMBERS ONLY: Submit votes
by responding to the transmittal email.

Rules, Forms, Standards, or Statutes Affected

Revise forms ADR-103, ADR-104, ADR-105,
ADR-106, APP-001-INFO, APP-101-INFO,
APP-150-INFO, CIV-130, CIV-170, CM-010,
CM-110, DISC-001, DISC-010, DISC-015,
FW-001-INFO, PLD-050, PLD-C-001,
PLD-C-500, PLD-C-505, PLD-PI-001,
PLD-PI-002, SC-100, SC-100-INFO, SC-101,
SC-500, UD-100

Please Respond By

Noon on December 15, 2023

Date of Report

November 22, 2023

Contact

Jenny Grantz, Attorney
415-865-4394

jenny.grantz@jud.ca.gov

Recommended by

Appellate Advisory Committee
Hon. Louis R. Mauro, Chair

James Barolo, Attorney
415-865-8928

james.barolo@jud.ca.gov

Civil and Small Claims Advisory Committee
Hon. Tamara L. Wood, Chair

Kendall Hannon, Attorney
415-865-7653

kendall.hannon@jud.ca.gov

California Rules of Court, rules 10.5(h) and 10.13(d), allow the Judicial Council to act on business between meetings, including urgent matters, by circulating order. This memorandum is not a Judicial Council meeting; circulating orders are conducted via electronic communications. Prior public notice of a proposed circulating order is not required.

Executive Summary

The Civil and Small Claims Advisory Committee and the Appellate Advisory Committee recommend revising 26 Judicial Council forms to implement statutory changes made by Senate Bill 71 (Stats. 2023, ch. 861), enacted October 13, 2023. SB 71 raises the jurisdictional limits for small claims and limited civil cases. Action must be taken between the Judicial Council's

regularly scheduled meetings to ensure that council forms do not contain inaccurate statements of law as of January 1, 2024, when the law takes effect. On December 7, 2023, the Rules Committee reviewed the proposal in this circulating order memorandum under California Rules of Court, rule 10.13(d), and approved its circulation to the council.

Recommendation

The Civil and Small Claims Advisory Committee and the Appellate Advisory Committee recommend that the Judicial Council, effective January 1, 2024, revise the following forms to reflect SB 71's increase of the jurisdictional limits for limited civil and small claims cases:

- *Petition to Confirm, Correct, or Vacate Attorney-Client Fee Arbitration Award* (form ADR-103)
- *Rejection of Award and Request for Trial After Attorney-Client Fee Arbitration* (form ADR-104)
- *Information Regarding Rights After Attorney-Client Fee Arbitration* (form ADR-105)
- *Petition to Confirm, Correct, or Vacate Contractual Arbitration Award* (form ADR-106)
- *Information on Appeal Procedures for Unlimited Civil Cases* (form APP-001-INFO)
- *Information on Appeal Procedures for Limited Civil Cases* (form APP-101-INFO)
- *Information on Writ Proceedings in Misdemeanor, Infraction, and Limited Civil Cases* (form APP-150-INFO)
- *Notice of Entry of Judgment or Order* (form CIV-130)
- *Petition and Declaration Regarding Unresolved Claims and Deposit of Undistributed Surplus Proceeds of Trustee's Sale* (form CIV-170)
- *Civil Case Cover Sheet* (form CM-010)
- *Case Management Statement* (form CM-110)
- *Form Interrogatories—General* (form DISC-001)
- *Case Questionnaire—For Limited Civil Cases* (form DISC-010)
- *Request for Statement of Witnesses and Evidence—For Limited Civil Cases (Under \$25,000)* (form DISC-015)
- *Information Sheet on Waiver of Superior Court Fees and Costs* (form FW-001-INFO)
- *General Denial* (form PLD-050)
- *Complaint—Contract* (form PLD-C-001)
- *Complaint—Recovery of COVID-19 Rental Debt* (form PLD-C-500)
- *Answer—Recovery of COVID-19 Rental Debt* (form PLD-C-505)
- *Complaint—Personal Injury, Property Damage, Wrongful Death* (form PLD-PI-001)
- *Cross-Complaint—Personal Injury, Property Damage, Wrongful Death* (form PLD-PI-002)
- *Plaintiff's Claim and Order to Go to Small Claims Court* (form SC-100)
- *Information for the Plaintiff* (form SC-100-INFO)
- *Attorney Fee Dispute (After Arbitration)* (form SC-101)
- *Plaintiff's Claim and Order to Go to Small Claims Court (COVID-19 Rental Debt)* (form SC-500)
- *Complaint—Unlawful Detainer* (form UD-100)

The proposed revised forms are attached at pages 10–129.

Relevant Previous Council Action

The council has revised the forms in this proposal many times to reflect statutory changes, add and revise pertinent information, and make the forms easier for litigants to understand and use. The \$25,000 jurisdictional limit for limited civil cases and the \$5,000 jurisdictional limit for small claims cases have been reflected on the relevant forms for more than twenty years.¹ Forms SC-100 and SC-150-INFO, the two forms that state the jurisdictional limit for small claims cases brought by natural persons, were revised effective January 1, 2012, to reflect the most recent statutory increase to that limit.²

On September 19, 2023, the council approved unrelated revisions to forms APP-001-INFO and APP-101-INFO, effective January 1, 2024. The proposed versions of those forms, attached to this report, reflect those revisions.³

Analysis/Rationale

Senate Bill 71

Effective January 1, 2024, SB 71 raises the jurisdictional limits for small claims and limited civil cases.⁴ Under SB 71, small claims courts have jurisdiction over actions where the amount demanded does not exceed \$6,250 (previously \$5,000), or \$12,500 if the action is brought by a natural person (previously \$10,000).⁵ Cases are now considered limited civil cases if the amount in controversy is \$35,000 or less (previously \$25,000).

Revised forms, in general

All the forms require only minor changes to reflect the change in jurisdictional amounts. The focus of the Appellate Advisory Committee was on the appellate forms within its purview.

Eighteen forms⁶ in this proposal (forms ADR-105, APP-001-INFO, APP-101-INFO, APP-150-INFO, CIV-130, CM-010, CM-110, DISC-001, DISC-010, DISC-015, FW-001-INFO,

¹ See, e.g., Judicial Council of Cal., Advisory Comm. Rep., *Case Management* (Dec. 7, 2001) [adopting form CM-110]; Judicial Council of Cal., Advisory Comm. Rep., *Proposed New and Amended Small Claims Court Forms* (Oct. 28, 1991) [revising form SC-100].

² Judicial Council of Cal., Advisory Comm. Rep., *Small Claims: Technical Revisions to Forms SC-100 and SC-100-INFO to Conform to Statutory Amendments* (Sept. 21, 2011).

³ Judicial Council of Cal., Advisory Comm. Rep., *Appellate Procedure: Time for Electing and Filing an Appendix* (June 29, 2023), <https://jcc.legistar.com/View.ashx?M=F&ID=12246078&GUID=4628012C-A5D0-4C70-9E45-0FF8F01F6D7D>.

⁴ Senate Bill 71 is available at https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB71.

⁵ SB 71 also raised the jurisdictional limit for small claims cases against defendant guarantors, but those changes do not require form revisions.

⁶ One additional form, *Information Sheet on Waiver of Appellate Court Fees—Supreme Court, Court of Appeal, Appellate Division* (form APP-015/FW-015-INFO), will also require revisions to implement SB 71. However, that form has not been included in this proposal because it will need to be revised again early in 2024 to reflect the new

PLD-050, PLD-C-505, PLD-PI-002, SC-100, SC-100-INFO, SC-101, and SC-500) require only changes to dollar numbers stated in the forms to comply with the amended statutes. These forms state the monetary maximum for limited civil or small claims cases in one or more places. The committees recommend revising these forms to change these dollar amounts (e.g., from \$25,000 to \$35,000 for limited civil cases) wherever they are stated.

Pleading forms and other first papers

The remaining eight forms in this proposal (forms ADR-103, ADR-104, ADR-106, CIV-170, PLD-C-001, PLD-C-500, PLD-PI-001, and UD-100) are pleadings or other first papers, which state the jurisdictional limit for limited civil cases in checkboxes in the first-page header, as follows:

Jurisdiction (check all that apply):	
<input type="checkbox"/>	ACTION IS A LIMITED CIVIL CASE
	Amount demanded <input type="checkbox"/> does not exceed \$10,000
	<input type="checkbox"/> exceeds \$10,000 but does not exceed \$25,000
<input type="checkbox"/>	ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$25,000)
<input type="checkbox"/>	ACTION IS RECLASSIFIED by this amended complaint or cross-complaint
	<input type="checkbox"/> from limited to unlimited
	<input type="checkbox"/> from unlimited to limited

The Civil and Small Claims Advisory Committee is proposing that these forms be revised to add a parenthetical statement following the text after the first checkbox that the limited civil actions do not exceed \$35,000 and to revise the dollar amount in the current parenthetical statement for unlimited civil actions to reflect the new \$35,000 threshold for those cases.

The committee is also making a minor revision to the text following the third checkbox by eliminating the \$25,000 maximum in that line. The two checkboxes under “Action is a Limited Civil Case” referencing \$10,000 are required by Government Code section 70613, which requires the first page of the first paper in a limited civil case to “state whether the amount demanded exceeds or does not exceed ten thousand dollars (\$10,000).”⁷ This information is mandated because, under Government Code sections 70613 and 70614, the filing fee for the first paper in a limited civil case depends on whether the amount demanded is more or less than \$10,000. (This amount was not amended by SB 71.) However, the reference to “not exceed[ing] \$25,000” is not required by statute and under the new law would be confusing.⁸

qualifying income levels for fee waivers, based on changes to CPI in January 2024. The Appellate Advisory Committee believes it will be less confusing for courts and litigants to revise that form once rather than twice in a three-month period, even though it will mean the form incorrectly states the jurisdictional limit for limited civil cases for three months.

⁷ This requirement is also stated in California Rules of Court, rule 2.111.

⁸ That figure is there now to assist courts in determining filing fees. Government Code section 70613.5 creates a supplemental fee if the complaint or pleading is amended to raise the demand “to an amount that exceeds ten thousand dollars (\$10,000) *but does not exceed twenty-five thousand dollars (\$25,000)*” (emphasis added). That

The Civil and Small Claims Advisory Committee therefore recommends revising the checkboxes at the top of these eight forms as follows:

- Action is a limited civil case (does not exceed \$35,000)
 - Amount demanded does not exceed \$10,000
 - ~~exceeds \$10,000 but does not exceed \$25,000~~
- Action is an unlimited civil case (exceeds ~~\$25,000~~ \$35,000)

These revisions correctly reflect the increased jurisdictional limits for limited civil cases set by SB 71, contain the information required by Government Code section 70613, and do not conflict with Government Code section 70613.5.

Policy implications

The proposed revisions to the forms recommended by the committees implement amended statutes that raise the jurisdictional limits for small claims and limited civil cases. Accordingly, the key policy implications are ensuring that council forms correctly reflect the law. These revisions are therefore consistent with the *Strategic Plan for California's Judicial Branch*, specifically the goals of Modernization of Management and Administration (Goal III) and Quality of Justice and Service to the Public (Goal IV).

Comments

This proposal was not circulated for public comment because the amendments are minor and noncontroversial and directly implement and reflect statutory changes; they are, therefore, within the Judicial Council's purview to adopt without circulation. (See rule 10.22(d)(2).)

Alternatives considered

The committees did not consider taking no action because without the proposed revisions, 26 council forms would no longer reflect current law as of January 1, 2024.

Fiscal and Operational Impacts

The committees anticipate that this proposal would require courts to train court staff and judicial officers on the revised forms. Court procedures and case management systems will also need to be updated. Because the revisions reflect changes in statute, these operational impacts cannot be avoided.

One noteworthy operational impact of SB 71 is not a result of the form revisions. Because Government Code section 70613.5 has not been updated to reflect the increased jurisdictional limit for limited civil cases, determining filing fees in limited civil cases may be confusing for

maximum demand amount in section 70613.5 was not amended by SB 71 to reflect the new \$35,000 maximum for limited civil cases. As a result, the second limited civil checkbox cannot be updated to say "exceeds \$10,000 but does not exceed \$35,000" because that would not correctly reflect section 70613.5. Therefore, the proposal is to simply eliminate the maximum amount from the second checkbox under "Action is a limited civil case."

courts and litigants. Specifically, because of the interaction between Government Code sections 70613 and 70613.5, the law is now unclear as to what filing fees courts should apply under section 70613.5 in limited civil cases when a pleading is amended to increase the demand from less than \$10,000 to more than \$25,000 but less than \$35,000. Court staff will require training on this issue.

Attachments and Links

1. Voting instructions, at page 7
2. Vote and signature pages, at pages 8–9
3. Forms ADR-103, ADR-104, ADR-105, ADR-106, APP-001-INFO, APP-101-INFO, APP-150-INFO, CIV-130, CIV-170, CM-010, CM-110, DISC-001, DISC-010, DISC-015, FW-001-INFO, PLD-050, PLD-C-001, PLD-C-500, PLD-C-505, PLD-PI-001, PLD-PI-002, SC-100, SC-100-INFO, SC-101, SC-500, UD-100, at pages 10–129
4. Link A: Sen. Bill 71,
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB71

Authors

Jenny Grantz
Attorney, Legal Services

James Barolo
Attorney, Legal Services

Kendall Hannon
Attorney, Legal Services

Instructions for Review and Action by Circulating Order

Voting members

- Please reply to the email message with “I approve,” “I disapprove,” or “I abstain,” by noon on December 15, 2023.
- If you are unable to reply by noon on December 15, 2023, please do so as soon as possible thereafter.

Advisory members

The circulating order is being emailed to you for your information only. There is no need to sign or return any documents.

**CIRCULATING ORDER
Judicial Council of California
Voting and Signature Pages**

Effective immediately, the Judicial Council approves the form revisions to implement Senate Bill 71.

My vote is as follows:

Approve Disapprove Abstain

Patricia Guerrero, Chair

Marla O. Anderson

Maria Lucy Armendariz

C. Todd Bottke

Kyle S. Brodie

Jonathan B. Conklin

Carol A. Corrigan

Michelle Williams Court

Charles S. Crompton

Samuel K. Feng

David D. Fu

Carin T. Fujisaki

Maureen F. Hallahan

Brad R. Hill

My vote is as follows:

Approve

Disapprove

Abstain

Rachel W. Hill

Brian Maienschein

Ann C. Moorman

Gretchen Nelson

Maxwell V. Pritt

Thomas J. Umberg

Date: _____

Attest:

Acting Administrative Director and
Secretary of the Judicial Council

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY DRAFT 11/07/2023 NOT APPROVED BY COUNCIL
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER: RESPONDENT:	
PETITION TO <input type="checkbox"/> CONFIRM <input type="checkbox"/> CORRECT <input type="checkbox"/> VACATE ATTORNEY-CLIENT FEE ARBITRATION AWARD	
Jurisdiction (check all that apply): <input type="checkbox"/> Action is a limited civil case (does not exceed \$35,000) Amount demanded <input type="checkbox"/> does not exceed \$10,000 <input type="checkbox"/> exceeds \$10,000 <input type="checkbox"/> Action is an unlimited civil case (exceeds \$35,000)	CASE NUMBER: _____
NOTICE: Please read Alternative Dispute Resolution form ADR-105, Information Regarding Rights After Attorney-Client Fee Arbitration, promptly and before completing this form. There are short deadlines for requesting court relief after an attorney-client fee arbitration award. Do not use this form to reject a nonbinding attorney-client fee arbitration award and request a trial; use form ADR-104 instead.	

1. **Petitioner and respondent.** Petitioner (name each):

alleges and requests relief against respondent (name each):

2. **Attorney-client fee dispute arbitration.** This petition is being filed after an attorney-client fee arbitration conducted under Business and Professions Code sections 6200–6206. Petitioner was

- a. the attorney involved in the fee dispute.
- b. the client involved in the fee dispute.

3. **Pending or new action.**

- a. A court case is already pending, and this is a petition filed in that action. (If so, proceed to item 4.)
- b. This petition commences a new action. (If so, complete items 3b(1) through 3b(4).)

- (1) **Petitioner's capacity.** Each petitioner named in item 1 is an individual,
 - except petitioner (state name and complete one or more of the following):
 - (a) is a corporation qualified to do business in California.
 - (b) is an unincorporated entity (specify):
 - (c) is a representative (specify):
 - (d) is (specify other capacity):

- (2) **Respondent's capacity.** Each respondent named in item 1 is an individual,
 - except respondent (state name and complete one or more of the following):
 - (a) is a business organization, form unknown.
 - (b) is a corporation.
 - (c) is an unincorporated entity (specify):
 - (d) is a representative (specify):
 - (e) is (specify other capacity):

PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

3. b. (3) **Amount or property in dispute.** This petition involves a dispute over *(check and complete all that apply)*:
- (a) the following amount of money *(specify amount)*: \$
 - (b) property *(if the dispute involves property, complete both of the following)*:
 - (i) consisting of *(identify property in dispute)*:
 - (ii) having a value of *(specify value of property in dispute)*: \$
- (4) **Venue.** This court is the proper court because *(complete (a) or (b))*:
- (a) this is the court in the county in which the arbitration was held.
 - (b) the arbitration was not held exclusively in any county of California, **and**
 - (i) this is the court in the county where the agreement was made.
 - (ii) this is the court in the county where the agreement is to be performed.
 - (iii) the agreement does not specify a county where it is to be performed and was not made in any county in California, and the following party resides or has a place of business in this county *(name of party)*:
 - (iv) the agreement does not specify a county where it is to be performed and was not made in any county in California, and no party to this action resides or has a place of business in California.
4. **Arbitrator.** The following person was duly selected or appointed as arbitrator *(name of each arbitrator)*:
5. **Arbitration hearing.** The arbitration hearing was conducted as follows *(complete both of the following)*:
- a. **Date** *(each date of arbitration)*:
 - b. **Location** *(city and state where arbitration was conducted)*:
6. **Arbitration award.**
- a. **Date of award.** *The arbitration award was made on (date)*:
 - b. **Terms of award.** The arbitration award *(complete one or more of the following)*:
 - (1) requires the attorney the client to pay the other party this amount: \$
 - (2) requires neither the attorney nor the client to pay the other anything.
 - (3) provides *(specify other terms or check item 6(c) and attach a copy of the award)*:
 - c. **Attachment of Award.** A copy of the award is submitted as Attachment 6(c).
7. **Notice of award.** The notice of the arbitration award indicates that it was mailed to petitioner on *(date)*:
8. **Binding award.** The arbitration award is binding because *(check all that apply)*:
- (a) after the fee dispute arose, the parties agreed in writing that the arbitration award would be binding.
 - (b) more than 30 days have passed since notice of the award was mailed, and no party has filed a rejection of the award and request for trial.
9. **Willful nonappearance.** Thirty days have not passed since notice of the award was mailed; however, respondent willfully failed to appear at the arbitration hearing. The award does does not refer to respondent's nonappearance.
10. **Petitioner requests that the court** *(check all that apply)*:
- a. **Confirm the award and enter judgment according to it.**
 - b. **Correct the award and enter judgment according to the corrected award, as follows:**
 - (1) **The award should be corrected because** *(check all that apply)*:
 - (a) the amount of the award was not calculated correctly, or a person, thing, or property was not described correctly.
 - (b) the arbitrator exceeded his or her authority.
 - (c) the award is imperfect as a matter of form.

PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

10. b. (2) The facts supporting the grounds for correcting the award alleged in item 10b(1) are as follows (if additional space is required, check here and submit facts on an attachment labeled 10b(2)):

(3) The award should be corrected as follows (if additional space is required, check here and describe requested correction on an attachment labeled 10b(3)):

c. **Vacate (cancel) the award.**

(1) **The award should be vacated because (check all that apply):**

- (a) the award was obtained by corruption, fraud, or other unfair means.
- (b) an arbitrator was corrupt.
- (c) the misconduct of a neutral arbitrator substantially prejudiced petitioner's rights.
- (d) the arbitrator exceeded his or her authority, and the award cannot be fairly corrected.
- (e) the arbitrator unfairly refused to postpone the hearing or to hear evidence useful to settle the dispute.
- (f) an arbitrator failed to disclose within the time for disclosure a ground for disqualification of which the arbitrator was then aware.
- (g) an arbitrator should have disqualified himself or herself after petitioner made a demand to do so.

(2) The facts supporting the grounds for vacating the award alleged in item 10c(1) are as follows (if additional space is required, check here and submit facts on an attachment labeled 10c(2)):

(3) Petitioner does does not request a new arbitration hearing.

d. **Award petitioner interest** from (date):

- (1) at the statutory rate.
- (2) at the rate of _____ % per year.

e. **Award petitioner costs of suit:**

- (1) in the amount of: \$
- (2) according to proof.

f. **Award petitioner attorney fees incurred in this action** (attorney fees incurred in preparation for or in the course of the fee arbitration proceeding are not recoverable):

- (1) in the amount of: \$
- (2) according to proof.

g. **Award petitioner the following other relief** (describe relief requested; if additional space is required, check here and describe relief on an attachment labeled 10g):

11. **Pages and attachments.** Number of pages attached: _____

Date: _____

 (TYPE OR PRINT NAME)

▶

 (SIGNATURE OF PETITIONER OR ATTORNEY)

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>): TELEPHONE NO.: FAX NO. (<i>Optional</i>): EMAIL ADDRESS (<i>Optional</i>): ATTORNEY FOR (<i>Name</i>):	<i>FOR COURT USE ONLY</i> DRAFT 11/07/2023 NOT APPROVED BY COUNCIL
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER: RESPONDENT:	
REJECTION OF AWARD AND REQUEST FOR TRIAL AFTER ATTORNEY-CLIENT FEE ARBITRATION	
Jurisdiction (<i>check all that apply</i>): <input type="checkbox"/> Action is a limited civil case (does not exceed \$35,000) Amount demanded <input type="checkbox"/> does not exceed \$10,000 <input type="checkbox"/> exceeds \$10,000 <input type="checkbox"/> Action is an unlimited civil case (exceeds \$35,000)	CASE NUMBER:
NOTICE: Please read Alternative Dispute Resolution form ADR-105, <i>Information Regarding Rights After Attorney-Client Fee Arbitration</i> , promptly and before completing this form. There are short deadlines for requesting court relief after an attorney-client fee arbitration award. Do not use this form to confirm, correct, or vacate an attorney-client fee arbitration award; use form ADR-103 instead.	

1. **Petitioner and respondent.** Petitioner (*name each*):

alleges and requests relief against respondent (*name each*):

2. **Attorney-client fee dispute arbitration.** This *Rejection of Award and Request for Trial* concerns an arbitration to determine disputed attorney fees that was conducted under Business and Professions Code sections 6200–6206. Petitioner was

- a. the attorney involved in the fee dispute.
b. the client involved in the fee dispute.

3. Pending or new action.

- a. **Pending action.** A court case concerning the attorney-client fee dispute involved in the arbitration is already pending, and this *Rejection of Award and Request for Trial* is being filed in that action.
b. **New action.** This *Rejection of Award and Request for Trial* is being filed with a complaint commencing a new action. (*A request for trial must be filed in a pending case or with a complaint commencing a new action.*)

PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

4. **Arbitration hearing.** The arbitration hearing was conducted as follows *(complete each of the following)*:
- a. **Date** *(each date of arbitration)*:
 - b. **Location** *(city and state where arbitration was conducted)*:
 - c. **Appearances at the arbitration.** The arbitration hearing was conducted as follows *(check one of the following)*:
 - (1) Petitioner appeared at the arbitration hearing in person or by counsel.
 - (2) Petitioner did not appear at the arbitration hearing. *Petitioner's failure to appear was not willful because (explain reasons for not appearing):*
5. **Arbitration award.**
- a. **Date of award.** The arbitration award was made on *(date)*:
 - b. **Amount of award.** The arbitration award *(complete one of the following)*:
 - (1) requires the attorney the client to pay the other party this amount: \$
 - (2) requires neither the attorney nor the client to pay the other anything.
 - c. **Failure to appear.** The arbitrator found that the following party willfully failed to appear at the arbitration hearing:
 - (1) Petitioner *(name each)*:
 - (2) Respondent *(name each)*:
 - d. **Other provisions of award.** *The award also provides (specify other terms or complete item 5e and attach a copy of the award):*
- e. **Attachment of award.** A copy of the arbitration award is submitted as Attachment 5(e).
6. **Notice of award.** This *Rejection of Award and Request for Trial* is being filed within 30 days after notice of the award was mailed to petitioner. *(A trial after arbitration is available only if it is requested within 30 days after the notice of award was mailed to the party requesting the trial.)*
- a. The notice of the award indicates that it was mailed to petitioner on *(date)*:
 - b. Petitioner alleges that the award was actually mailed on *(date)*:
7. **Nonbinding arbitration.** The parties did not agree in writing, at any time after the dispute over attorney fees or costs arose, to be bound by the arbitration award. *(A trial after arbitration is not available if the parties agreed in writing after the dispute arose that the award would be binding.)*
8. **Rejection of award and request for trial.** Petitioner rejects the arbitration award and requests a trial ("hearing de novo") in court to resolve the dispute over attorney fees and costs.
9. Amount in dispute. The amount of attorney fees and costs in dispute is (amount): \$
10. **Pages and attachments.** Number of pages attached: _____

Date:

 (TYPE OR PRINT NAME)

▶

 (SIGNATURE OF PETITIONER OR ATTORNEY)

INFORMATION REGARDING RIGHTS AFTER ATTORNEY-CLIENT FEE ARBITRATION

1. RIGHTS AFTER NONBINDING ARBITRATION

A. What is a nonbinding attorney-client fee arbitration award?

An award is nonbinding if (1) the parties did not agree in writing to be bound by the award after the dispute over fees or costs arose; and (2) a party who did not willfully fail to appear at the arbitration hearing rejects the award and requests a trial within 30 days after notice of a nonbinding award is mailed.

B. What are my rights if I am not satisfied with a nonbinding attorney-client fee arbitration award?

If the arbitration award is nonbinding, you may have a right to a trial in court. If a request for trial is granted in small claims or superior court, the normal procedures for pretrial discovery, motions, court-connected alternative dispute resolution ("ADR"), and trial in that court will apply. If you want a trial in court, you should follow the instructions in this form to protect your rights.

C. What are my rights if I did not appear at the attorney-client fee arbitration hearing?

If you did not appear at your fee arbitration hearing in person or by counsel, you will have to prove to the court that you had a good reason for not being there. If a court determines that your failure to appear was willful, you may not be entitled to a trial after arbitration, and the other party may be able to enforce the arbitration award.

D. What must I do to get a trial in court?

You must file papers in the proper court within the required time limit.

E. How long do I have to act?

If you want a trial in court, you must file your papers in court within 30 days after the date that the arbitration award is mailed to you. The date the arbitration award was mailed is written at the end of the notice you received.

F. What papers must I file? In what court must I file them?

That depends. Has a lawsuit about the fees already been filed?

(1) YES—lawsuit already filed

If a lawsuit about the fees has already been filed, then you must file a request for a trial in the same court where the lawsuit was filed, under the same case number of the lawsuit that is pending, after serving a copy on all parties who have appeared in the action as provided by law. If the lawsuit is in small claims court, you can use Judicial Council forms SC-100 and SC-101 to request a trial after a nonbinding attorney-client fee arbitration. If the lawsuit is in superior court, you can use form ADR-104 to request a trial after a nonbinding attorney-client fee arbitration.

(2) NO—lawsuit not yet filed

If no lawsuit about the fees has been filed, you must file your own lawsuit in the proper court and request a trial in that court if you do not want the award to become binding. If the arbitration was held in California, you must file the lawsuit and request for trial in the small claims court or the superior court in the county where the arbitration was held, and then serve the complaint, summons, and request for trial on all named parties as provided by law.

- If the amount in dispute is \$6,250 or less, you may file your lawsuit in small claims court. You can use Judicial Council form SC-100 to file a lawsuit in small claims court and form SC-101 to request a trial in that action.
- If the amount in dispute is more than \$6,250, you must file a complaint in the superior court to begin your lawsuit. You may be able to use Judicial Council forms PLD-C-001 through PLD-C-001(3) to file a new superior court action, but you may need a lawyer's help to prepare an appropriate complaint. You can use form ADR-104 to reject the arbitration award and request a trial at the same time you file your complaint.

G. What if I am satisfied with the award?

If you are satisfied with the nonbinding arbitration award, do nothing until the award becomes binding or the other party requests a trial. The award will become binding if the other party does not file papers requesting a trial in court within the 30-day limit.

2. RIGHTS AFTER BINDING ARBITRATION

A. What is a binding attorney-client fee arbitration award?

An award is binding if either (1) the parties agreed in writing to be bound by the award after the dispute over fees or costs arose; or (2) no party rejects the award and requests a trial within 30 days after notice of a nonbinding award is mailed. (A trial after arbitration may not be granted, however, if the court determines that the party requesting the trial willfully failed to appear at the arbitration.)

B. What are my rights if I am not satisfied with a binding attorney-client fee arbitration award?

A court has the power to vacate (cancel) an arbitration award, but only for the limited reasons stated in Code of Civil Procedure section 1286.2. The fact that a party disagrees with the arbitrator's award or thinks it is wrong is not a basis for vacating the award. In general, the grounds for vacating an award are:

- (1) The award was obtained by corruption, fraud, or other unfair means.
- (2) One or more of the arbitrators was corrupt.
- (3) The misconduct of a neutral arbitrator substantially prejudiced a party's rights.
- (4) The arbitrator exceeded his or her authority and the award cannot be fairly corrected.
- (5) The arbitrator unfairly refused to postpone the hearing or to hear evidence useful to settling the dispute.
- (6) An arbitrator failed to disclose within the time for disclosure a ground for disqualification of which the arbitrator was then aware.
- (7) An arbitrator should have disqualified himself or herself after a party made a demand to do so.

A court can also correct the following types of obvious mistakes in the award:

- (1) The amount of the award was not calculated correctly, or a person, a thing, or property was not described correctly.
- (2) The arbitrator exceeded his or her authority,
- (3) The award is imperfect as a matter of form.

If you think you are entitled to correct or vacate the arbitration award, please follow the instructions below to protect your rights.

C. What must I do to vacate or correct a binding arbitration award?

You must file a petition to vacate or correct the award in the proper court within the required time limit.

D. How long do I have to act?

If you want to correct or vacate the binding award, ordinarily you must file your petition within 100 days after the arbitration award was mailed to you. The date the award was mailed is at the end of the notice mailed with the award. If you receive notice from a court that the other side has filed a petition to confirm the award, however, you no longer have 100 days to file your petition. You then must respond by filing your petition to vacate or correct the award within the time stated on the notice from the court.

E. What papers must I file? In what court must I file them?

That depends. Has a lawsuit about the fees already been filed?

(1) YES — lawsuit already filed

If a lawsuit about the fees has already been filed, you must file your petition to vacate or correct the award with the same court where the lawsuit was filed, under the same case number as the lawsuit that is pending, after serving a copy on all parties who have appeared in the action as provided by law.

(2) NO — lawsuit not yet filed

If no lawsuit about the fees has been filed, you must file your petition to correct or vacate the award in the proper court. If the arbitration was held in California, you must file the petition in the small claims court or the superior court in the county where the arbitration was held, and then serve the petition and a summons on all named parties as provided by law.

- If the amount in dispute is \$6,250 or less, you can file your petition in the small claims court, using Judicial Council forms SC-100 and SC-101.
- If the amount in dispute is more than \$6,250, you must file your petition in the superior court. You can use Judicial Council form ADR-103 to do this. (You do not need to file a separate complaint with form ADR-103 when you are petitioning to vacate or correct a binding arbitration award.)

Information Regarding Rights After Attorney-Client Fee Arbitration (*continued*)

F. What if I am satisfied with the binding arbitration award?

If the arbitration award indicates or says that you owe money and you do not intend to petition to have the award corrected or vacated (canceled), you should pay the amount that you owe. If you do not pay it, the other party has a right to get court orders allowing him or her to collect the debt by taking and selling your property and by taking money from your paycheck and bank account.

If the arbitration award says that you are owed money, you should write the other party a letter and demand payment.

If you are not paid, you can seek to enforce the arbitration award. See item 3 below.

3. ENFORCEMENT OF BINDING ATTORNEY-CLIENT ARBITRATION AWARDS

There are two procedures for enforcing binding attorney-client fee arbitration awards.

A. If you are the client, you have the right to ask the State Bar to assist you in enforcing the arbitration award if the following is true:

- (1) Your arbitration request was filed on or after January 1, 1994; and
- (2) (a) 100 days have passed from service of the award and the award is binding for either of the reasons stated in paragraph 2A above, or
(b) The award has become a final judgment after a trial following arbitration or after a petition to vacate, correct, or confirm the award.

You can write or phone the State Bar and request the form *Request for Enforcement of an Award*.

Contact: Mandatory Fee Arbitration, 180 Howard Street, 6th Floor, San Francisco, CA 94105-1639 (telephone: 415-538-2020).

B. Any party who is owed money also has the right to request court orders allowing him or her to take property or money from the other party's paycheck and bank accounts. To get those court orders based on an attorney-client fee arbitration award, however, you must first make the arbitration award a judgment of the court. To do this, you must confirm the arbitration award in court.

(1) *What must I do to confirm the arbitration award?*

To confirm the arbitration award, you must file a petition to confirm award with the proper court within the required time limit.

(2) *How long do I have to act?*

You must file your petition to confirm award within four years after the date the arbitration award was mailed to you. That date appears at the end of the notice mailed with the award.

(3) *What papers must I file? In what court must I file them?*

That depends. Has a lawsuit about the fees already been filed?

(a) *YES—lawsuit already filed*

If a lawsuit about the fees has already been filed, you will file your petition with the same court where the lawsuit was filed, under the same case number as the lawsuit that is pending, after serving a copy of the petition on all parties who have appeared in the action as provided by law.

(b) *NO—lawsuit not yet filed*

If no lawsuit about the fees has been filed, then you must file your petition to confirm the award in the proper court. If the arbitration was held in California, you must file the petition in the small claims court or the superior court in the county where the arbitration was held, and then serve the petition and a summons on all named parties as provided by law.

- If the amount in dispute is \$6,250 or less, you can file your petition in the small claims court, using Judicial Council forms SC-100 and SC-101.
- If the amount in dispute is more than \$6,250, you must file your petition in the superior court. You can use Judicial Council form ADR-103 to do this. (You do not need to file a separate complaint with form ADR-103 when you are petitioning to confirm a binding arbitration award.)

(4) *What are my rights after the arbitration award is confirmed?*

When the arbitration award is confirmed, it becomes a judgment of the court. Once you have a judgment, you have a right to enforce the judgment. That means you can get court orders allowing you to collect your money. Enforcing judgments can be very technical and very complicated. The court has forms to use for this procedure.

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>): TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____ EMAIL ADDRESS (<i>Optional</i>): _____ ATTORNEY FOR (<i>Name</i>): _____	<p>FOR COURT USE ONLY</p> <p>DRAFT 11/07/2023 NOT APPROVED BY COUNCIL</p>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER: RESPONDENT:	
PETITION TO <input type="checkbox"/> CONFIRM <input type="checkbox"/> CORRECT <input type="checkbox"/> VACATE CONTRACTUAL ARBITRATION AWARD	
Jurisdiction (<i>check all that apply</i>): <input type="checkbox"/> Action is a limited civil case (does not exceed \$35,000) Amount demanded <input type="checkbox"/> does not exceed \$10,000 <input type="checkbox"/> exceeds \$10,000 <input type="checkbox"/> Action is an unlimited civil case (exceeds \$35,000)	CASE NUMBER:
<p>NOTICE: You may use this form to request that the court confirm, correct, or vacate an award in an arbitration conducted pursuant to an agreement between the parties that is subject to Code of Civil Procedure section 1285 et seq. and that does not involve an attorney-client fee dispute. If you are requesting court action after an attorney-client fee arbitration award, please read Alternative Dispute Resolution form ADR-105, Information Regarding Rights After Attorney-Client Fee Arbitration.</p>	

1. **Petitioner and respondent.** Petitioner (*name each*):

alleges and requests relief against respondent (*name each*):

2. **Contractual arbitration.** This petition requests the court to confirm, correct, or vacate an award in an arbitration conducted according to an agreement between the parties that is subject to Code of Civil Procedure section 1285 et seq.

3. Pending or new action.

- a. A court case is already pending, and this is a petition filed in that action. (*If so, proceed to item 4.*)
- b. This petition commences a new action. (*If so, complete items 3b(1) through 3b(4).*)

- (1) **Petitioner's capacity.** Each petitioner named in item 1 is an individual,
 except petitioner (*state name and complete one or more of the following*):
- (a) is a corporation qualified to do business in California.
 - (b) is an unincorporated entity (*specify*):
 - (c) is a representative (*specify*):
 - (d) is (*specify other capacity*):

- (2) **Respondent's capacity.** Each respondent named in item 1 is an individual,
 except respondent (*state name and complete one or more of the following*):
- (a) is a business organization, form unknown.
 - (b) is a corporation.
 - (c) is an unincorporated entity (*specify*):
 - (d) is a representative (*specify*):
 - (e) is (*specify other capacity*):

PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

3. b. (3) **Amount or property in dispute.** This petition involves a dispute over (*check and complete all that apply*):
- (a) the following amount of money (*specify amount*): \$
 - (b) property (*if the dispute involves property, complete both of the following*):
 - (i) consisting of (*identify property in dispute*):
 - (ii) having a value of (*specify value of property in dispute*): \$
 - (4) **Venue.** This court is the proper court because (*check (a) or (b)*):
 - (a) this is the court in the county in which the arbitration was held.
 - (b) the arbitration was not held exclusively in any county of California, or was held outside of California, **and** (*check one or more of the following*):
 - (i) this is the court in the county where the agreement was made.
 - (ii) this is the court in the county where the agreement is to be performed.
 - (iii) the agreement does not specify a county where it is to be performed and was not made in any county in California, and the following party resides or has a place of business in this county (*name of party*):
 - (iv) the agreement does not specify a county where it is to be performed and was not made in any county in California, and no party to this action resides or has a place of business in California.

4. **Agreement to arbitrate.**
- a. **Date.** Petitioner and respondent entered into a written agreement on or about (*date*):
 - b. **Attachment.** A copy of the agreement is submitted as Attachment 4(b) and incorporated herein by this reference.
 - c. **Arbitration provision.** Paragraph _____ of the agreement provides for arbitration of disputes arising out of the agreement as follows (*either copy the arbitration provision in full or summarize the provision*):

5. **Dispute subject to arbitration.** A dispute arose between petitioner and respondent concerning the following matter covered by the agreement to arbitrate (*summarize the dispute*):

6. **Arbitrator.** The following person was duly selected or appointed as arbitrator (*name of each arbitrator*):

7. **Arbitration hearing.** The arbitration hearing was conducted as follows (*complete both of the following*):
- a. **Date** (*each date of arbitration*):
 - b. **Location** (*city and state where arbitration was conducted*):

8. **Arbitration award.**
- a. **Date of award.** The arbitration award was made on (*date*):
 - b. **Terms of award.** The arbitration award (*check one or more of the following*):
 - (1) requires petitioner respondent to pay the other party this amount: \$
 - (2) requires neither party to pay the other anything.
 - (3) is different as to different petitioners and respondents.
 - (4) provides (*specify other terms or check item 8(c) and attach a copy of the award*):

c. **Attachment of Award.** A copy of the award is submitted as Attachment 8(c).

9. **Service of award.**
- a. The signed award or an accompanying document indicates that the award was served on petitioner on (*date*):
 - b. Petitioner alleges that a signed copy of the award was actually served on (*date*):

PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

10. Petitioner requests that the court (check all that apply):

- a. **Confirm the award, and enter judgment according to it.**
- b. **Correct the award and enter judgment according to the corrected award, as follows:**
 - (1) The award should be corrected because (check all that apply):
 - (a) the amount of the award was not calculated correctly, or a person, thing, or property was not described correctly.
 - (b) the arbitrator exceeded his or her authority.
 - (c) the award is imperfect as a matter of form.
 - (2) The facts supporting the grounds for correcting the award alleged in item 10b(1) are as follows (if additional space is required, check here and submit facts on an attachment labeled 10b(2)):
 - (3) The award should be corrected as follows (if additional space is required, check here and describe requested correction on an attachment labeled 10b(3)):
- c. **Vacate (cancel) the award.**
 - (1) The award should be vacated because (check all that apply):
 - (a) the award was obtained by corruption, fraud, or other unfair means.
 - (b) an arbitrator was corrupt.
 - (c) the misconduct of a neutral arbitrator substantially prejudiced petitioner's rights.
 - (d) the arbitrator exceeded his or her authority, and the award cannot be fairly corrected.
 - (e) the arbitrator unfairly refused to postpone the hearing or to hear evidence useful to settle the dispute.
 - (f) an arbitrator failed to disclose within the time for disclosure a ground for disqualification of which the arbitrator was then aware.
 - (g) an arbitrator should have disqualified himself or herself after petitioner made a demand to do so.
 - (2) The facts supporting the grounds for vacating the award alleged in item 10c(1) are as follows (if additional space is required, check here and submit facts on an attachment labeled 10c(2)):
 - (3) Petitioner does does not request a new arbitration hearing.
- d. **Award petitioner interest from (date):**
 - (1) at the statutory rate.
 - (2) at rate of _____% per year.
- e. **Award petitioner costs of suit:**
 - (1) in the amount of: \$
 - (2) according to proof.
- f. Award petitioner attorney fees incurred in this action (check only if attorney fees are recoverable in this action according to statute or the parties' agreement):
 - (1) in the amount of: \$
 - (2) according to proof.
- g. **Award petitioner the following other relief (describe relief requested; if additional space is required, check here and describe relief on an attachment labeled 10g):**

11. Pages and attachments. Number of pages attached: _____

Date: _____

_____ <small>(TYPE OR PRINT NAME)</small>	_____ <small>(SIGNATURE OF PETITIONER OR ATTORNEY)</small>
--	---

CONTRACTUAL ARBITRATION AWARD
(Alternative Dispute Resolution)

For your protection and privacy, please press the Clear This Form button after you have printed the form.

Print this form

Save this form

Clear this form

GENERAL INFORMATION

1 What does this information sheet cover?

This information sheet tells you about appeals in unlimited civil cases. These are civil cases in which the amount of money claimed is more than \$35,000, as well as other types of cases, such as those filed in family court, probate court, and juvenile court.

If you are the party who is appealing (asking for the trial court's decision to be reviewed), you are called the APPELLANT, and you should read "Information for the Appellant," starting on page 3. If you received notice that another party in your case is appealing, you are called the RESPONDENT and you should read "Information for the Respondent," starting on page 13.

This information sheet does not cover everything you may need to know about appeals in unlimited civil cases. It gives you a general idea of the appeal process. To learn more:

- Read [rules 8.100–8.278](#) of the California Rules of Court, which set out the procedures for unlimited civil appeals. You can get these rules at any courthouse or county law library or online at www.courts.ca.gov/rules.
- Read the local rules and find out about self-help resources for the district in which you filed your appeal at www.courts.ca.gov/courtsofappeal.htm.
- Visit the Self-Help Guide to the California Courts at <https://selfhelp.courts.ca.gov/>.
- Review the counties included in each appellate district at www.courts.ca.gov/documents/appdistmap.pdf.

2 What is an appeal?

An appeal is a request to a higher court to review a decision made by a judge or jury in the superior court. In an unlimited civil case, the court hearing the appeal is the Court of Appeal for the district in which the superior court is located. The lower court—called the "trial court" in this information sheet—is the superior court.

It is important to understand that **an appeal is NOT a new trial**. The Court of Appeal will not consider new evidence, such as the testimony of new witnesses or new exhibits.

The appellate court's job is to review a record of what happened in the trial court and the trial court's decision to see if certain kinds of legal errors were made.

For information about appeal procedures in other kinds of cases, see:

- *Information on Appeal Procedures for Limited Civil Cases* (form [APP-101-INFO](#))
- *Information on Appeal Procedures for Infractions* (form [CR-141-INFO](#))
- *Information on Appeal Procedures for Misdemeanors* (form [CR-131-INFO](#))

You can get these forms at any courthouse or county law library or online at www.courts.ca.gov/forms.

3 Who can appeal?

Only a party in the trial court case can appeal a decision in that case. You may not appeal on behalf of a friend, a spouse, a child, or another relative unless you are a legally appointed representative of that person (such as the person's guardian or conservator).

4 Can I appeal any decision the trial court made?

No. Generally, you can only appeal the final judgment—the decision at the end that decides the whole case. Other rulings made by the trial court before the final judgment generally cannot be separately appealed but can be reviewed only later as part of an appeal of the final judgment. There are a few exceptions to this general rule. [Code of Civil Procedure section 904.1](#) lists a few types of orders in an unlimited civil case that can be appealed right away. These include orders that:

- Grant a motion to quash service of summons or grant a motion to stay or dismiss the action on the ground of inconvenient forum.
- Grant a new trial or deny a motion for judgment notwithstanding the verdict.
- Discharge or refuse to discharge an attachment or grant a right to attach.
- Grant or dissolve an injunction or refuse to grant or dissolve an injunction. Note: Injunctions include restraining orders.
- Appoint a receiver.
- Are made after final judgment in the case.



- Are made appealable by the Family Code or the Probate Code.

You should consult with a lawyer or a court self-help center to determine if your order is final and appealable. Go to www.courts.ca.gov/selfhelp-selfhelpcenters.htm to find information about the self-help center in your county.

(You can view [Code of Civil Procedure section 904.1](#) using the link below:
<http://leginfo.legislature.ca.gov/faces/codes.xhtml>.)

5 What does the appellant need to prove to win on appeal?

The appellant must prove that an error in the trial court proceedings was made and that the error affected the outcome of the court's or jury's decision. An error that affected the outcome of the case is called a "prejudicial error."

An error can include things like errors made by the judge about the law, errors or misconduct by the lawyers or by the jury, incorrect instructions given to the jury, or insufficient evidence to support the judgment, order, or other decision being appealed. Note: This is not a complete list of all possible errors.

When the appellant argues that the error was based on insufficient evidence to support the judgment or other decision being appealed, the Court of Appeal will determine whether there was "substantial evidence" to support the judgment, order, or other decision being appealed. But in conducting its review, the Court of Appeal only looks to see if there was evidence that reasonably supports the decision.

The Court of Appeal generally will not reconsider the jury's or the trial court's conclusions about which side had more or stronger evidence or whether witnesses were believable. It only determines whether the evidence is sufficient to support the judgment, order, or other decision.

The Court of Appeal will generally not overturn the judgment, order, or other decision being appealed unless the record shows a prejudicial error was made. The winning party does not have to prove that the judgment, order, or other decision was correct. Instead, it is up to the appellant to prove that the error was made and that the error affected the outcome of the case.

6 Do I need a lawyer to represent me in an appeal?

You do not *have* to have a lawyer; if you are an individual (rather than a corporation, for example), you are allowed to represent yourself in an appeal in an unlimited civil case. But appeals can be complicated and you will have to follow the same rules that lawyers have to follow. If you have any questions about the appeal procedures, you should talk to a lawyer.

If you decide not to use a lawyer, you must put your address, telephone number, fax number (if available), and email address (if available) on the first page of every document you file with the court.

However, if you need to keep your contact information private (for instance, in an appeal involving a domestic violence restraining order), you may give a different mailing address instead. But if you use a different address, be sure to check it regularly to stay informed about your case and about your obligations regarding your case.

You must keep the Court of Appeal, the trial court (if the trial court proceedings continue or are expected to continue), and the other parties in your case informed of any change in your contact information for service of notices and other documents relating to the appeal.

For your trial court case, you may complete *Notice of Change of Address or Other Contact Information* ([form MC-040](#)), file it in the trial court, and have it served on the parties in the case.

For your case in the Court of Appeal, you may refer to form MC-040 as an example of the information that you need to include in a notice regarding the change in your contact information. That notice must be filed in the Court of Appeal and served on the parties in the appellate case.

7 Where can I find a lawyer to help me with my appeal?

You have to hire your own lawyer if you want one. You can get information about finding a lawyer on the Self-Help Guide to the California Courts at <https://selfhelp.courts.ca.gov/get-free-or-low-cost-legal-help>.



INFORMATION FOR THE APPELLANT

This part of the information sheet is written for the appellant—the party who is appealing the trial court’s decision. It explains some of the rules and procedures relating to appealing a decision in an unlimited civil case. The information may also be helpful to the respondent. Additional information for respondents can be found starting on page 13 of this information sheet.

8 How do I start my appeal?

First, you must serve and file a notice of appeal. The notice of appeal tells the other party or parties in the case and the trial court that you are appealing the trial court’s decision. You may use *Notice of Appeal/Cross-Appeal—Unlimited Civil Case* (form APP-002) to prepare a notice of appeal in an unlimited civil case. You can get form APP-002 at any courthouse or county law library or online at www.courts.ca.gov/forms.htm.

9 How do I “serve and file” the notice of appeal?

“Serve and file” means that you must:

- Have somebody over 18 years old mail, deliver, or electronically send (“serve”) the notice of appeal to the other party or parties in the way required by law. If the notice of appeal is mailed or personally delivered, it must be by someone who is not a party to the case—so not you.
- Make a record that the notice of appeal has been served. This record is called a “proof of service.” *Proof of Service (Court of Appeal)* (form APP-009) or *Proof of Electronic Service (Court of Appeal)* (form APP-009E) can be used to make this record. The proof of service must show who served the notice of appeal, who was served with the notice of appeal, how the notice of appeal was served (by mail, in person, or electronically), and the date the notice of appeal was served.
- Bring or send (by mail or electronically) the original notice of appeal and the proof of service to the trial court that issued the judgment, order, or other decision you are appealing. You should make a copy of the notice of appeal you are planning to file for your own records before you file it with the court.

Unless you are filing electronically, it is a good idea to bring or mail an extra copy of the notice of appeal to the clerk when you file your original and ask the clerk to stamp this copy to show that the original has been filed.

You can get more information about how to serve court papers and proof of service from *Information Sheet for Proof of Service (Court of Appeal)* (form APP-009-INFO) and on the Self-Help Guide to the California Courts at www.courts.ca.gov/selfhelp-serving.htm.

10 Is there a deadline to serve and file my notice of appeal?

Yes. Generally, in an unlimited civil case, the notice of appeal must be served on the other party or parties in the case and filed with the clerk of the superior court within **60 days** after the trial court clerk or a party serves either (1) a document called a “Notice of Entry” of the trial court judgment or appealable order or (2) a file-stamped copy of the judgment or appealable order.

If the clerk or a party served neither of these documents, the notice of appeal must be filed within 180 days after entry of judgment or appealable order (generally, the date the judgment or appealable order is file-stamped).

This deadline for filing the notice of appeal cannot be extended. If your notice of appeal is late, the Court of Appeal will not be able to consider your appeal.

If a notice of appeal has been filed in a case, any other party to the case may file its own appeal from the same judgment or order. This is called a “cross-appeal.”

To cross-appeal, a party must file a notice of appeal within either the regular time for filing a notice of appeal or within 20 days after the clerk of the superior court mails notice of the first appeal, whichever is later. A party that wishes to cross-appeal may use *Notice of Appeal/Cross-Appeal—Unlimited Civil Case* (form APP-002) to file this notice in an unlimited civil case.

11 Do I have to pay a fee to file a notice of appeal?

Yes. Unless the court waives this fee, you must pay a fee for filing your notice of appeal. You can ask the clerk of the court where you are filing the notice of appeal what the fee is or look up the fee for an appeal in an unlimited civil case in the current Statewide Civil Fee Schedule at www.courts.ca.gov/7646.htm (see the “Appeal and Writ Related Fees” section near the end of the schedule).



If you cannot afford to pay the fee, you can ask the court to waive it. To do this, you must fill out and file a *Request to Waive Court Fees* (form [FW-001](#)). You can get form FW-001 at any courthouse or county law library or online at www.courts.ca.gov/forms. You can file this application either before you file your notice of appeal or with your notice of appeal. The court will review this application to determine if you are eligible for a fee waiver.

12 If I file a notice of appeal, do I still have to do what the trial court ordered me to do?

Filing a notice of appeal does NOT automatically postpone most judgments or orders, such as those requiring you to pay another party money, deliver property to another party, or comply with child custody or visitation orders (see Code of Civil Procedure sections 917.1–917.9 and 1176; you can get a copy of these laws at www.leginfo.legislature.ca.gov/faces/codes.xhtml). These kinds of judgments or orders will be postponed, or “stayed,” only if you request a stay and the court grants your request or some other procedure authorizes a stay (such as filing a bond in appropriate cases).

In most cases, if the trial court denies your request for a stay, you can apply to the Court of Appeal for a stay. If you do not get a stay and you do not do what the trial court ordered you to do, court proceedings to collect the money or otherwise enforce the judgment or order may be started against you.

13 What do I need to do after I file my notice of appeal?

Within 15 days after the trial court clerk mails a notice that a notice of appeal has been filed in an unlimited civil case, the appellant must serve and file in the Court of Appeal a completed *Civil Case Information Statement* (form [APP-004](#)), attaching a copy of the judgment or appealed order that shows the date it was entered. See [rules 8.100](#) and [8.104](#) of the California Rules of Court.

In addition, since the Court of Appeal justices were not there to see what happened in the trial court, an official record of what happened must be prepared and sent to the Court of Appeal for its review.

Within 10 days of filing the notice of appeal, the appellant must tell the trial court in writing (designate) what documents and oral proceedings, if any, to include in the record that will be sent to the Court of Appeal. You will need to designate all parts of the record that the Court of Appeal will need to decide the issues you raised in the appeal.

You can use *Appellant’s Notice Designating Record on Appeal (Unlimited Civil Case)* (form [APP-003](#)) to designate the record in an unlimited civil case. You can get form APP-003 at any courthouse or county law library or online at www.courts.ca.gov/forms.htm.

You must serve and file this notice designating the record on appeal within 10 days after you file your notice of appeal. “Serving and filing” this notice means that you must:

- Have somebody over 18 years old mail, deliver, or electronically send (serve) the notice to the other party or parties in the way required by law. If the notice is mailed or personally delivered, it must be by someone who is not a party to the case—so not you.
- Make a record that the notice has been served. This record is called a “proof of service.” *Proof of Service (Court of Appeal)* (form [APP-009](#)) or *Proof of Electronic Service (Court of Appeal)* (form [APP-009E](#)) can be used to make this record. The proof of service must show who served the notice, who was served with the notice, how the notice was served (by mail, in person, or electronically), and the date the notice was served.
- Bring or send (by mail or electronically) the original notice and the proof of service to the trial court that issued the judgment, order, or other decision you are appealing. You should make a copy of the notice you are planning to file for your own records before you file it with the court. Unless you are filing electronically, it is a good idea to bring or mail an extra copy of the notice to the clerk when you file your original and ask the clerk to stamp this copy to show that the original has been filed.



You can get more information about how to serve court papers and proof of service from *Information Sheet for Proof of Service* (form [APP-009-INFO](#)) and on the Self-Help Guide to the California Courts at www.courts.ca.gov/selfhelp-serving.htm.

14 What is the official record of the trial court proceedings?

There are three parts of the official record:

- A record of the documents filed in the trial court (other than exhibits);
- A record of what was said in the trial court (this is called the “oral proceedings”); and
- Exhibits that were admitted in evidence, refused, or lodged (temporarily placed with the court) in the trial court.

Read below for more information about these parts of the record.

a. Record of the documents filed in the trial court

The first part of the official record of the trial court proceedings is a record of the documents that were filed in the trial court. There are three ways in which a record of the documents filed in the trial court can be prepared for the Court of Appeal:

- A *clerk’s transcript* or an *appendix*,
- The original *trial court file*, or
- An *agreed statement*.

Read below for more information about these options.

(1) Clerk’s transcript or appendix

Description: A clerk’s transcript is a compilation of the documents filed in the trial court that is prepared by the trial court clerk. An appendix is a compilation of these documents prepared by a party. (Cal. Rules of Court, [rule 8.124](#).)

Contents: Certain documents, such as the notice of appeal and the trial court judgment or order being appealed, must be included in the clerk’s transcript or appendix. These documents are listed in [rule 8.122\(b\)](#) and [rule 8.124\(b\)](#) of the California Rules of Court and in *Appellant’s Notice Designating Record on Appeal (Unlimited Civil Case)* (form [APP-003](#)).

Clerk’s transcript. If you want any documents other than those listed in [rule 8.122\(b\)](#) to be included in the clerk’s transcript, you must tell the trial court in your notice designating the record on appeal. You can use form [APP-003](#) to do this. You will need to identify each document you want included in the clerk’s transcript by its title and filing date or, if you do not know the filing date, the date the document was signed.

If you (the appellant) request a clerk’s transcript, the respondent also has the right to ask the clerk to include additional documents in the clerk’s transcript. If this happens, you will be served with a notice saying what other documents the respondent wants included in the clerk’s transcript.

Cost: The appellant is responsible for paying for preparing a clerk’s transcript. The trial court clerk will send you a bill for the cost of preparing an original and one copy of the clerk’s transcript.

You must do one of the following three things within 10 days after the clerk sends this bill or the Court of Appeal may dismiss your appeal:

- Pay the bill.
- Ask the trial court to waive the cost because you cannot afford to pay. To do this, you must fill out and file a *Request to Waive Court Fees* (form [FW-001](#)). You can get form FW-001 at any courthouse or county law library or online at www.courts.ca.gov/forms.htm. The trial court will review this application to determine if you are eligible for a fee waiver.
- Give the trial court a copy of a court order showing that your fees in this case have already been waived by the court.

Completion and delivery: After the cost of preparing the clerk’s transcript has been paid or waived, the trial court clerk will compile the requested documents into a transcript format and, when the record on appeal is complete, will forward the original clerk’s transcript to the Court of Appeal for filing. The trial court clerk will send you a copy of the transcript. If the respondent bought a copy, the clerk will also send a copy of the transcript to the respondent.



Appendix: If you choose to prepare an appendix of the documents filed in the superior court, rather than designating a clerk’s transcript, that appendix must include all of the documents and be prepared in the form required by [rule 8.124](#) of the California Rules of Court. The parties may prepare separate appendixes or stipulate (agree) to a joint appendix. If separate appendixes are prepared, each party must pay for its own appendix. If a joint appendix is prepared, the parties can agree on how the cost of preparing the appendix will be paid or the appellant will pay the cost.

The party preparing the appendix must serve the appendix on each other party (unless the parties have agreed or the Court of Appeal has ordered otherwise) and file the appendix in the Court of Appeal. The appellant’s appendix or a joint appendix must be served and filed before or together with the appellant’s opening brief. See **16** for information about the brief.

(2) Trial court file

When available: If the Court of Appeal has a local rule allowing this, and the parties agree, the clerk can send the Court of Appeal the original trial court file instead of a clerk’s transcript as a record of documents filed in the trial court (see [rule 8.128](#) of the California Rules of Court).

Cost: As with a clerk’s transcript, the appellant is responsible for paying for preparing the trial court file. The trial court clerk will send you a bill for this preparation cost.

You must do one of the following things within 10 days after the clerk sends this bill or the Court of Appeal may dismiss your appeal:

- Pay the bill.
- Ask the trial court to waive the cost because you cannot afford to pay. To do this, you must fill out and file a *Request to Waive Court Fees* (form [FW-001](#)). You can get form FW-001 at any courthouse or county law library or online at www.court.ca.gov/forms. The trial court will review this application to determine if you are eligible for a fee waiver.
- Give the trial court a copy of a court order showing that your fees in this case have already been waived by the court.

Completion and delivery: After the cost of preparing the trial court file has been paid or waived and the record on appeal is complete, the trial court clerk will number the pages and send the file and a list of the documents in the file to the Court of Appeal. The trial court clerk will also send a copy of the list of documents to the appellant and respondent so that you can put your own files of documents from the trial court in the correct order and number the pages.

(3) Agreed statement

Description: An agreed statement is a summary of the trial court proceedings agreed to by the parties. (See [rule 8.134](#) of the California Rules of Court.)

When available: If the trial court proceedings were not recorded by a court reporter or if you do not want to use that option, you can choose (elect) to use an agreed statement as the record of the oral proceedings. Please note that it may take more of your time to prepare an agreed statement than to use a reporter’s transcript, if it is available.

Contents: An agreed statement must explain what the trial court case was about, describe why the Court of Appeal is the right court to consider an appeal in this case (why the Court of Appeal has “jurisdiction”), and describe the rulings of the trial court relating to the points to be raised on appeal.

The statement should include only those facts that you and the other parties think are needed to decide the appeal.

Preparation: If you elect to use this option, you must file either (1) an agreed statement or (2) a written agreement (called a “stipulation”) that the parties are trying to agree on a statement, along with your notice designating the record on appeal. If you file the stipulation and the parties agree on a statement, you must file the statement within 40 days after filing the notice of appeal. If you file the stipulation and the parties cannot agree on the statement, you must file a new notice designating the record within 50 days after filing the notice of appeal.



b. Record of what was said in the trial court (the “oral proceedings”)

Important! The type of record of the oral proceedings that you choose, including a reporter’s transcript or a settled statement, should be carefully considered, as it may affect your appeal. You should consult with a lawyer to determine the best option in your case.

The second part of the official record of the trial court proceedings is a record of what was said in the trial court (this is called a record of the “oral proceedings”). You do not *have* to send the Court of Appeal a record of the oral proceedings. But if you want to raise any issue in your appeal that would require the Court of Appeal to consider what was said in the trial court, the Court of Appeal will need a record of those oral proceedings. For example, if you are claiming that there was not substantial evidence supporting the judgment, order, or other decision you are appealing, the Court of Appeal will presume there was substantial evidence unless it has a record of the oral proceedings.

You are responsible for deciding how the record of the oral proceedings will be provided and, depending on what option you select and your circumstances, you may also be responsible for paying for preparing this record or for preparing an initial draft of the record. If you do not take care of these responsibilities, a record of the oral proceedings in the trial court will not be prepared and sent to the Court of Appeal. **If the Court of Appeal does not receive this record, you may forfeit your arguments on appeal, or the Court of Appeal may make presumptions in favor of the judgment or order.**

In an unlimited civil case, you can use *Appellant’s Notice Designating Record on Appeal (Unlimited Civil Case)* (form [APP-003](#)) to tell the trial court whether you want a record of the oral proceedings and, if so, the form of the record that you want to use. You can get form [APP-003](#) at any courthouse or county law library or online at www.courts.ca.gov/forms.

There are three ways in which a record of the oral proceedings can be prepared for the Court of Appeal:

- If you or the other party arranged to have a court reporter present during the trial court proceedings, the reporter can prepare a record, called a “*reporter’s transcript*.”
- You can use an *agreed statement*.
- You can use a *settled statement*.

Read below for more information about these options.

(1) Reporter’s transcript

Description: A reporter’s transcript is a written record (sometimes called a “verbatim” record) of the oral proceedings in the trial court prepared by a court reporter. [Rule 8.130](#) of the California Rules of Court establishes the requirements for reporter’s transcripts.

When available: If a court reporter was present in the trial court and made a record of the oral proceedings, you can choose (elect) to have the court reporter prepare a reporter’s transcript for the Court of Appeal. But a court reporter might not have been present unless you or another party in your case had made specific arrangements to have a court reporter present. If you are unsure, check with the trial court to see if a court reporter made a record of the oral proceedings in your case before choosing this option.

Contents: If you elect to use a reporter’s transcript, you must identify by date (this is called “designating”) what proceedings you want to be included in the reporter’s transcript. You can use the same form you used to tell the court you wanted to use a reporter’s transcript—*Appellant’s Notice Designating Record on Appeal (Unlimited Civil Case)* (form [APP-003](#))—to do this.

If you elect to use a reporter’s transcript, the respondent also has the right to designate additional proceedings to be included in the reporter’s transcript. If you elect to proceed



without a reporter's transcript, however, the respondent may not designate a reporter's transcript without first getting an order from the Court of Appeal.

Cost: The appellant is responsible for paying for preparing a reporter's transcript. The trial court clerk or the court reporter will notify you of the cost of preparing an original and one copy of the reporter's transcript. You must deposit payment for this cost (and a fee for the trial court) or one of the substitutes allowed by rule 8.130 with the trial court clerk within 10 days after this notice is sent. (See [rule 8.130](#) for more information about this deposit and the permissible substitutes, such as a waiver of this deposit signed by the court reporter.)

Unlike the fee for filing the notice of appeal and the costs for preparing a clerk's transcript, the court cannot waive the fee for preparing a reporter's transcript. Money from a special fund, called the Transcript Reimbursement Fund, may be available to help you pay for the transcript. You can get information about this fund at www.courtreportersboard.ca.gov/consumers/index.shtml#rtf.

If you are unable to pay the cost of a reporter's transcript, a record of the oral proceedings can be prepared in other ways, by using an agreed statement or a settled statement, which are described below.

Completion and delivery: After the cost of preparing the reporter's transcript or a permissible substitute has been deposited, the court reporter will prepare the transcript and submit it to the trial court clerk. When the record is complete, the trial court clerk will submit the original transcript to the Court of Appeal and send you a copy of the transcript. If the respondent has purchased it, a copy of the reporter's transcript will also be mailed to the respondent.

(2) Agreed statement

Description: An agreed statement is a written summary of the trial court proceedings agreed to by all the parties. See [rule 8.134](#) of the California Rules of Court.

When available: If the trial court proceedings were not recorded by a court reporter or if you do not want to use that option, you can choose (elect) to use an agreed statement as the record of the oral proceedings. Please note that it may take more of your time to prepare an agreed statement than to use a reporter's transcript, if it is available.

Contents: An agreed statement must explain what the trial court case was about, describe why the Court of Appeal is the right court to consider an appeal in this case (why the Court of Appeal has "jurisdiction"), and describe the rulings of the trial court relating to the points to be raised on appeal.

The statement should include only those facts that you and the other parties think are needed to decide the appeal.

Preparation: If you elect to use this option, you must file either (1) an agreed statement or (2) a written agreement (called a "stipulation") that the parties are trying to agree on a statement, along with your notice designating the record on appeal. If you file the stipulation and the parties agree on a statement, you must file the statement within 40 days after filing the notice of appeal. If you file the stipulation and the parties cannot agree on the statement, you must file a new notice designating the record within 50 days after filing the notice of appeal.

(3) Settled statement

Description: A settled statement is a summary of the trial court proceedings that is approved by the trial court judge who conducted those proceedings (the term "judge" includes commissioners, referees, hearing officers, and temporary judges).

When available: Under [rule 8.137](#) of the California Rules of Court, you can choose (elect) to use a settled statement as the record of the oral



proceedings if (1) the trial court proceedings were not recorded by a court reporter or (2) if you have an order waiving your court fees and costs. Please note that it may take more of your time to prepare a settled statement than to use a reporter's transcript, if it is available.

If you want to use a settled statement as the record of the oral proceedings for reasons other than the two previously mentioned, you must file a motion to ask the trial court for an order. You may use *Appellant's Motion to Use a Settled Statement (Unlimited Civil Case)* (form APP-025) for this purpose. Read [rule 8.137](#) about the requirements of your motion or request for order.

Contents: A settled statement must include:

- A statement of the points you (the appellant) are raising on appeal;
- A condensed narrative of the oral proceedings that you specified in the notice designating the record on appeal or motion. The condensed narrative is a summary of the testimony of each witness and other evidence that is relevant to the issues you are raising on appeal; and
- A copy of the judgment or order you are appealing attached to the settled statement.

Preparing a proposed settled statement: If you elect to use a settled statement, you must prepare a proposed settled statement. You may use *Appellant's Proposed Settled Statement (Unlimited Civil Case)* (form [APP-014](#)) to prepare your proposed statement. You can get the form at any courthouse or county law library or online at www.courts.ca.gov/forms.

(See rule 8.137 of the California Rules of Court for more information about what must be included in a settled statement and the procedures for preparing a statement. You can get a copy of this rule at any courthouse or county law library or online at www.courts.ca.gov/rules.)

Serving and filing a proposed settled statement: You must serve and file the proposed statement within 30 days after filing your notice electing to use a settled statement or within 30 days after the trial court clerk sends, or a party serves, the order granting the motion to use a settled statement. "Serve and file" means that you must:

- Have somebody over 18 years old mail, deliver, or electronically send (serve) the proposed settled statement to the respondent in the way required by law. If the proposed statement is mailed or personally delivered, it must be by someone who is not a party to the case—so not you.
- Make a record that the proposed settled statement has been served. This record is called a "proof of service." *Proof of Service (Court of Appeal)* (form [APP-009](#)) or *Proof of Electronic Service (Court of Appeal)* (form [APP-009E](#)) can be used to make this record. The proof of service must show who served the proposed statement, who was served with the proposed statement, how the proposed statement was served (by mail, in person, or electronically), and the date the proposed statement was served.
- File the original proposed settled statement and the proof of service with the trial court. You should make a copy of the proposed statement you are planning to file for your own records before you file it with the court. Unless you are filing electronically, it is a good idea to bring or mail an extra copy of the proposed statement to the clerk when you file your original and ask the clerk to stamp this copy to show that the original has been filed.

You can get more information about how to serve court papers and proof of service from *Information Sheet for Proof of Service* (form [APP-009-INFO](#)) and on the Self-Help Guide to the California Courts at www.courts.ca.gov/selfhelp-serving.htm.



Respondent's review: The respondent has 20 days from the date you serve your proposed settled statement to serve and file either:

- Proposed changes (called “amendments”) to the proposed statement; or
- If the oral proceedings in the trial court were reported by a court reporter, a notice indicating that the respondent is electing to provide a reporter’s transcript instead of proceeding with a settled statement.

Review of appellant’s proposed settled statement: If the respondent proposes changes, the trial court judge then reviews both your proposed statement and the respondent’s proposed amendments. The trial judge will either make or order you (the appellant) to make any corrections or modifications to the statement that are needed to make sure that the statement provides an accurate summary of the testimony and other evidence relevant to the issues you indicated you are raising on appeal. For more information, see [rule 8.137\(f\)](#) of the California Rules of Court. See also [rule 8.140](#), which explains the consequences for a party’s failure to make corrections that are ordered to be made to the proposed statement.

Request for hearing to review proposed settled statement: No later than 10 days after the respondent files proposed amendments, or the time to do so has expired, a party may request a hearing to review and correct the proposed statement. No hearing will be held unless ordered by the trial court judge. A judge will not ordinarily order a hearing unless there is a factual dispute about a material aspect of the trial court proceeding. If there is a hearing, see [rule 8.137](#) for more information.

Additional review procedures: If there is no hearing after the respondent proposes changes to the settled statement, and if the judge makes any

corrections or modifications to the proposed statement, the corrected or modified statement will be sent to you and the respondent for your review.

If the judge orders you to make any corrections or modifications to the proposed statement, you must serve and file the corrected or modified statement within the time ordered by the judge. See [rule 8.140](#), which explains the consequences for a party’s failure to make corrections to the proposed statement.

If you or the respondent disagree with anything in the modified or corrected statement, you have 10 days from the date the modified or corrected statement is sent to you to serve and file proposed amendments or objections to the statement. The judge then reviews the modified or corrected statement and any proposed modifications. If the judge decides that further corrections or modifications are necessary, the review process described above takes place again.

Completion and certification: If the judge does not order any corrections or modifications to the proposed statement, the judge must promptly certify the statement as an accurate summary of the evidence and testimony of each witness relevant to the issues you indicated you are raising on appeal.

Alternatively, the parties may serve and file a stipulation (agreement) that the statement as originally served or corrected or modified is correct. Such a stipulation is equivalent to the judge’s certification of the statement.

Sending settled statement to the Court of Appeal: Once the trial court judge certifies the statement or the trial court receives the parties’ stipulation, the trial court clerk will send the statement to the Court of Appeal as required under [rule 8.150](#) of the California Rules of Court.



c. Exhibits

The third part of the official record of the trial court proceeding is the exhibits, such as photographs, documents, or other items that were admitted in evidence, refused, or lodged (temporarily placed with the court) in the trial court. Exhibits are considered part of the record on appeal, but the clerk will not include any exhibits in the clerk's transcript unless you ask that they be included in your notice designating the record on appeal. *Appellant's Notice Designating Record on Appeal (Unlimited Civil Case)* (form [APP-003](#)) includes a space for you to make this request.

You also can ask the trial court to send original exhibits to the Court of Appeal at the time briefs are filed. (See [rule 8.224](#) for more information about this procedure and see below for information about briefs.)

Sometimes, the trial court returns an exhibit to a party at the end of the trial. If the trial court returned an exhibit to you or another party and you or the other party ask for that exhibit to be included in the clerk's transcript or sent to the Court of Appeal, the party who has the exhibit must deliver that exhibit to the trial court clerk as soon as possible.

15 What happens after the official record has been prepared?

As soon as the record on appeal is complete, the clerk of the trial court will send it to the Court of Appeal for the district in which the trial court is located. When the Court of Appeal receives the record, it will send you a notice telling you when you must file your brief in the Court of Appeal.

16 What is a brief?

Description: A "brief" is a party's written description of the facts in the case, the law that applies, and the party's argument about the issues being appealed. If you are represented by a lawyer in your appeal, your lawyer will prepare your brief. If you are not represented by a lawyer, you will have to prepare your brief yourself.

You should read [rules 8.200–8.224](#) of the California Rules of Court, which set out the requirements for preparing, serving, and filing briefs in unlimited civil appeals, including requirements for the format and length of these briefs. You can get copies of these rules at any courthouse or county law library or online at www.courts.ca.gov/rules.htm.

Contents and format of briefs: If you are the appellant, your brief, called an "appellant's opening brief," must clearly explain the legal errors you believe were made in the trial court. Your brief must refer to the exact places in the clerk's transcript and the reporter's transcript (or the other forms of the record you are using) that support your argument. Each brief must be no longer than 14,000 words if produced on a computer, including footnotes. A brief produced on a typewriter must not be longer than 50 pages. The brief must contain a table of contents and a table of authorities. The cover of appellant's opening brief filed in paper form must be green. For other content and formatting requirements for the brief, read [rules 8.40](#) and [8.204](#) of the California Rules of Court.

Remember that an appeal is not a new trial. The Court of Appeal will not consider new evidence, such as new exhibits or the testimony of new witnesses, so do not include any new evidence in your brief.

Serving and filing: You must serve and file your opening brief within 40 days after the record is filed in the Court of Appeal or 70 days from the date the appellant chooses to proceed with no reporter's transcript under [rule 8.124](#). "Serve and file" means that you must:

- Have somebody over 18 years old mail, personally deliver, or electronically send (serve) the brief to the other parties in the way required by law. If the brief is mailed or personally delivered, it must be by someone who is not a party to the case—so not you.
- Make a record that the brief has been served. This record is called a "proof of service." *Proof of Service (Court of Appeal)* (form [APP-009](#)) or *Proof of Electronic Service (Court of Appeal)* (form [APP-009E](#)) can be used to make this record. The proof of service must show who served the brief, who was served with the brief, how the brief was served (by mail, in person, or electronically), and the date the brief was served.



- File the original brief and the proof of service with the Court of Appeal. You should make a copy of the brief you are planning to file for your own records before you file it with the court. Unless you are filing electronically, it is a good idea to bring or mail an extra copy of the brief to the clerk when you file your original and ask the clerk to stamp this copy to show that the original has been filed.
- Note: If a party chooses to prepare an appendix of the documents filed in the trial court instead of designating a clerk’s transcript, the appellant’s appendix or a joint appendix must be served and filed before or together with the appellant’s opening brief.

You can get more information about how to serve court papers and proof of service from *Information Sheet for Proof of Service (Court of Appeal)* (form [APP-009-INFO](#)) and on the Self-Help Guide to the California Courts at www.courts.ca.gov/selfhelp-serving.htm.

You and the other parties can agree (stipulate) to extend the time for filing this brief by up to 60 days (see [rule 8.212\(b\)](#) for requirements for these agreements). You can also apply to the presiding justice of the Court of Appeal to extend the time for filing this brief if you can show good cause for an extension (see [rule 8.63](#) for information about extensions of time). You can use *Application for Extension of Time to File Brief—Unlimited Civil Case* (form [APP-006](#)) to ask the court for an extension.

If you do not file your brief by the deadline set by the Court of Appeal, the court may dismiss your appeal.

17 What happens after I file my brief?

Within 30 days after you serve and file your brief, the respondent must respond by serving and filing a respondent’s brief. Within 20 days after the respondent’s brief was filed, you may, but are not required to, file another brief replying to the respondent’s brief. This is called a “reply brief.”

18 What happens after all the briefs have been filed?

After all the briefs have been filed or the time to file them has passed, the Court of Appeal will contact you to tell you the date for oral argument in your case or ask if you want to participate in oral argument.

19 What is “oral argument”?

“Oral argument” is not a chance to present new evidence. Instead, it is a chance to orally explain the arguments you made in your brief to the Court of Appeal justices. You do not have to participate in oral argument if you do not want to; you can notify the Court of Appeal that you want to “waive” oral argument. If all parties waive oral argument, the justices will decide your appeal based on the briefs and the appellate record. But if any party requests oral argument, the Court of Appeal will hold oral argument.

If you choose to participate in oral argument, you will have a limited amount of time as set by the court.

Remember that the justices will have already read the briefs, so you do not need to read your brief to the justices or merely repeat the information in it. It is more helpful to tell the justices what you think is most important in your appeal or ask the justices if they have any questions you could answer.

You can find more information about oral argument in appeals cases in [rule 8.256](#) of the California Rules of Court and online at www.courts.ca.gov/12421.htm.

20 What happens after oral argument?

After oral argument is held or waived, the justices of the Court of Appeal will make a decision about your appeal. The clerk of the court will mail you a notice of the Court of Appeal’s decision.

21 What should I do if I want to give up my appeal?

If you do not want to continue with your appeal, you must notify the court. If the record has not yet been filed in the Court of Appeal, file *Abandonment of Appeal (Unlimited Civil Case)* (form [APP-005](#)) in the superior court.

If the record has already been filed in the Court of Appeal, file *Request for Dismissal of Appeal (Civil Case)* (form [APP-007](#)) in the Court of Appeal.



INFORMATION FOR THE RESPONDENT

This part of this information sheet is written for the respondent—the party responding to an appeal filed by another party. It explains some of the rules and procedures relating to responding to an appeal in an unlimited civil case. The information may also be helpful to the appellant.

22 I have received a notice of appeal from another party. Do I need to do anything?

You do not *have* to do anything, but there may be consequences if you do nothing. The notice of appeal simply tells you that another party is appealing the trial court’s decision. However, this would be a good time to get advice from a lawyer, if you want it. You do not *have* to have a lawyer; if you are an individual (not a corporation, for example), you are allowed to represent yourself in an appeal in an unlimited civil case. But appeals can be complicated and you will have to follow the same rules that lawyers have to follow.

If you have any questions about the appeal procedures, you should talk to a lawyer. You must hire your own lawyer if you want one. You can get information about finding a lawyer on the Self-Help Guide to the California Courts at <https://selfhelp.courts.ca.gov/get-free-or-low-cost-legal-help>.

23 If the other party appealed, can I appeal too?

Yes. Even if another party has already appealed, you may still appeal the same judgment or order. This is called a “cross-appeal.” To cross-appeal, you must serve and file a notice of appeal. You can use *Notice of Appeal/Cross-Appeal—Unlimited Civil Case* (form [APP-002](#)) to file this notice in an unlimited civil case. Please read the information for appellants about filing a notice of appeal, starting on page 3 of this information sheet, if you are considering filing a cross-appeal.

24 Is there a deadline to file a cross-appeal?

Yes. You must serve and file your notice of appeal within either the regular time for filing a notice of appeal (generally 60 days after service of Notice of Entry of the judgment or a file-stamped copy of the judgment) or within 20 days after the clerk of the trial court serves notice of the first appeal, whichever is later.

25 I have received a notice designating the record on appeal from another party. Do I need to do anything?

You do not *have* to do anything, but there may be consequences if you do nothing. A notice designating the record on appeal lets you know what kind of official record the appellant has asked to be sent to the Court of Appeal. Depending on the kind of record chosen by the appellant, however, you may have the option to:

- Add to what is included in the record;
- Participate in preparing the record; *or*
- Ask for a copy of the record.

Look at the appellant’s notice designating the record on appeal to see what kind of record the appellant has chosen and read about that form of the record in the response to question 14 above. Then read below for what your options are when the appellant has chosen that form of the record.

a. Clerk's transcript or appendix

Clerk’s transcript: If the appellant is using a clerk’s transcript, you have the option of asking the clerk to include additional documents in the clerk’s transcript. To do this, within 10 days after the appellant serves its notice designating the record on appeal, you must serve and file a notice designating additional documents to be included in the clerk’s transcript. You may use *Respondent’s Notice Designating Record on Appeal—Unlimited Civil Case* (form [APP-010](#)) for this purpose.



Whether or not you ask for additional documents to be included in the clerk's transcript, you must pay a fee if you want a copy of the clerk's transcript. The trial court clerk will send you a notice indicating the cost for a copy of the clerk's transcript. If you want a copy, you must deposit this amount with the court within 10 days after the clerk's notice was sent.

If you cannot afford to pay this cost, you can ask the trial court to waive it. To do this, you must fill out and file a *Request to Waive Court Fees* (form [FW-001](#)). You can get form FW-001 at any courthouse or county law library or online at www.courts.ca.gov/forms. The trial court will review this application and determine if you are eligible for a fee waiver. The clerk will not prepare a copy of the clerk's transcript for you unless you deposit payment for the cost or obtain a fee waiver.

Appendix: If the appellant is using an appendix, and you and the appellant have not agreed to a joint appendix, you may prepare a separate respondent's appendix. See pages 5–6 for more information about preparing an appendix.

If the appellant chooses a clerk's transcript but does not have a waiver of the fee for a clerk's transcript, you can choose an appendix instead of a clerk's transcript, and the appeal will proceed by appendix. To choose an appendix, you can fill out and file *Respondent's Notice Designating Record on Appeal—Unlimited Civil Case* (form APP-010) within 10 days after the appellant's notice designating the record on appeal is filed.

b. Reporter's transcript

If the appellant is using a reporter's transcript, you have the option of asking for additional proceedings to be included in the reporter's transcript. To do this, within 10 days after the appellant files its notice designating the record on appeal, you must serve and file a notice designating additional proceedings to be included in the reporter's transcript. You may use *Respondent's Notice Designating Record on Appeal—Unlimited Civil Case* (form [APP-010](#)) for this purpose.

Whether or not you ask for additional proceedings to be included in the reporter's transcript, you must generally pay a fee if you want a copy of the reporter's transcript. The trial court clerk or reporter will send you a notice indicating the cost of preparing a copy of the reporter's transcript. If you want a copy of the reporter's transcript, you must deposit payment for this cost (and a fee for the trial court) or one of the substitutes allowed by [rule 8.130](#) with the trial court clerk within 10 calendar days after this notice is sent. (See [rule 8.130](#) for more information about this deposit and the permissible substitutes, such as a waiver of this deposit signed by the court reporter.)

Unlike the fee for preparing a clerk's transcript, the court cannot waive the fee for preparing a reporter's transcript. Money from a special fund, called the Transcript Reimbursement Fund, may be available to help you pay for the transcript. You can get information about this fund at www.courtreportersboard.ca.gov/consumers/index.shtml#trf.

The reporter will not prepare a copy of the reporter's transcript for you unless you deposit the cost of the transcript, or provide one of the permissible substitutes, or your application for payment by the Transcript Reimbursement Fund is approved.

c. Agreed statement

If you and the appellant agree to prepare an agreed statement (a summary of the trial court proceedings that is agreed to by the parties), you and the appellant will need to reach an agreement on that statement within 40 days after the appellant files its notice of appeal. See [rule 8.134](#) of the California Rules of Court.

d. Settled statement

If the appellant elects to use a settled statement (a summary of the trial court proceedings that is approved by the trial court), the appellant will send you a proposed settled statement to review. You will have 20 days from the date the appellant served you this proposed statement to serve and file either:



- Suggested changes (called “amendments”) that you think are needed to make sure that the settled statement provides an accurate summary of the evidence and testimony of each witness relevant to the issues the appellant is raising on appeal (see page 10 of this form and [rule 8.137\(e\)–\(h\)](#) for more information about the amendment process); or
- If the oral proceedings in the trial court were reported by a court reporter, a notice indicating that you are choosing to provide a reporter’s transcript, at your expense, instead of proceeding with a settled statement (see [rule 8.137\(e\)\(2\)](#) for the requirements for choosing to provide a reporter’s transcript).

Have somebody over 18 years old mail, personally deliver, or electronically send (serve) the proposed amendments to the appellant in the way required by law. If the proposed amendments are mailed or personally delivered, it must be by someone who is not a party to the case—so not you.

- Make a record that the proposed amendments have been served. This record is called a “proof of service.” *Proof of Service (Court of Appeal)* (form APP-009) or *Proof of Electronic Service (Court of Appeal)* (form [APP-009E](#)) can be used to make this record. The proof of service must show who served the proposed amendments, who was served with the proposed amendments, how the proposed amendments were served (by mail, in person, or electronically), and the date the proposed amendments were served.
- File the original proposed amendments and the proof of service with the trial court. You should make a copy of the proposed amendments you are planning to file for your own records before you file them with the court. Unless you are filing electronically, it is a good idea to bring or mail an extra copy of the proposed amendments to the clerk when you file your original and ask the clerk to stamp this copy to show that the original has been filed.

You can get more information about how to serve court papers and proof of service from *Information Sheet for Proof of Service (Court of Appeal)* (form [APP-009-INFO](#)) and on the Self-Help Guide to the California Courts at www.courts.ca.gov/selfhelp-serving.htm.

26 What happens after the official record has been prepared?

As soon as the record on appeal is complete, the clerk of the trial court will send it to the Court of Appeal. When the Court of Appeal receives this record, it will send you a notice telling you when you must file your brief in the Court of Appeal.

A brief is a party’s written description of the facts in the case, the law that applies, and the party’s argument about the issues being appealed. If you are represented by a lawyer, your lawyer will prepare your brief. If you are not represented by a lawyer in your appeal, you will have to prepare your brief yourself.

You should read [rules 8.200–8.224](#) of the California Rules of Court, which set out the requirements for preparing, serving, and filing briefs in unlimited civil appeals, including requirements for the format and length of these briefs. You can get these rules at any courthouse or county law library or online at www.courts.ca.gov/rules.htm.

The appellant serves and files the first brief, called an “appellant’s opening brief.” You must respond by serving and filing a “respondent’s brief” within 30 days after the appellant’s opening brief is filed. “Serve and file” means that you must:

- Have somebody over 18 years old mail, personally deliver, or electronically send (serve) the brief to the other parties in the way required by law. If the brief is mailed or personally delivered, it must be by someone who is not a party to the case—so not you.
- Make a record that the brief has been served. This record is called a “proof of service.” *Proof of Service (Court of Appeal)* (form [APP-009](#)) or *Proof of Electronic Service (Court of Appeal)* (form [APP-009E](#)) can be used to make this record.



The proof of service must show who served the brief, who was served with the brief, how the brief was served (by mail, in person, or electronically), and the date the brief was served.

- File the original brief and the proof of service with the Court of Appeal. You should make a copy of the brief you are planning to file for your own records before you file it with the court. Unless you are filing electronically, it is a good idea to bring or mail an extra copy of the brief to the clerk when you file your original and ask the clerk to stamp this copy to show that the original has been filed.

You can get more information about how to serve court papers and proof of service from *Information Sheet for Proof of Service (Court of Appeal)* (form [APP-009-INFO](#)) and on the Self-Help Guide to the California Courts at www.courts.ca.gov/selfhelp-serving.htm.

You and the other parties can agree (stipulate) to extend the time for filing this brief by up to 60 days (see rule 8.212(b) for requirements for these agreements). You can also apply to the presiding justice of the Court of Appeal to extend the time for filing this brief if you can show good cause for an extension. You can use *Application for Extension of Time to File Brief—Unlimited Civil Case* (form [APP-006](#)) to ask the court for an extension.

If you do not file a respondent’s brief, the appellant does not automatically win the appeal. The court will decide the appeal on the record, the appellant’s brief, and any oral argument by the appellant. Remember that an appeal is not a new trial. The Court of Appeal will not consider new evidence, such as new exhibits or the testimony of new witnesses, so do not include any new evidence in your brief.

If you file a respondent’s brief, the appellant then has an opportunity to serve and file another brief within 20 days to reply to your brief.

27 What happens after all the briefs have been filed?

After all the briefs have been filed or the time to file them has passed, the Court of Appeal will contact you to tell you the date for oral argument in your case or ask if you want to participate in oral argument.

28 What is “oral argument”?

“Oral argument” is not a chance to present new evidence. Instead, it is a chance to orally explain the arguments you made in your brief to the Court of Appeal justices. You do not have to participate in oral argument if you do not want to; you can notify the Court of Appeal that you want to “waive” oral argument. If all parties waive oral argument, the justices will decide your appeal based on the briefs and the appellate record. But if any party requests oral argument, the Court of Appeal will hold oral argument.

If you choose to participate in oral argument, you will have a limited amount of time as set by the court.

Remember that the justices will have already read the briefs, so you do not need to read your brief to the justices or merely repeat the information in it. It is more helpful to tell the justices what you think is most important in your appeal or ask the justices if they have any questions you could answer.

You can find more information about oral argument in appeals cases in [rule 8.256](#) of the California Rules of Court and online at www.courts.ca.gov/12421.htm.

29 What happens after oral argument?

After oral argument is held or waived, the justices of the Court of Appeal will make a decision about your appeal. The clerk of the court will mail you a notice of the Court of Appeal’s decision.

APP-101-INFO**Information on Appeal Procedures for Limited Civil Cases****GENERAL INFORMATION****1 What does this information sheet cover?**

This information sheet tells you about appeals in limited civil cases. These are civil cases in which the amount of money claimed is **\$35,000** or less.

If you are the party who is appealing (asking for the trial court’s decision to be reviewed), you are called the **APPELLANT**, and you should read Information for the Appellant, starting on page 2. If you received notice that another party in your case is appealing, you are called the **RESPONDENT** and you should read Information for the Respondent, starting on page 11.

This information sheet does not cover everything you may need to know about appeals in limited civil cases. It is meant only to give you a general idea of the appeal process. To learn more, you should read rules 8.800–8.843 and 8.880–8.891 of the California Rules of Court, which set out the procedures for limited civil appeals. You can get these rules at any courthouse or county law library or online at www.courts.ca.gov/rules.

2 What is an appeal?

An appeal is a request to a higher court to review a decision made by a judge or jury in a lower court. **In a limited civil case, the court hearing the appeal is the appellate division of the superior court and the lower court—called the “trial court” in this information sheet—is the superior court.**

It is important to understand that **an appeal is NOT a new trial**. The appellate division will not consider new evidence, such as the testimony of new witnesses or new exhibits. The appellate division’s job is to review a record of what happened in the trial court and the trial court’s decision to see if certain kinds of legal errors were made:

For information about appeal procedures in other kinds of cases, see:

- *Information on Appeal Procedures for Unlimited Civil Cases* (form APP-001)
- *Information on Appeal Procedures for Infractions* (form CR-141-INFO)
- *Information on Appeal Procedures for Misdemeanors* (form CR-131-INFO)

You can get these forms at any courthouse or county law library or online at www.courts.ca.gov/forms.

- **Prejudicial error:** The appellant (the party who is appealing) may ask the appellate division to determine if an error was made about either the law or court procedures in the case that caused substantial harm to the appellant (this is called “prejudicial error”).

Prejudicial error can include things like errors made by the judge about the law, errors or misconduct by the lawyers, incorrect instructions given to the jury, and misconduct by the jury that harmed the appellant. When it conducts its review, the appellate division presumes that the judgment, order, or other decision being appealed is correct. It is the responsibility of the appellant to show the appellate division that an error was made and that the error was harmful.

- **No substantial evidence:** The appellant may also ask the appellate division to determine if there was substantial evidence supporting the judgment, order, or other decision being appealed. When it conducts its review, the appellate division only looks to see if there was evidence that reasonably supports the decision. The appellate division generally will not reconsider the jury’s or trial court’s conclusion about which side had more or stronger evidence or whether witnesses were telling the truth or lying.

The appellate division generally will not overturn the judgment, order, or other decision being appealed unless the record clearly shows that one of these legal errors was made.



3 Do I need a lawyer to represent me in an appeal?

You do not *have* to have a lawyer; if you are an individual (rather than a corporation, for example), you are allowed to represent yourself in an appeal in a limited civil case. But appeals can be complicated and you will have to follow the same rules that lawyers have to follow. If you have any questions about the appeal procedures, you should talk to a lawyer.

If you decide not to use a lawyer, you must put your address, telephone number, fax number (if available), and email address (if available) on the first page of every document you file with the court and let the court know if this contact information changes so that the court can contact you if needed.

4 Where can I find a lawyer to help me with my appeal?

You have to hire your own attorney if you want one. You can get information about finding an attorney on the Self-Help Guide to the California Courts at <https://selfhelp.courts.ca.gov/get-free-or-low-cost-legal-help>.

INFORMATION FOR THE APPELLANT

This part of the information sheet is written for the appellant—the party who is appealing the trial court’s decision. It explains some of the rules and procedures relating to appealing a decision in a limited civil case. The information may also be helpful to the respondent. Additional information for respondents can be found starting on page 11 of this information sheet.

5 Who can appeal?

Only a party in the trial court case can appeal a decision in that case. You may not appeal on behalf of a friend, a spouse, a child, or another relative unless you are a legally appointed representative of that person (such as the person’s guardian or conservator).

6 Can I appeal any decision the trial court made?

No. Generally, you can only appeal the final judgment—the decision at the end that decides the whole case. Other rulings made by the trial court before the final judgment generally cannot be separately appealed but can be reviewed only later as part of an appeal of the final judgment. There are a few exceptions to this general rule. Code of Civil Procedure section 904.2 lists a few types of orders in a limited civil case that can be appealed right away. These include orders that:

- Change or refuse to change the place of trial (venue)
- Grant a motion to quash service of summons or grant a motion to stay or dismiss the action on the ground of inconvenient forum
- Grant a new trial or deny a motion for judgment notwithstanding the verdict
- Discharge or refuse to discharge an attachment or grant a right to attach
- Grant or dissolve an injunction or refuse to grant or dissolve an injunction
- Appoint a receiver
- Are made after final judgment in the case

(You can get a copy of Code of Civil Procedure section 904.2 at <http://leginfo.legislature.ca.gov/faces/codes.xhtml>.)

7 How do I start my appeal?

First, you must serve and file a notice of appeal. The notice of appeal tells the other party or parties in the case and the trial court that you are appealing the trial court’s decision. You may use *Notice of Appeal/Cross-Appeal—Limited Civil Case* (form APP-102) to prepare a notice of appeal in a limited civil case. You can get form APP-102 at any courthouse or county law library or online at www.courts.ca.gov/forms.

8 How do I “serve and file” the notice of appeal?

“Serve and file” means that you must:

- Have somebody over 18 years old mail, deliver, or electronically send (“serve”) the notice of appeal to the other party or parties in the way required by law. If the notice of appeal is mailed or personally

delivered, it must be by someone who is not a party to the case—so not you.

- Make a record that the notice of appeal has been served. This record is called a “proof of service.” *Proof of Service (Appellate Division)* (form APP-109) or *Proof of Electronic Service (Appellate Division)* (form APP-109E) can be used to make this record. The proof of service must show who served the notice of appeal, who was served with the notice of appeal, how the notice of appeal was served (by mail, in person, or electronically), and the date the notice of appeal was served.
- Bring or mail the original notice of appeal and the proof of service to the trial court that issued the judgment, order, or other decision you are appealing. You should make a copy of the notice of appeal you are planning to file for your own records before you file it with the court. It is a good idea to bring or mail an extra copy of the notice of appeal to the clerk when you file your original and ask the clerk to stamp this copy to show that the original has been filed.

You can get more information about how to serve court papers and proof of service from *What Is Proof of Service?* (form APP-109-INFO) and on the Self-Help Guide to the California Courts at www.courts.ca.gov/selfhelp-serving.htm.

9 Is there a deadline to file my notice of appeal?

Yes. In a limited civil case, except in the very limited circumstances listed in rule 8.823, you must file your notice of appeal within **30 days** after the trial court clerk or a party serves either a document called a “Notice of Entry” of the trial court judgment or a file-stamped copy of the judgment or within 90 days after entry of the judgment, whichever is earlier.

This deadline for filing the notice of appeal cannot be extended. If your notice of appeal is late, the appellate division will not be able to consider your appeal.

10 Do I have to pay to file an appeal?

Yes. Unless the court waives this fee, you must pay a fee for filing your notice of appeal. You can ask the clerk of the court where you are filing the notice of appeal what the fee is or look up the fee for an appeal in a limited civil case in the current Statewide Civil Fee Schedule linked at www.courts.ca.gov/7646.htm (note that the “Appeal and Writ Related Fees” section is near the end of this schedule and that there are different fees for limited civil cases depending on the amount demanded in the case). If you cannot afford to pay the fee, you can ask the court to waive it. To do this, you must fill out and file a *Request to Waive Court Fees* (form FW-001). You can get form FW-001 at any courthouse or county law library or online at www.courts.ca.gov/forms. You can file this application either before you file your notice of appeal or with your notice of appeal. The court will review this application to determine if you are eligible for a fee waiver.

11 If I file a notice of appeal, do I still have to do what the trial court ordered me to do?

Filing a notice of appeal does NOT automatically postpone most judgments or orders, such as those requiring you to pay another party money or to deliver property to another party (see Code of Civil Procedure sections 917.1–917.9 and 1176; you can get a copy of these laws at www.leginfo.legislature.ca.gov/faces/codes.xhtml). These kinds of judgments or orders will be postponed, or “stayed,” only if you request a stay and the court grants your request. In most cases, other than unlawful detainer cases in which the trial court’s judgment gives a party possession of the property, if the trial court denies your request for a stay, you can apply to the appellate division for a stay. If you do not get a stay and you do not do what the trial court ordered you to do, court proceedings to collect the money or otherwise enforce the judgment or order may be started against you.

12 What do I need to do after I file my notice of appeal?

You must ask the clerk of the trial court to prepare and send the official record of what happened in the trial court in your case to the appellate division.

Since the appellate division judges were not there to see what happened in the trial court, an official record of what happened must be prepared and sent to the appellate division for its review. You can use *Appellant's Notice Designating Record on Appeal (Limited Civil Case)* (form APP-103) to ask the trial court to prepare this record. You can get form APP-103 at any courthouse or county law library or online at www.courts.ca.gov/forms.

You must serve and file this notice designating the record on appeal within 10 days after you file your notice of appeal. "Serving and filing" this notice means that you must:

- Have somebody over 18 years old mail, deliver, or electronically send ("serve") the notice to the other party or parties in the way required by law. If the notice is mailed or personally delivered, it must be by someone who is not a party to the case—so not you.
- Make a record that the notice has been served. This record is called a "proof of service." *Proof of Service (Appellate Division)* (form APP-109) or *Proof of Electronic Service (Appellate Division)* (form APP-109E) can be used to make this record. The proof of service must show who served the notice, who was served with the notice, how the notice was served (by mail, in person, or electronically), and the date the notice was served.
- Bring or mail the original notice and the proof of service to the trial court that issued the judgment, order, or other decision you are appealing. You should make a copy of the notice you are planning to file for your own records before you file it with the court. It is a good idea to bring or mail an extra copy of the notice to the clerk when you file your original and ask the clerk to stamp this copy to show that the original has been filed.

You can get more information about how to serve court papers and proof of service from *What Is Proof of Service?* (form APP-109-INFO) and on the Self-Help Guide to the California Courts at www.courts.ca.gov/selfhelp-serving.htm.

13 What is the official record of the trial court proceedings?

There are three parts of the official record:

- A record of what was said in the trial court (this is called the "oral proceedings")
- A record of the documents filed in the trial court (other than exhibits)
- Exhibits that were admitted in evidence, refused, or lodged (temporarily placed with the court) in the trial court

Read below for more information about these parts of the record.

a. Record of what was said in the trial court (the "oral proceedings")

The first part of the official record of the trial court proceedings is a record of what was said in the trial court (this is called a record of the "oral proceedings"). You do not *have* to send the appellate division a record of the oral proceedings. But if you want to raise any issue in your appeal that would require the appellate division to consider what was said in the trial court, the appellate division will need a record of those oral proceedings. For example, if you are claiming that there was not evidence supporting the judgment, order, or other decision you are appealing, the appellate division will need a record of the oral proceedings.

You are responsible for deciding how the record of the oral proceedings will be provided and, depending on what option you select and your circumstances, you may also be responsible for paying for preparing this record or for preparing an initial draft of the record. If you do not take care of these responsibilities, a record of the oral proceedings in the trial court will not be prepared and sent to the appellate division. **If the appellate division does not receive this record, it will not be able to review any issues that are based on what was said in the trial court and it may dismiss your appeal.**

In a limited civil case, you can use *Appellant's Notice Designating Record on Appeal (Limited Civil Case)* (form APP-103) to tell the court whether you want a record of the oral proceedings and, if so, the form of the record that you want to use. You can get form APP-103

at any courthouse or county law library or online at www.courts.ca.gov/forms.

There are four ways in which a record of the oral proceedings can be prepared for the appellate division:

- If you or the other party arranged to have a court reporter there during the trial court proceedings, the reporter can prepare a record, called a “reporter’s transcript.”
- If the proceedings were officially electronically recorded, the trial court can have a transcript prepared from that recording or, if the court has a local rule permitting this and you and the other party agree (“stipulate”) to this, you can use the *official electronic recording* itself instead of a transcript.
- You can use an agreed statement.
- You can use a statement on appeal.

Read below for more information about these options.

(1) Reporter’s transcript

Description: A reporter’s transcript is a written record (sometimes called a “verbatim” record) of the oral proceedings in the trial court prepared by a court reporter. Rule 8.834 of the California Rules of Court establishes the requirements relating to reporter’s transcripts.

When available: If a court reporter was there in the trial court and made a record of the oral proceedings, you can choose (“elect”) to have the court reporter prepare a reporter’s transcript for the appellate division. In most limited civil cases, however, a court reporter will not have been there unless you or another party in your case made specific arrangements to have a court reporter there. Check with the court to see if a court reporter made a record of the oral proceedings in your case before choosing this option.

Contents: If you elect to use a reporter’s transcript, you must identify by date (this is called “designating”) what proceedings you want included in the reporter’s transcript. You can use the same form you used to tell the court you wanted to use a reporter’s transcript—*Appellant’s Notice Designating Record on Appeal (Limited Civil Case)* (form APP-103)—to do this.

If you elect to use a reporter’s transcript, the respondent also has the right to designate additional proceedings to be included in the reporter’s transcript. If you elect to proceed without a reporter’s transcript, however, the respondent may not designate a reporter’s transcript without first getting an order from the appellate division.

Cost: The appellant is responsible for paying for preparing a reporter’s transcript. The trial court clerk or the court reporter will notify you of the cost of preparing an original and one copy of the reporter’s transcript. You must deposit payment for this cost (and a fee for the trial court) or one of the substitutes allowed by rule 8.834 with the trial court clerk within 10 days after this notice is sent. (See rule 8.834 for more information about this deposit and the permissible substitutes, such as a waiver of this deposit signed by the court reporter.)

Unlike the fee for filing the notice of appeal and the costs for preparing a clerk’s transcript, the court cannot waive the fee for preparing a reporter’s transcript. A special fund, called the Transcript Reimbursement Fund, may be able to help pay for the transcript. You can get information about this fund at www.courtreportersboard.ca.gov/consumers/index.shtml#rtf. If you are unable to pay the cost of a reporter’s transcript, a record of the oral proceedings can be prepared in other ways, by using an agreed statement or a statement on appeal, which are described below.

Completion and delivery: After the cost of preparing the reporter’s transcript or a permissible substitute has been deposited, the court reporter will prepare the transcript and submit it to the trial court clerk. When the record is complete, the trial court clerk will submit the original transcript to the appellate division and send you a copy of the transcript. If the respondent has purchased it, a copy of the reporter’s transcript will also be mailed to the respondent.

(2) Official electronic recording or transcript

When available: In some limited civil cases, the trial court proceedings were officially recorded on approved electronic recording equipment. If your case was officially recorded, you can choose (“elect”) to have a transcript prepared from the recording. Check with the trial court to see if the oral proceedings in your case were officially electronically recorded before you choose this option. If the court has a local rule permitting this and all the parties agree (“stipulate”), a copy of an official electronic recording itself can be used as the record, instead of preparing a transcript. If you choose this option, you must attach a copy of this agreement (“stipulation”) to your notice designating the record on appeal.

Contents: If you elect to use a transcript of an official electronic recording, you must identify by date (this is called “designating”) what proceedings you want included in the transcript. You can use the same form you used to tell the court you wanted to use a transcript of an official electronic recording—*Appellant’s Notice Designating Record on Appeal (Limited Civil Case)* (form APP-103)—to do this.

Cost: The appellant is responsible for paying the court for the cost of either (a) preparing a transcript *or* (b) making a copy of the official electronic recording.

(a) If you elect to use a transcript of an official electronic recording, you will need to deposit the estimated cost of preparing the transcript with the trial court clerk and pay the trial court a \$50 fee. There are two ways to determine the estimated cost of the transcript:

- You can use the amounts listed in rule 8.130(b)(1)(B) for each full or half day of court proceedings to estimate the cost of making a transcript of the proceeding you have designated in your notice designating the record on appeal. Deposit this estimated amount and the \$50 fee with the trial court clerk when you file your notice designating the record on appeal.

- You can ask the trial court clerk for an estimate of the cost of preparing a transcript of the proceedings you have designated in your notice designating the record on appeal. You must deposit this amount and the \$50 fee with the trial court within 10 days of receiving the estimate from the clerk.

(b) If the court has a local rule permitting the use of a copy of the electronic recording itself, rather than a transcript, and you have attached your agreement with the other parties to do this (“stipulation”) to the notice designating the record on appeal that you filed with the court, the trial court clerk will provide you with an estimate of the costs for this copy of the recording. You must pay this amount to the trial court.

If you cannot afford to pay the cost of preparing the transcript, the \$50 fee, or the fee for the copy of the official electronic recording, you can ask the court to waive these costs. To do this, you must fill out and file a *Request to Waive Court Fees* (form FW-001). You can get form FW-001 at any courthouse or county law library or online at www.courts.ca.gov/forms. The court will review this application to determine if you are eligible for a fee waiver.

Completion and delivery: After the estimated cost of the transcript or official electronic recording has been paid or waived, the clerk will have the transcript or copy of the recording prepared. When the transcript is completed or the copy of the official electronic recording is prepared and the rest of the record is complete, the clerk will send it to the appellate division.

(3) Agreed statement

Description: An agreed statement is a written summary of the trial court proceedings agreed to by all the parties. (See rule 8.836 of the California Rules of Court.)

When available: If the trial court proceedings were not recorded either by a court reporter or by official electronic recording equipment or if you do not want to use one of these options, you can choose (“elect”) to use an agreed statement as the record of the oral proceedings (please note that it

may take more of your time to prepare an agreed statement than to use either a reporter's transcript or official electronic recording, if they are available).

Contents: An agreed statement must explain what the trial court case was about, describe why the appellate division is the right court to consider an appeal in this case (why the appellate division has "jurisdiction"), and describe the rulings of the trial court relating to the points to be raised on appeal.

The statement should include only those facts that you and the other parties think are needed to decide the appeal.

Preparation: If you elect to use this option, you must file the agreed statement with your notice designating the record on appeal or, if you and the other parties need more time to work on the statement, you can file a written agreement with the other parties (called a "stipulation") stating that you are trying to agree on a statement. If you file this stipulation, within the next 30 days you must either file the agreed statement or tell the court that you and the other parties were unable to agree on a statement and file a new notice designating the record.

(4) Statement on appeal

Description: A statement on appeal is a summary of the trial court proceedings that is approved by the trial court judge who conducted those proceedings (the term "judge" includes commissioners and temporary judges).

When available: If the trial court proceedings were not recorded either by a court reporter or by official electronic recording equipment or if you do not want to use one of these options, you can choose ("elect") to use a statement on appeal as the record of the oral proceedings (please note that it may take more of your time to prepare a statement on appeal than to use either a reporter's transcript or official electronic recording, if they are available).

Contents: A statement on appeal must include:

- A statement of the points you (the appellant) are raising on appeal;

- A summary of the trial court's rulings and judgment; and
- A summary of the testimony of each witness and other evidence that is relevant to the issues you are raising on appeal.

(See rule 8.837 of the California Rules of Court for more information about what must be included in a statement on appeal and the procedures for preparing a statement. You can get a copy of this rule at any courthouse or county law library or online at www.courts.ca.gov/rules.)

Preparing a proposed statement: If you elect to use a statement on appeal, you must prepare a proposed statement. If you are not represented by a lawyer, you must use *Proposed Statement on Appeal (Limited Civil Case)* (form APP-104) to prepare your proposed statement. You can get form APP-104 at any courthouse or county law library or online at www.courts.ca.gov/forms.

Serving and filing a proposed statement: You must serve and file the proposed statement with the trial court within 20 days after you file your notice designating the record. "Serve and file" means that you must:

- Have somebody over 18 years old mail, deliver, or electronically send ("serve") the proposed statement to the respondent in the way required by law. If the proposed statement is mailed or personally delivered, it must be by someone who is not a party to the case—so not you.
- Make a record that the proposed statement has been served. This record is called a "proof of service." *Proof of Service (Appellate Division)* (form APP-109) or *Proof of Electronic Service (Appellate Division)* (form APP-109E) can be used to make this record. The proof of service must show who served the proposed statement, who was served with the proposed statement, how the proposed statement was served (by mail, in person, or electronically), and the date the proposed statement was served.
- File the original proposed statement and the proof of service with the trial court. You should make a copy of the proposed statement you are planning to file for your own records before you

file it with the court. It is a good idea to bring or mail an extra copy of the proposed statement to the clerk when you file your original and ask the clerk to stamp this copy to show that the original has been filed.

You can get more information about how to serve court papers and proof of service from *What Is Proof of Service?* (form APP-109-INFO) and on the Self-Help Guide to the California Courts at www.courts.ca.gov/selfhelp-serving.htm.

Review and modifications: The respondent has 10 days from the date you serve your proposed statement to serve and file proposed changes (called “amendments”) to this statement. The trial court judge then reviews both your proposed statement and any proposed amendments filed by the respondent. The trial judge will either make or order you (the appellant) to make any corrections or modifications to the statement that are needed to make sure that the statement provides an accurate summary of the testimony and other evidence relevant to the issues you indicated you are raising on appeal.

Completion and certification: If the judge makes any corrections or modifications to the proposed statement, the corrected or modified statement will be sent to you and the respondent for your review. If the judge orders you to make any corrections or modifications to the proposed statement, you must serve and file the corrected or modified statement within the time ordered by the judge. If you or the respondent disagree with anything in the modified or corrected statement, you have 10 days from the date the modified or corrected statement is sent to you to serve and file objections to the statement. The judge then reviews any objections, makes or orders you to make any additional corrections to the statement, and certifies the statement as an accurate summary of the testimony and other evidence relevant to the issues you indicated you are raising on appeal.

Sending statement to the appellate division: Once the trial court judge certifies the statement on appeal, the trial court clerk will send the statement to the appellate division along with any record of the documents filed in the trial court.

b. Record of the documents filed in the trial court

The second part of the official record of the trial court proceedings is a record of the documents that were filed in the trial court. There are three ways in which a record of the documents filed in the trial court can be prepared for the appellate division:

- *A clerk’s transcript or an appendix*
- The original *trial court file* or
- *An agreed statement*

Read below for more information about these options.

(1) Clerk’s transcript or appendix

Description: A clerk’s transcript is a record of the documents filed in the trial court prepared by the clerk of the trial court. An appendix is a record of these documents prepared by a party. (See rule 8.845 of the California Rules of Court.)

Contents: Certain documents, such as the notice of appeal and the trial court judgment or order being appealed, must be included in the clerk’s transcript or appendix. These documents are listed in rule 8.832(a) and rule 8.845(b) of the California Rules of Court and in *Appellant’s Notice Designating Record on Appeal (Limited Civil Case)* (form APP-103).

Clerk’s transcript: If you want any documents other than those listed in rule 8.832(a) to be included in the clerk’s transcript, you must tell the trial court in your notice designating the record on appeal. You can use form APP-103 to do this. You will need to identify each document you want included in the clerk’s transcript by its title and filing date or, if you do not know the filing date, the date the document was signed.

If you—the appellant—request a clerk’s transcript, the respondent also has the right to ask the clerk to include additional documents in the clerk’s transcript. If this happens, you will be served with a notice saying what other

documents the respondent wants included in the clerk's transcript.

Cost: The appellant is responsible for paying for preparing a clerk's transcript. The trial court clerk will send you a bill for the cost of preparing an original and one copy of the clerk's transcript. You must do one of the following things within 10 days after the clerk sends this bill or the appellate division may dismiss your appeal:

- Pay the bill.
- Ask the court to waive the cost because you cannot afford to pay. To do this, you must fill out and file a *Request to Waive Court Fees* (form FW-001). You can get form FW-001 at any courthouse or county law library or online at www.courts.ca.gov/forms. The court will review this application to determine if you are eligible for a fee waiver.
- Give the court a copy of a court order showing that your fees in this case have already been waived by the court.

Completion and delivery: After the cost of preparing the clerk's transcript has been paid or waived, the trial court clerk will compile the requested documents into a transcript format and, when the record on appeal is complete, will forward the original clerk's transcript to the appellate division for filing. The trial court clerk will send you a copy of the transcript. If the respondent bought a copy, the clerk will also send a copy of the transcript to the respondent.

Appendix: If you choose to prepare an appendix of the documents filed in the superior court, rather than designating a clerk's transcript, that appendix must include all of the documents and be prepared in the form required by rule 8.845 of the California Rules of Court. The parties may prepare separate appendixes or stipulate (agree) to a joint appendix. If separate appendixes are prepared, each party must pay for its own appendix. If a joint appendix is prepared, the parties can agree on how the cost of preparing the appendix will be paid or the appellant will pay the cost.

The party preparing the appendix must serve the appendix on each other party (unless the parties have agreed or the appellate division has ordered otherwise) and file the appendix in the appellate division. The appellant's appendix or a joint appendix must be served and filed before or together with the appellant's opening brief. See (15) for information about the brief.

(2) Trial court file

When available: If the court has a local rule allowing this, the clerk can send the appellate division the original trial court file instead of a clerk's transcript (see rule 8.833 of the California Rules of Court).

Cost: As with a clerk's transcript, the appellant is responsible for paying for preparing the trial court file. The trial court clerk will send you a bill for this preparation cost. You must do one of the following things within 10 days after the clerk sends this bill or the appellate division may dismiss your appeal:

- Pay the bill.
- Ask the court to waive the cost because you cannot afford to pay. To do this, you must fill out and file a *Request to Waive Court Fees* (form FW-001). You can get form FW-001 at any courthouse or county law library or online at www.courts.ca.gov/forms. The court will review this application to determine if you are eligible for a fee waiver.
- Give the court a copy of a court order showing that your fees in this case have already been waived by the court.

Completion and delivery: After the cost of preparing the trial court file has been paid or waived and the record on appeal is complete, the trial court clerk will send the file and a list of the documents in the file to the appellate division. The trial court clerk will also send a copy of the list of documents to the appellant and respondent so that you can put your own files of documents from the trial court in the correct order.

(3) Agreed statement

When available: If you and the respondent have already agreed to use an agreed statement as the record of the oral proceedings (see a(3) above) and agree to this, you can use an agreed statement instead of a clerk’s transcript. To do this, you must attach to your agreed statement all of the documents that are required to be included in a clerk’s transcript.

c. Exhibits

The third part of the official record of the trial court proceeding is the exhibits, such as photographs, documents, or other items that were admitted in evidence, refused, or lodged (temporarily placed with the court) in the trial court. Exhibits are considered part of the record on appeal, but the clerk will not include any exhibits in the clerk’s transcript unless you ask that they be included in your notice designating the record on appeal. *Appellant’s Notice Designating Record on Appeal (Limited Civil Case)* (form APP-103), includes a space for you to make this request. You also can ask the trial court to send original exhibits to the appellate division at the time briefs are filed (see rule 8.843 for more information about this procedure and see below for information about briefs).

Sometimes, the trial court returns an exhibit to a party at the end of the trial. If the trial court returned an exhibit to you or another party and you or the other party ask for that exhibit to be included in the clerk’s transcript or sent to the appellate division, the party who has the exhibit must deliver that exhibit to the trial court clerk as soon as possible.

14 What happens after the official record has been prepared?

As soon as the record on appeal is complete, the clerk of the trial court will send it to the appellate division. When the appellate division receives the record, it will send you a notice telling you when you must file your brief in the appellate division.

15 What is a brief?

Description: A “brief” is a party’s written description of the facts in the case, the law that applies, and the party’s argument about the issues being appealed. If you are represented by a lawyer in your appeal, your lawyer will prepare your brief. If you are not represented by a lawyer, you will have to prepare your brief yourself. You should read rules 8.882–8.884 of the California Rules of Court, which set out the requirements for preparing, serving, and filing briefs in limited civil appeals, including requirements for the format and length of these briefs. You can get copies of these rules at any courthouse or county law library or online at www.courts.ca.gov/rules.

Contents: If you are the appellant, your brief, called an “appellant’s opening brief,” must clearly explain what you believe are the legal errors made in the trial court. Your brief must refer to the exact places in the clerk’s transcript and the reporter’s transcript (or the other forms of the record you are using) that support your argument. Remember that an appeal is not a new trial. The appellate division will not consider new evidence, such as the testimony of new witnesses or new exhibits, so do not include any new evidence in your brief.

Serving and filing: You must serve and file your brief in the appellate division by the deadline the court set in the notice it sent you, which is usually 30 days after the record is filed in the appellate division or 60 days from the date the appellant chooses to proceed with no reporter’s transcript under rule 8.845. “Serve and file” means that you must:

- Have somebody over 18 years old mail, deliver, or electronically send (“serve”) the brief to the other parties in the way required by law. If the brief is mailed or personally delivered, it must be by someone who is not a party to the case—so not you.
- Make a record that the brief has been served. This record is called a “proof of service.” *Proof of Service (Appellate Division)* (form APP-109) or *Proof of Electronic Service (Appellate Division)* (form APP-109E) can be used to make this record. The proof of service must show who served the brief, who was served with the brief, how the brief was served (by mail, in person, or electronically), and the date the brief was served.

- File the original brief and the proof of service with the appellate division. You should make a copy of the brief you are planning to file for your own records before you file it with the court. It is a good idea to bring or mail an extra copy of the brief to the clerk when you file your original and ask the clerk to stamp this copy to show that the original has been filed.
- Note: If a party chooses to prepare an appendix of the documents filed in the trial court instead of designating a clerk's transcript, the appellant's appendix or a joint appendix must be served and filed before or together with the appellant's opening brief.

You can get more information about how to serve court papers and proof of service from *What Is Proof of Service?* (form APP-109-INFO) and on the Self-Help Guide to the California Courts at www.courts.ca.gov/selfhelp-serving.htm.

You and the other parties can agree (stipulate) to extend the time for filing this brief by up to 30 days (see rule 8.882(b) for requirements for these agreements). You can also ask the court to extend the time for filing this brief if you can show good cause for an extension (see rule 8.811(b) for a list of the factors the court will consider in deciding whether there is good cause for an extension). You can use *Application for Extension of Time to File Brief—Limited Civil Case* (form APP-106) to ask the court for an extension.

If you do not file your brief by the deadline set by the appellate division, the court may dismiss your appeal.

16 What happens after I file my brief?

Within 30 days after you serve and file your brief, the respondent may, but is not required to, respond by serving and filing a respondent's brief. If the respondent does not file a brief, the appellant does not automatically win the appeal. The court will decide the appeal on the record, the appellant's brief, and any oral argument by the appellant.

If the respondent files a brief, within 20 days after the respondent's brief was filed, you may, but are not required to, file another brief replying to the respondent's brief. This is called a "reply brief."

17 What happens after all the briefs have been filed?

Once all the briefs have been filed or the time to file them has passed, the appellate division will notify you of the date for oral argument in your case.

18 What is "oral argument"?

"Oral argument" is the parties' chance to explain their arguments to the appellate division judges in person. You do not have to participate in oral argument if you do not want to; you can notify the appellate division that you want to "waive" oral argument. If all parties waive oral argument, the judges will decide your appeal based on the briefs and the record that were submitted. But if one party waives oral argument and another party or parties does not, the appellate division will hold oral argument with the party or parties who did not waive it.

If you do choose to participate in oral argument, you will have up to 10 minutes for your argument unless the appellate division orders otherwise. Remember that the judges will have already read the briefs, so you do not need to read your brief to the judges. It is more helpful to tell the judges what you think is most important in your appeal or ask the judges if they have any questions you could answer.

19 What happens after oral argument?

After oral argument is held (or the date it was scheduled passes if all the parties waive oral argument), the judges of the appellate division will make a decision about your appeal. The appellate division has 90 days after the date scheduled for oral argument to decide the appeal. The clerk of the court will mail you a notice of the appellate division's decision.

20 What should I do if I want to give up my appeal?

If you decide you do not want to continue with your appeal, you must file a written document with the appellate division notifying it that you are giving up (this is called "abandoning") your appeal. You can use *Abandonment of Appeal (Limited Civil Case)* (form APP-107) to file this notice in a limited civil case. You

can get form APP-107 at any courthouse or county law library or online at www.courts.ca.gov/forms.

INFORMATION FOR THE RESPONDENT

This section of this information sheet is written for the respondent—the party responding to an appeal filed by another party. It explains some of the rules and procedures relating to responding to an appeal in a limited civil case. The information may also be helpful to the appellant.

21 I have received a notice of appeal from another party. Do I need to do anything?

You do not *have* to do anything. The notice of appeal simply tells you that another party is appealing the trial court’s decision. However, this would be a good time to get advice from a lawyer, if you want it. You do not *have* to have a lawyer; if you are an individual (not a corporation, for example), you are allowed to represent yourself in an appeal in a limited civil case. But appeals can be complicated and you will have to follow the same rules that lawyers have to follow.

If you have any questions about the appeal procedures, you should talk to a lawyer. You must hire your own lawyer if you want one. You can get information about finding a lawyer on the Self-Help Guide to the California Courts at <https://selfhelp.courts.ca.gov/get-free-or-low-cost-legal-help>.

22 If the other party appealed, can I appeal too?

Yes. Even if another party has already appealed, you may still appeal the same judgment or order. This is called a “cross-appeal.” To cross-appeal, you must serve and file a notice of appeal. You can use *Notice of Appeal/Cross-Appeal—Limited Civil Case* (form APP-102) to file this notice in a limited civil case. Please read the information for appellants about filing a notice of appeal, starting on page 2 of this information sheet, if you are considering filing a cross-appeal.

23 Is there a deadline to file a cross-appeal?

Yes. You must serve and file your notice of appeal within either the regular time for filing a notice of appeal (generally 30 days after mailing or service of Notice of Entry of the judgment or a file-stamped copy of the judgment) or within 10 days after the clerk of the trial court mails notice of the first appeal, whichever is later.

24 I have received a notice designating the record on appeal from another party. Do I need to do anything?

You do not *have* to do anything. A notice designating the record on appeal lets you know what kind of official record the appellant has asked to be sent to the appellate division. Depending on the kind of record chosen by the appellant, however, you may have the option to:

- Add to what is included in the record
- Participate in preparing the record *or*
- Ask for a copy of the record

Look at the appellant’s notice designating the record on appeal to see what kind of record the appellant has chosen and read about that form of the record in the response to question 13 above. Then read below for what your options are when the appellant has chosen that form of the record.

(a) Reporter’s transcript

If the appellant is using a reporter’s transcript, you have the option of asking for additional proceedings to be included in the reporter’s transcript. To do this, within 10 days after the appellant files its notice designating the record on appeal, you must serve and file a notice designating additional proceedings to be included in the reporter’s transcript.

Whether or not you ask for additional proceedings to be included in the reporter’s transcript, you must generally pay a fee if you want a copy of the reporter’s transcript. The trial court clerk or reporter will send you a notice indicating the cost of preparing a copy of the reporter’s transcript. If you want a copy of the reporter’s transcript, you must deposit this

amount (and a fee for the trial court) or one of the substitutes allowed by rule 8.834 with the trial court clerk within 10 days after this notice is sent. (See rule 8.834 for more information about this deposit and the permissible substitutes, such as a waiver of this deposit signed by the court reporter.)

Unlike the fee for preparing a clerk's transcript, the court cannot waive the fee for preparing a reporter's transcript. A special fund, called the Transcript Reimbursement Fund, may be able to help pay for the transcript. You can get information about this fund at www.courtreportersboard.ca.gov/consumers/index.shtml#trf. The reporter will not prepare a copy of the reporter's transcript for you unless you deposit the cost of the transcript, or one of the permissible substitutes, or your application for payment by the Transcript Reimbursement Fund is approved.

If the appellant elects not to use a reporter's transcript, you may not designate a reporter's transcript without first getting an order from the appellate division.

(b) Agreed statement

If you and the appellant agree to prepare an agreed statement (a summary of the trial court proceedings that is agreed to by the parties), you and the appellant will need to reach an agreement on that statement within 30 days after the appellant files its notice designating the record.

(c) Statement on appeal

If the appellant elects to use a statement on appeal (a summary of the trial court proceedings that is approved by the trial court), the appellant will send you a proposed statement to review. You will have 10 days from the date the appellant sent you this proposed statement to serve and file suggested changes (called "amendments") that you think are needed to make sure that the statement provides an accurate summary of the testimony and other evidence relevant to the issues the appellant indicated the appellant is raising on appeal. "Serve and file" means that you must:

- Have somebody over 18 years old mail, deliver, or electronically send ("serve") the proposed amendments to the appellant in the way required by law. If the proposed amendments are mailed or personally delivered, it must be by someone who is not a party to the case—so not you.
- Make a record that the proposed amendments have been served. This record is called a "proof of service." *Proof of Service (Appellate Division)* (form APP-109) or *Proof of Electronic Service (Appellate Division)* (form APP-109E) can be used to make this record. The proof of service must show who served the proposed amendments, who was served with the proposed amendments, how the proposed amendments were served (by mail, in person, or electronically), and the date the proposed amendments were served.
- File the original proposed amendments and the proof of service with the trial court. You should make a copy of the proposed amendments you are planning to file for your own records before you file them with the court. It is a good idea to bring or mail an extra copy of the proposed amendments to the clerk when you file your original and ask the clerk to stamp this copy to show that the original has been filed.

You can get more information about how to serve court papers and proof of service from *What Is Proof of Service?* (form APP-109-INFO) and on the Self-Help Guide to the California Courts at www.courts.ca.gov/selfhelp-serving.htm.

(d) Clerk's transcript or appendix

Clerk's transcript: If the appellant is using a clerk's transcript, you have the option of asking the clerk to include additional documents in the clerk's transcript.

To do this, within 10 days after the appellant serves its notice designating the record on appeal, you must serve and file a notice designating additional documents to be included in the clerk's transcript. You may use *Respondent's Notice Designating Record on*

Appeal—Limited Civil Case (form APP-110) for this purpose.

Whether or not you ask for additional documents to be included in the clerk’s transcript, you must pay a fee if you want a copy of the clerk’s transcript. The trial court clerk will send you a notice indicating the cost for a copy of the clerk’s transcript. If you want a copy, you must deposit this amount with the court within 10 days after the clerk’s notice was sent.

If you cannot afford to pay this cost, you can ask the court to waive it. To do this, you must fill out and file a *Request to Waive Court Fees* (form FW-001). You can get form FW-001 at any courthouse or county law library or online at www.courts.ca.gov/forms. The court will review this application and determine if you are eligible for a fee waiver. The clerk will not prepare a copy of the clerk’s transcript for you unless you deposit payment for the cost or obtain a fee waiver.

Appendix: If the appellant is using an appendix, and you and the appellant have not agreed to a joint appendix, you may prepare a separate respondent’s appendix. See pages 8–9 for more information about preparing an appendix.

If the appellant chooses a clerk’s transcript but does not have a waiver of the fee for a clerk’s transcript, you can choose an appendix instead of a clerk’s transcript, and the appeal will proceed by appendix. To choose an appendix, you can fill out and file *Respondent’s Notice Designating Record on Appeal—Limited Civil Case* (form APP-110) within 10 days after the appellant’s notice designating the record on appeal is filed.

25 What happens after the official record has been prepared?

As soon as the record on appeal is complete, the clerk of the trial court will send it to the appellate division. When the appellate division receives this record, it will send you a notice telling you when you must file your brief in the appellate division.

A brief is a party’s written description of the facts in the case, the law that applies, and the party’s argument about

the issues being appealed. If you are represented by a lawyer, your lawyer will prepare your brief. If you are not represented by a lawyer in your appeal, you will have to prepare your brief yourself. You should read rules 8.882–8.884 of the California Rules of Court, which set out the requirements for preparing, serving, and filing briefs in limited civil appeals, including requirements for the format and length of these briefs. You can get these rules at any courthouse or county law library or online at www.courts.ca.gov/rules.htm.

The appellant serves and files the first brief, called an “appellant’s opening brief.” You may, but are not required to, respond by serving and filing a respondent’s brief within 30 days after the appellant’s opening brief is filed. “Serve and file” means that you must:

- Have somebody over 18 years old mail, deliver, or electronically send (“serve”) the brief to the other parties in the way required by law. If the brief is mailed or personally delivered, it must be by someone who is not a party to the case—so not you.
- Make a record that the brief has been served. This record is called a “proof of service.” *Proof of Service (Appellate Division)* (form APP-109) or *Proof of Electronic Service (Appellate Division)* (form APP-109E) can be used to make this record. The proof of service must show who served the brief, who was served with the brief, how the brief was served (by mail, in person, or electronically), and the date the brief was served.
- File the original brief and the proof of service with the appellate division. You should make a copy of the brief you are planning to file for your own records before you file it with the court. It is a good idea to bring or mail an extra copy of the brief to the clerk when you file your original and ask the clerk to stamp this copy to show that the original has been filed. You can get more information about how to serve court papers and proof of service from *What Is Proof of Service?* (form APP-109-INFO) and on the Self-Help Guide to the California Courts at www.courts.ca.gov/selfhelp-serving.htm.

You and the other parties can agree (stipulate) to extend the time for filing this brief by up to 30 days (see rule 8.882(b) for requirements for these agreements). You can also ask the court to extend the time for filing this brief if you can show good cause for an extension (see rule 8.811(b) for a list of the factors the court will consider in deciding whether there is good cause for an

extension). You can use *Application for Extension of Time to File Brief—Limited Civil Case* (form APP-106) to ask the court for an extension.

If you do not file a respondent's brief, the appellant does not automatically win the appeal. The court will decide the appeal on the record, the appellant's brief, and any oral argument by the appellant. Remember that an appeal is not a new trial. The appellate division will not consider new evidence, such as the testimony of new witnesses or new exhibits, so do not include any new evidence in your brief.

If you file a respondent's brief, the appellant then has an opportunity to serve and file another brief within 20 days replying to your brief.

26 What happens after all the briefs have been filed?

Once all the briefs have been filed or the time to file them has passed, the court will notify you of the date for oral argument in your case.

“Oral argument” is the parties' chance to explain their arguments to appellate division judges in person. You do not have to participate in oral argument if you do not want to; you can notify the appellate division that you want to “waive” oral argument. If all parties waive oral argument, the judges will decide the appeal based on the briefs and the record that were submitted. But if one party waives oral argument and another party or parties does not, the appellate division will hold oral argument with the party or parties who did not waive it.

If you do choose to participate in oral argument, you will have up to 10 minutes for your argument unless the appellate division orders otherwise. Remember that the judges will have already read the briefs, so you do not need to read your brief to the judges. It is more helpful to tell the judges what you think is most important in the appeal or ask the judges if they have any questions you could answer.

After oral argument is held (or the scheduled date passes if all parties waive argument), the judges of the appellate division will make a decision about the appeal. The appellate division has 90 days after oral argument to decide the appeal. The clerk of the court will mail you a notice of the appellate division's decision.

GENERAL INFORMATION

① What does this information sheet cover?

This information sheet tells you about **writ proceedings**—proceedings in which a person is asking for a writ of mandate, prohibition, or review—in misdemeanor, infraction, and limited civil cases, and in certain small claims cases. Please read this information sheet before you fill out *Petition for Writ (Misdemeanor, Infraction, or Limited Civil Case)* (form APP-151). This information sheet does not cover everything you may need to know about writ proceedings. It is only meant to give you a general idea of the writ process. To learn more, you should read rules 8.930–8.936 of the California Rules of Court, which set out the procedures for writ proceedings in the appellate division. You can get these rules at any courthouse or county law library or online at www.courts.ca.gov/rules.

This information sheet does NOT provide information about appeals or proceedings for writs of supersedeas or habeas corpus, or for writs in certain small claims cases.

- For information about appeals, please see the box on the right side of this page.
- For information about writs of habeas corpus, please see rules 4.550–4.552 of the California Rules of Court and *Petition for Writ of Habeas Corpus* (form HC-001).
- For information about writs of supersedeas, please see rule 8.824 of the California Rules of Court. This information sheet applies to writs relating to *postjudgment enforcement actions* of the small claims division. For information about writs relating to other actions by the small claims division, see rules 8.930–8.936 of the California Rules of Court and *Petition for Writ (Small Claims)* (form SC-300).
- For information about writs relating to actions of the superior court on small claims appeals, see rules 8.485–8.493 of the California Rules of Court.

You can get these rules and forms at any courthouse or county law library or online at www.courts.ca.gov/rules for the rules or www.courts.ca.gov/forms for the forms.

② What is a writ?

A writ is an order from a higher court telling a lower court to do something the law says the lower court must do or not to do something the law says the lower court does not have the power to do. In writ proceedings in the appellate division, the lower court is the superior court that took the action or issued the order being challenged.

For information about appeal procedures, see:

- *Information on Appeal Procedures for Misdemeanors* (form CR-131-INFO);
- *Information on Appeal Procedures for Infractions* (form CR-141-INFO); and
- *Information on Appeal Procedures for Limited Civil Cases* (form APP-101-INFO).

You can get these forms at any courthouse or county law library or online at www.courts.ca.gov/forms.

In this information sheet, we call the lower court the “trial court.”

③ Are there different kinds of writs?

Yes. There are three main kinds of writs:

- Writs of mandate (sometimes called “mandamus”), which are orders telling the trial court to do something.
- Writs of prohibition, which are orders telling the trial court not to do something.
- Writs of review (sometimes called “certiorari”), which are orders telling the trial court that the appellate division will review certain kinds of actions already taken by the trial court.

There are laws (statutes) that you should read concerning each type of writ: see California Code of Civil Procedure sections 1084–1097 about writs of mandate, sections 1102–1105 about writs of prohibition, and sections 1067–1077 about writs of review. You can get copies of these statutes at any county law library or online at leginfo.legislature.ca.gov/faces/codes.xhtml.



4 Is a writ proceeding the same as an appeal?

No. In an **appeal**, the appellate division *must* consider the parties' arguments and decide whether the trial court made the legal error claimed by the appealing party and whether the trial court's decision should be overturned based on that error (this is called a "decision on the merits"). In a **writ proceeding**, the appellate division is *not* required to make a decision on the merits; even if the trial court made a legal error, the appellate division can decide not to consider that error now, but to wait and consider the error as part of any appeal from the final judgment. Most requests for writs are denied without a decision on the merits (this is called a "summary denial"). Because of this, appeals are the ordinary way that decisions made by a trial court are reviewed and writ proceedings are often called proceedings for "extraordinary" relief.

Appeals and writ proceedings are also used to review different kinds of decisions by the trial court. Appeals can be used only to review a trial court's final judgment and a few kinds of orders. Most rulings made by a trial court before it issues its final judgment cannot be appealed right away; they can only be appealed after the trial court case is over, as part of an appeal of the final judgment. Unlike appeals, writ proceedings can be used to ask for review of certain kinds of important rulings made by a trial court before it issues its final judgment.

5 Is a writ proceeding a new trial?

No. A **writ proceeding is NOT a new trial**. The appellate division will not consider new evidence, such as the testimony of new witnesses. Instead, if it does not summarily deny the request for a writ, the appellate division reviews a record of what happened in the trial court and the trial court's ruling to see if the trial court made the legal error claimed by the person asking for the writ. When it conducts its review, the appellate division presumes that the trial court's ruling is correct; the person who requests the writ must show the appellate division that the trial court made the legal error the person is claiming.

6 Can a writ be used to address *any* errors made by a trial court?

No.

Writs can only address certain legal errors. Writs can only address the following types of legal errors made by a trial court:

- The trial court has a legal duty to act but:
 - Refuses to act;
 - Has not done what the law says it must do; or
 - Has acted in a way the law says it does not have the power to act.
- The trial court has performed or says it is going to perform a judicial function (like deciding a person's rights under law in a particular case) in a way that the court does not have the legal power to do.

There must be no other adequate remedy. The trial court's error must also be something that can be fixed only with a writ. The person asking for the writ must show the appellate division that there is no adequate way to address the trial court's error other than with the writ (this is called having "no adequate remedy at law"). As mentioned above, appeals are the ordinary way that trial court decisions are reviewed. If the trial court's ruling can be appealed, the appellate division will generally consider an appeal to be good enough (an "adequate remedy") unless the person asking for the writ can show the appellate division that the person will be harmed in a way that cannot be fixed by the appeal if the appellate division does not issue the writ (this is called "irreparable" injury or harm).

Statutory writs: There are laws (statutes) that provide that certain kinds of rulings can or must be challenged using a writ proceeding. These are called "statutory writs." Here is a list of some of the most common rulings that a statute says can or must be challenged using a writ:

- A ruling on a motion to disqualify a judge (see California Code of Civil Procedure section 170.3(d))
- Denial of a motion for summary judgment (see California Code of Civil Procedure section 437c(m)(1))
- A ruling on a motion for summary adjudication of issues (see California Code of Civil Procedure section 437c(m)(1))



- Denial of a stay in an unlawful detainer matter (see California Code of Civil Procedure section 1176)
- An order disqualifying the prosecuting attorney (see California Penal Code section 1424)

You can get copies of these statutes at any county law library or online at leginfo.legislature.ca.gov/faces/codes.xhtml. You will need to check whether there is a statute providing that the specific ruling you want to challenge can or must be reviewed using a writ proceeding. (Note that just because there is a statute requiring or allowing you to ask for a writ to challenge a ruling does not mean that the court must grant your request; the appellate division can still deny a request for a statutory writ.)

Common law writs: Even if there is not a statute specifically providing for a writ proceeding to challenge a particular ruling, most trial court rulings other than the final judgment can potentially be challenged using a writ proceeding if the trial court made the type of legal error described above and the petitioner has no other adequate remedy at law. These writs are called “common law” writs.

7 Can the appellate division consider a request for a writ in *any* case?

No. Different courts have the power (called “jurisdiction”) to consider requests for writs in different types of cases. The appellate division can only consider requests for writs in limited civil, misdemeanor, and infraction cases, and certain small claims cases. A limited civil case is a civil case in which the amount claimed is \$35,000 or less (see California Code of Civil Procedure sections 85 and 88). Misdemeanor cases are cases in which a person has been charged with or convicted of a crime for which the punishment can include jail time of up to one year but not time in state prison (see California Penal Code sections 17 and 19.2). (If the person was also charged with or convicted of a felony in the same case, it is considered a felony case, not a misdemeanor case.) Infraction cases are cases in which a person has been charged with or convicted of a crime for which the punishment can be a fine, traffic school, or some form of community service but cannot include any time in jail or prison (see California Penal Code sections 17 and 19.8). Examples of infractions include traffic tickets or citations for violations of some

city or county ordinances. (If a person was also charged with or convicted of a misdemeanor in the same case, it is considered a misdemeanor case, not an infraction case.) You can get copies of these statutes at any county law library or online at leginfo.legislature.ca.gov/faces/codes.xhtml. The appellate division can consider requests for writs in small claims actions relating to postjudgment enforcement orders.

The appellate division does NOT have jurisdiction to consider requests for writs in either unlimited civil cases (civil cases in which the amount claimed is more than \$35,000) or felony cases (cases in which a person has been charged with or convicted of a crime for which the punishment can include time in state prison). Requests for writs in these cases can be made in the Court of Appeal. The appellate division also does NOT have jurisdiction to consider requests for writs of habeas corpus; requests for these writs can be made in the superior court.

Requests for writs relating to actions of the small claims division *other* than postjudgment enforcement orders are considered by a single judge in the appellate division. (See form SC-300-INFO.) Requests for writs relating to superior court actions in small claims cases on appeal may be made to the Court of Appeal.

8 Who are the parties in a writ proceeding?

If you are asking for the writ, you are called the PETITIONER. You should read “Information for the Petitioner,” beginning on page 4.

The court the petitioner is asking to be ordered to do or not to do something is called the RESPONDENT. In appellate division writ proceedings, the trial court is the respondent.

Any other party in the trial court case who would be affected by a ruling regarding the request for a writ is a REAL PARTY IN INTEREST. If you are a real party in interest, you should read “Information for a Real Party in Interest,” beginning on page 10.

9 Do I need a lawyer to represent me in a writ proceeding?

You do not *have* to have a lawyer; you are allowed to represent yourself in a writ proceeding in the appellate division. But writ proceedings can be very complicated



and you will have to follow the same rules that lawyers have to follow. If you have any questions about the writ procedures, you should talk to a lawyer. In limited civil cases and infraction cases, you must hire a lawyer at your own expense if you want one (the court cannot provide one). You can get information about finding a lawyer on the California Courts Online Self-Help Center at www.courts.ca.gov/selfhelp-lowcosthelp.htm.

INFORMATION FOR THE PETITIONER

This part of the information sheet is written for the petitioner—the party asking for the writ. It explains some of the rules and procedures relating to asking for a writ. The information may also be helpful to a real party in interest. There is more information for a real party in interest starting on page 10 of this information sheet.

10 Who can ask for a writ?

Only a party in the trial court proceeding—the plaintiff or defendant in a civil case or the defendant or prosecuting agency in a misdemeanor or infraction case—can ask for a writ challenging a ruling on a motion to disqualify a judge (see California Code of Civil Procedure section 170.3(d)). Parties are also usually the only ones that ask for writs challenging other kinds of trial court rulings. However, in most cases, a person who was not a party does have the legal right to ask for a writ if that person has a “beneficial interest” in the trial court’s ruling. A “beneficial interest” means that the person has a specific right or interest affected by the ruling that goes beyond the general rights or interests the public may have in the ruling.

11 How do I ask for a writ?

To ask for a writ you must serve and file a petition for a writ (see below for an explanation of how to “serve and file” a petition). A petition is a formal request that the appellate division issue a writ. A petition for a writ explains to the appellate division what happened in the trial court, what legal error you (the petitioner) believe the trial court made, why you have no other adequate

remedy at law, and what order you are requesting the appellate division to make.

12 How do I prepare a writ petition?

If you are represented by a lawyer, your lawyer will prepare your petition for a writ. If you are not represented by a lawyer, you must use *Petition for Writ (Misdemeanor, Infraction, or Limited Civil Case)* (form APP-151) to prepare your petition. You can get form APP-151 at any courthouse or county law library or online at www.courts.ca.gov/forms. This form asks you to fill in the information that needs to be in a writ petition.

a. Description of your interest in the trial court’s ruling

Your petition needs to tell the appellate division why you have a right to ask for a writ in the case. As discussed above, usually only a person who was a party in the trial court case—the plaintiff or defendant in a civil case or the defendant or prosecuting agency in a misdemeanor or infraction case—asks for a writ challenging a ruling in that case. If you were a party in the trial court case, say that in your petition. If you were not a party, you will need to describe what “beneficial interest” you have in the trial court’s ruling. A “beneficial interest” means that you have a specific right or interest affected by the ruling that goes beyond the general rights or interests the public may have in the ruling. To show the appellate division that you have a beneficial interest in the ruling you want to challenge, you must describe how the ruling will affect you in a direct and negative way.

b. Description of the legal error you believe the trial court made

Your petition will need to tell the appellate division what legal error you believe the trial court made. Not every mistake a trial court might make can be addressed by a writ. You must show that the trial court made one of the following types of legal errors:

- The trial court has a legal duty to act but:
 - Refuses to act;
 - Has not done what the law says it must do; or



- Has acted in a way the law says it does not have the power to act.
- The trial court has performed or says it is going to perform a judicial function (like deciding a person's rights under law in a particular case) in a way that the court does not have the legal power to do.

To show the appellate division that the trial court made one of these legal errors, you will need to:

- Show that the trial court has the legal duty or the power to act or not act in a particular way. You will need to tell the appellate division what legal authority—what constitutional provision, statute, rule, or published court decision—establishes the trial court's legal duty or power to act or not act in that way.
- Show the appellate division that the trial court has not acted in the way that this legal authority says the court is required to act. You will need to tell the appellate division exactly where in the record of what happened in the trial court it shows that the trial court did not act in the way it was required to.

c. Description of why you need the writ

One of the most important parts of your petition is explaining to the appellate division why you need the writ you have requested. Remember, the appellate division does not have to grant your petition just because the trial court made an error. You must convince the appellate division that it is important for it to issue the writ.

Your petition needs to show that a writ is the only way to fix the trial court's error. To convince the court you need the writ, you will need to show the appellate division that you have no way to fix the trial court's error other than through a writ (this is called having “no adequate remedy at law”).

This will be hard if the trial court's ruling can be appealed. If the ruling you are challenging can be appealed, either immediately or as part of an appeal of the final judgment in your case, the appellate division will generally consider this appeal to be a good enough way to fix the trial court's ruling (an “adequate remedy”). To be able to explain to the appellate division why you do not have an adequate remedy at law, you will need to find out if the ruling you want to challenge

can be appealed, either immediately or as part of an appeal of the final judgment.

Here are some trial court rulings that can be appealed.

There are laws (statutes) that say that certain kinds of trial court rulings (“orders”) can be appealed immediately. In limited civil cases, California Code of Civil Procedure section 904.2 lists orders that can be appealed immediately, including orders:

- Changing or refusing to change the place of trial (venue)
- Granting a motion to quash service of summons
- Granting a motion to stay or dismiss the action on the ground of inconvenient forum
- Granting a new trial
- Denying a motion for judgment notwithstanding the verdict
- Granting or dissolving an injunction or refusing to grant or dissolve an injunction
- Appointing a receiver
- Made after final judgment in the case

In misdemeanor and infraction cases, orders made after the final judgment that affect the substantial rights of the defendant can be appealed immediately (California Penal Code section 1466).

In misdemeanor cases, orders granting or denying a motion to suppress evidence can also be appealed immediately (California Penal Code section 1538.5(j)).

You can get copies of these statutes at any county law library or online at leginfo.legislature.ca.gov/faces/codes.xhtml. You should also check to see if there are published court decisions that indicate whether you can or must use an appeal or a writ petition to challenge the type of ruling you want to challenge in your case.

If the ruling can be appealed, you will need to show that an appeal will not fix the trial court's error. If the trial court ruling you want to challenge can be appealed, you will need to show the appellate division why that appeal is not good enough to fix the trial court's error. To do that, you will need to show the appellate division how you will be harmed by the trial court's error in a way that cannot be fixed by the appeal if the appellate division does not issue the writ (this is called “irreparable” injury or harm). For example, because of



the time it takes for an appeal, the harm you want to prevent may happen before an appeal can be finished.

d. Description of the order you want the appellate division to make

Your petition needs to describe what you are asking the appellate division to order the trial court to do or not do. Writ petitions usually ask that the trial court be ordered to cancel (“vacate”) its ruling, issue a new ruling, or not take any steps to enforce its ruling.

If you want the appellate division to order the trial court not to do anything more until the appellate division decides whether to grant the writ you are requesting, you must ask for a “stay.” If you want a stay, you should first ask the trial court for a stay. You should tell the appellate division whether you asked the trial court for a stay. If you did not ask the trial court for a stay, you should tell the appellate division why you did not do this.

If you ask the appellate division for a stay, make sure you also fill out the “Stay requested” box on the first page of the *Petition for Writ (Misdemeanor, Infraction, or Limited Civil Case)* (form APP-151).

e. Verifying the petition

Petitions for writs must be “verified.” This means that either the petitioner or the petitioner’s attorney must declare under penalty of perjury that the facts stated in the petition are true and correct, must sign the petition, and must indicate the date that the petition was signed. On the last page of the *Petition for Writ (Misdemeanor, Infraction, or Limited Civil Case)* (form APP-151), there is a place for you to verify your petition.

13 Is there anything else that I need to serve and file with my petition?

Yes. Along with the petition, you must serve and file a record of what happened in the trial court (see below for an explanation of how to serve and file the petition). Since the appellate division judges were not there in the trial court, a record of what happened must be sent to the appellate division for its review. The materials that make up this record are called “supporting documents.”

What needs to be in the supporting documents. The supporting documents must include:

- A record of what was said in the trial court about the ruling that you are challenging (this is called the “oral proceedings”) and
- Copies of certain important documents from the trial court.

Read below for more information about these two parts of the supporting documents.

Record of the oral proceedings. There are several ways a record of what was said in the trial court may be provided to the appellate division:

- **A transcript**—A transcript is a written record (often called the “verbatim” record) of the oral proceedings in the trial court. If a court reporter was in the trial court and made a record of the oral proceedings, you can have the court reporter prepare a transcript of those oral proceedings, called a “reporter’s transcript,” for the appellate division. If a reporter was not there, but the oral proceedings were officially recorded on approved electronic recording equipment, you can have a transcript prepared for the appellate division from the official electronic recording of these proceedings. You (the petitioner) must pay for preparing a transcript, unless the court orders otherwise.
- **A copy of an electronic recording**—If the oral proceedings were officially recorded on approved electronic recording equipment, the court has a local rule for the appellate division permitting this recording to be used as the record of the oral proceedings, and all the parties agree (“stipulate”), a copy of the official electronic recording itself can be used as the record of the oral proceedings instead of a transcript. You (the petitioner) must pay for preparing a copy of the official electronic recording, unless the court orders otherwise.
- **A summary**—If a transcript or official electronic recording of what was said in the trial court is not available, your petition must include a declaration (a statement signed by the petitioner under penalty of perjury) either:
 - Explaining why the transcript or official electronic recording is not available and providing a fair summary of the proceedings, including the petitioner’s arguments and any statement by the court supporting its ruling; or



- o Stating that the transcript or electronic recording has been ordered, the date it was ordered, and the date it is expected to be filed.

Copies of documents from the trial court. Copies of the following documents from the trial court must also be included in the supporting documents:

- The trial court ruling being challenged in the petition
- All documents and exhibits submitted to the trial court supporting and opposing the petitioner’s position
- Any other documents or portions of documents submitted to the trial court that are necessary for a complete understanding of the case and of the ruling being challenged

What if I cannot get copies of the documents from the trial court because of an emergency? Rule 8.931 of the California Rules of Court provides that in extraordinary circumstances the petition may be filed without copies of the documents from the trial court. If the petition is filed without these documents, you must explain in your petition the urgency and the circumstances making the documents available.

Format of the supporting documents. Supporting documents must be put in the format required by rule 8.931 of the California Rules of Court. Among other things, there must be a tab for each document and an index listing the documents that are included. You should carefully read rule 8.931. You can get a copy of rule 8.931 at any courthouse or county law library or online at www.courts.ca.gov/rules.

14 Is there a deadline to ask for a writ?

Yes. For statutory writs, the statute usually sets the deadline for serving and filing the petition. Here is a list of the deadlines for filing petitions for some of the most common statutory writs (you can get copies of these statutes at any county law library or online at leginfo.legislature.ca.gov/faces/codes.xhtml).

Statutory Writ	Filing Deadline
Writ challenging a ruling on a motion to disqualify a judge (see California Code of Civil Procedure section 170.3(d))	10 days after notice to the parties of the decision
Writ challenging the denial of a motion for summary judgment (see California Code of Civil Procedure section 437c(m)(1))	20 days after service of written notice of entry of the order
Writ challenging a ruling on a motion for summary adjudication of issues (see California Code of Civil Procedure section 437c(m)(1))	20 days after service of written notice of entry of the order

For common law writs or statutory writs where the statute does not set a deadline, you should file the petition as soon as possible and not later than 30 days after the court makes the ruling that you are challenging in the petition. While there is no absolute deadline for filing these petitions, writ petitions are usually used when it is urgent that the trial court’s error be fixed. Remember, the court is not required to grant your petition even if the trial court made an error. If you delay in filing your petition, it may make the appellate division think that it is not really urgent that the trial court’s error be fixed and the appellate division may deny your petition. If there are extraordinary circumstances that delayed the filing of your petition, you should explain these circumstances to the appellate division in your petition.

15 How do I “serve” my petition?

Rule 8.931(d) requires that the petition and one set of supporting documents be served on any named real party in interest and that just the petition be served on the respondent trial court. “Serving” a petition on a party means that you must:

- Have somebody over 18 years old mail, deliver, or electronically send (“serve”) the petition to the real party in interest and the respondent court in the way required by law. If the petition is mailed or



personally delivered, it must be by someone who is not a party to the case—so not you.

- Make a record that the petition has been served. This record is called a “proof of service.” *Proof of Service (Appellate Division)* (form APP-109) or *Proof of Electronic Service (Appellate Division)* (form APP-109E) can be used to make this record. The proof of service must show who served the petition, who was served with the petition, how the petition was served (by mail, in person, or electronically), and the date the petition was served.

You can get more information about how to serve court documents and proof of service from *What Is Proof of Service?* (form APP-109-INFO) and on the California Courts Online Self-Help Center at www.courts.ca.gov/selfhelp-serving.htm.

16 How do I file my petition?

To file a petition for a writ in the appellate division, you must bring or mail the original petition, including the supporting documents, and the proof of service to the clerk for the appellate division of the superior court that made the ruling you are challenging. If the superior court has more than one courthouse location, you should call the clerk at the courthouse where the ruling you are challenging was made to ask where to file your petition.

You should make a copy of all the documents you are planning to file for your own records before you file them with the court. It is a good idea to bring or mail an extra copy of the petition to the clerk when you file your original and ask the clerk to stamp this copy to show that the original has been filed.

17 Do I have to pay to file a petition?

There is no fee to file a petition for a writ in a misdemeanor or infraction case, but there is a fee to file a petition for a writ in a limited civil case. You should ask the clerk for the appellate division where you are filing the petition what this fee is. If you cannot afford to pay this filing fee, you can ask the court to waive this fee. To do this, you must fill out a *Request to Waive Court Fees* (form FW-001). You can get form FW-001 at any courthouse or county law library or online at www.courts.ca.gov/forms. You can file this application

either before you file your petition or with your petition. The court will review this application and decide whether to waive the filing fee.

18 What happens after I file my petition?

Within 10 days after you serve and file your petition, the respondent or any real party in interest can serve and file preliminary opposition to the petition. Within 10 days after an opposition is filed, you may serve and file a reply to that opposition.

The appellate division does not have to wait for an opposition or reply before it can act on a petition for a writ, however. Without waiting, the appellate division can:

- a. Issue a stay
- b. Summarily deny the petition
- c. Issue an alternative writ or order to show cause
- d. Notify the parties that it is considering issuing a preemptory writ in the first instance
- e. Issue a preemptory writ in the first instance if such relief was expressly requested in the petition.

Read below for more information about these options.

a. Stay of trial court proceedings

A stay is an order from the appellate division telling the trial court not to do anything more until the appellate division decides whether to grant your petition. A stay puts the trial court proceedings on temporary hold.

b. Summary denial

A “summary denial” means that the appellate division denies the petition without deciding whether the trial court made the legal error claimed by the petitioner or whether the writ requested by the petitioner should be issued based on that error. Remember, even if the trial court made a legal error, the appellate division can decide not to consider that error now but to wait and consider the error as part of any appeal from the final judgment. No reasons need to be given for a summary denial. Most petitions for writs are denied in this way.



c. Alternative writ or order to show cause

An “alternative writ” is an order telling the trial court either to do what the petitioner has requested in the petition (or some modified form of what the petitioner requested) or to show the appellate division why the trial court should not be ordered to do what the petitioner requested. An “order to show cause” is similar; it is an order telling the trial court to show the appellate division why the trial court should not be ordered to do what the petitioner requested in the petition (or some modified form of what the petitioner requested). The appellate division will issue an alternative writ or an order to show cause only if the petitioner has shown that the petitioner has no adequate remedy at law and the appellate division has decided that the petitioner may have shown that the trial court made a legal error that needs to be fixed.

If the appellate division issues an alternative writ and the trial court does what the petitioner requested (or a modified form of what the petitioner requested as ordered by the appellate division), then no further action by the appellate division is needed and the appellate division may dismiss the petition.

If the trial court does not comply with an alternative writ, however, or if the appellate division issues an order to show cause, then the respondent court or a real party in interest can file a response to the appellate division’s order (called a “return”) that explains why the trial court should not be ordered to do what the petitioner requested. The return must be served and filed within the time specified by the appellate division or, if no time is specified, within 30 days from the date the alternative writ or order to show cause was issued. The petitioner will then have an opportunity to serve and file a reply within 15 days after the return is filed. The appellate division may set the matter for oral argument. When all the papers have been served and filed (or the time to serve and file them has passed) and oral argument is completed, the appellate division will decide the case.

d. Peremptory writ in the first instance

A “peremptory writ in the first instance” is an order telling the trial court to do what the petitioner has requested (or some modified form of what the petitioner requested) that is issued without the appellate division first issuing an alternative writ or order to show cause. It is very rare for the appellate division to issue a peremptory writ in the first instance, and it will not do so

unless the respondent and real parties in interest have received notice that the court might do so, either through the petitioner expressly asking for such relief in the petition, or by the court first notifying the parties and giving the respondent court and any real party in interest a chance to file an opposition.

The respondent court or a real party in interest can file a response to the appellate division’s notice (called an “opposition”) that explains why the trial court should not be ordered to do what the petitioner has requested. The opposition must be served and filed within the time specified by the appellate division or, if no time is specified, within 30 days from the date the notice was issued. The petitioner will then have a chance to serve and file a reply within 15 days after the opposition is filed. The appellate division may then set the matter for oral argument. When all the papers have been served and filed (or the time to serve and file them has passed) and oral argument is completed, the appellate division will decide the case.

19 What should I do if the court denies my petition?

If the court denies your petition, it may be helpful to talk to a lawyer. In a limited civil or infraction case, you must hire a lawyer at your own expense if you want one (the court cannot provide one). You can get information about finding an attorney on the California Courts Online Self-Help Center at www.courts.ca.gov/selfhelp-lowcosthelp.htm.

INFORMATION FOR A REAL PARTY IN INTEREST

This part of the information sheet is written for a real party in interest—a party from the trial court case other than the petitioner who will be affected by a ruling on a petition for a writ. It explains some of the rules and procedures relating to responding to a petition for a writ. The information may also be helpful to the petitioner.



20 I have received a copy of a petition for a writ in a case in which I am a party. Do I need to do anything?

You do not *have* to do anything. The California Rules of Court give you the right to file a preliminary opposition to a petition for a writ within 10 days after the petition is served and filed, but you are not required to do this. The appellate division can take certain actions without waiting for any opposition, including:

- Summarily denying the petition;
- Issuing an alternative writ or order to show cause;
- Notifying the parties that it is considering issuing a peremptory writ in the first instance; or
- Issuing a peremptory writ in the first instance if such relief was expressly requested in the petition.

Read the response to question **18** for more information about these options.

Most petitions for writs are summarily denied, often within a few days after they are filed. If you have not already received something from the appellate division saying what action it is taking on the petition, it is a good idea to call the appellate division to see if the petition has been denied before you decide whether and how to respond.

This would be a good time to talk to a lawyer. You do not *have* to have a lawyer; you are allowed to represent yourself in a writ proceeding in the appellate division. But writ proceedings can be very complicated and you will have to follow the same rules that lawyers have to follow. If you have any questions about writ proceedings or about whether and how you should respond to a writ petition, you should talk to a lawyer. In a limited civil case or infraction case, you must hire a lawyer at your own expense if you want one (the court cannot provide one). You can get information about finding an attorney on the California Courts Online Self-Help Center at www.courts.ca.gov/selfhelp-lowcosthelp.htm.

If the petition has not already been summarily denied, you may, but are not required to, serve and file a preliminary opposition to the petition within 10 days after the petition was served and filed. In general, it is a good idea to consider filing a preliminary opposition if the petition misstates the facts or if you think the petition shows that the trial court made a legal error that may

need to be fixed. However, the appellate division will seldom grant a writ without first issuing an alternative writ, an order to show cause, or a notice that it is considering issuing a peremptory writ. In all these circumstances, you will get notice from the court and have a chance to file a response. Note that the appellate division may issue a peremptory writ without notice if the petitioner expressly asked the court, in the petition, to issue a peremptory writ in the first instance. If the petitioner did that, you may want to consider whether to file a preliminary opposition, to explain why you believe the small claims court made no legal error and why the petitioner is not entitled to a writ.

If you decide to file a preliminary opposition, you must serve that preliminary opposition on all the other parties to the writ proceeding. “Serving and filing” an opposition means that you must:

- Have somebody over 18 years old mail, deliver, or electronically send (“serve”) the preliminary opposition to the other parties in the way required by law. If the preliminary opposition is mailed or personally delivered, it must be by someone who is not a party to the case—so not you.
- Make a record that the preliminary opposition has been served. This record is called a “proof of service.” *Proof of Service (Appellate Division)* (form APP-109) or *Proof of Electronic Service (Appellate Division)* (form APP-109E) can be used to make this record. The proof of service must show who served the preliminary opposition, who was served with the preliminary opposition, how the preliminary opposition was served (by mail, in person, or electronically), and the date the preliminary opposition was served.
- File the original preliminary opposition and the proof of service with the appellate division. You should make a copy of the preliminary opposition for your own records before you file it with the court. It is a good idea to bring or mail an extra copy of the preliminary opposition to the clerk when you file your original and ask the clerk to stamp this copy to show that the original has been filed.

You can get more information about how to serve court documents and proof of service from *What Is Proof of Service?* (form APP-109-INFO) and on the California



Courts Online Self-Help Center at
www.courts.ca.gov/selfhelp-serving.htm.

21 I have received a copy of an alternative writ or an order to show cause issued by the appellate division. Do I need to do anything?

Yes. Unless the trial court has already done what the alternative writ told it to do, you should serve and file a response called a “return.”

As explained above, the appellate division will issue an alternative writ or an order to show cause if the appellate division has decided that the petitioner may have shown that the trial court made a legal error that needs to be fixed. An “alternative writ” is an order telling the trial court either to do what the petitioner has requested in the petition (or some modified form of what the petitioner requested) or to show the appellate division why the trial court should not be ordered to do what the petitioner requested. An “order to show cause” is similar; it is an order telling the trial court to show the appellate division why the trial court should not be ordered to do what the petitioner requested in the petition (or some modified form of what the petitioner requested).

If the appellate division issues an alternative writ and the trial court does what the petitioner requested (or a modified form of what the petitioner requested as ordered by the appellate division), then no further action by the appellate division is needed and the appellate division may dismiss the petition. If the trial court does not comply with an alternative writ, however, or if the appellate division issues an order to show cause, then the respondent court or the real party in interest may serve and file a response to the appellate division’s order, called a “return.”

A return is your argument to the appellate division about why the trial court should not be ordered to do what the petitioner has requested. If you are represented by a lawyer in the writ proceeding, your lawyer will prepare your return. If you are not represented by a lawyer, you will need to prepare your own return. A return is usually a legal response called an “answer.” An answer is used to admit or deny the facts alleged in the petition, to add to or correct the facts, and to explain any legal defenses to the legal arguments made by the petitioner. You

should read California Code of Civil Procedure sections 430.10–430.80 for more information about answers. You can get copies of these statutes at any county law library or online at leginfo.legislature.ca.gov/faces/codes.xhtml. A return can also include additional supporting documents not already filed by the petitioner.

If you do not file a return when the appellate division issues an alternative writ or order to show cause, it does not mean that the appellate division is required to issue the writ requested by the petitioner. However, the appellate division will treat the facts stated by the petitioner in the petition as true, which makes it more likely the appellate division will issue the requested writ.

Unless the appellate division sets a different filing deadline in its alternative writ or order to show cause, you must serve and file your return within 30 days after the appellate division issues the alternative writ or order to show cause. The return must be served on all the other parties to the writ proceeding. “Serving and filing” the return means that you must:

- Have somebody over 18 years old mail, deliver, or electronically send (“serve”) the return to the other parties in the way required by law. If the return is mailed or personally delivered, it must be by someone who is not a party to the case—so not you.
- Make a record that the return has been served. This record is called a “proof of service.” *Proof of Service (Appellate Division)* (form APP-109) or *Proof of Electronic Service (Appellate Division)* (form APP-109E) can be used to make this record. The proof of service must show who served the return, who was served with the return, how the return was served (by mail, in person, or electronically), and the date the return was served.
- File the original return and the proof of service with the appellate division. You should make a copy of the return you are planning to file for your own records before you file it with the court. It is a good idea to bring or mail an extra copy of the return to the clerk when you file your original and ask the clerk to stamp this copy to show that the original has been filed.

You can get more information about how to serve court documents and proof of service from *What Is Proof of Service?* (form APP-109-INFO) and on the California



Courts Online Self-Help Center at
www.courts.ca.gov/selfhelp-serving.htm.

22 I have received a copy of a notice from the appellate division indicating it is considering issuing a peremptory writ in the first instance. Do I need to do anything?

Yes. You should serve and file a response called an “opposition.”

As explained in the answer to question **18**, a “peremptory writ in the first instance” is an order telling the trial court to do what the petitioner has requested (or some form of what the petitioner requested as ordered by the appellate division) that is issued without the appellate division first issuing an alternative writ or order to show cause. The appellate division will not issue a peremptory writ in the first instance without first giving the parties notice and a chance to file an opposition. However, when the appellate division issues such a notice, it means that the appellate division is strongly considering granting the writ requested by the petitioner.

An opposition is your argument to the appellate division about why the trial court should not be ordered to do what the petitioner has requested. If you are represented by a lawyer in the writ proceeding, your lawyer will prepare your opposition. If you are not represented by a lawyer, you will need to prepare your own opposition. Like a return discussed above, an opposition is usually a legal response called an “answer.” An answer is used to admit or deny the facts alleged in the petition, to add to or correct the facts, and to explain any legal defenses to the legal arguments made by the petitioner. You should read California Code of Civil Procedure sections 430.10–430.80 for more information about answers. You can get copies of these statutes at any county law library or online at leginfo.legislature.ca.gov/faces/codes.xhtml.

Unless the appellate division sets a different deadline in its notice that it is considering issuing a peremptory writ, you must serve and file your opposition within 30 days after the appellate division issues the notice. The opposition must be served on all the other parties to the writ proceeding. “Serving and filing” the opposition means that you must:

- Have somebody over 18 years old mail, deliver, or electronically send (“serve”) the opposition to the

other parties in the way required by law. If the opposition is mailed or personally delivered, it must be by someone who is not a party to the case—so not you.

- Make a record that the opposition has been served. This record is called a “proof of service.” *Proof of Service (Appellate Division)* (form APP-109) or *Proof of Electronic Service (Appellate Division)* (form APP-109E) can be used to make this record. The proof of service must show who served the opposition, who was served with the opposition, how the opposition was served (by mail, in person, or electronically), and the date the opposition was served.
- File the original opposition and the proof of service with the appellate division. You should make a copy of the opposition you are planning to file for your own records before you file it with the court. It is a good idea to bring or mail an extra copy of the opposition to the clerk when you file your original, and ask the clerk to stamp this copy to show that the original has been filed.

You can get more information about how to serve court documents and proof of service from *What Is Proof of Service?* (form APP-109-INFO) and on the California Courts Online Self-Help Center at www.courts.ca.gov/selfhelp-serving.htm.

23 What happens after I serve and file my return or opposition?

After you file a return or opposition, the petitioner has 15 days to serve and file a reply. The appellate division may also set the matter for oral argument. When all the papers have been filed (or the time to file them has passed) and oral argument is completed, the appellate division will decide the case.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY <h2 style="margin: 0;">DRAFT</h2> <h2 style="margin: 0;">11/06/2023</h2> <h2 style="margin: 0;">Not approved</h2> <h2 style="margin: 0;">by Judicial</h2> <h2 style="margin: 0;">Council</h2>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	
<p style="text-align: center;">NOTICE OF ENTRY OF JUDGMENT OR ORDER</p> <p>(Check one): <input type="checkbox"/> UNLIMITED CASE <input type="checkbox"/> LIMITED CASE (Amount demanded exceeded \$35,000) (Amount demanded was \$35,000 or less)</p>	CASE NUMBER: _____

TO ALL PARTIES :

1. A judgment, decree, or order was entered in this action on (date):

2. A copy of the judgment, decree, or order is attached to this notice.

Date: _____

 (TYPE OR PRINT NAME OF ATTORNEY PARTY WITHOUT ATTORNEY)



(SIGNATURE)

PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	CASE NUMBER:
--	--------------

**PROOF OF SERVICE BY FIRST-CLASS MAIL
 NOTICE OF ENTRY OF JUDGMENT OR ORDER**

(NOTE: You cannot serve the Notice of Entry of Judgment or Order if you are a party in the action. The person who served the notice must complete this proof of service.)

1. I am at least 18 years old and **not a party to this action**. I am a resident of or employed in the county where the mailing took place, and my residence or business address is *(specify)*:

2. I served a copy of the *Notice of Entry of Judgment or Order* by enclosing it in a sealed envelope with postage fully prepaid and *(check one)*:

- a. deposited the sealed envelope with the United States Postal Service.
- b. placed the sealed envelope for collection and processing for mailing, following this business's usual practices, with which I am readily familiar. On the same day correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service.

3. The *Notice of Entry of Judgment or Order* was mailed:

- a. on *(date)*:
- b. from *(city and state)*:

4. The envelope was addressed and mailed as follows:

- | | |
|--|--|
| a. Name of person served:

Street address:
City:
State and zip code: | c. Name of person served:

Street address:
City:
State and zip code: |
| b. Name of person served:

Street address:
City:
State and zip code: | d. Name of person served:

Street address:
City:
State and zip code: |

Names and addresses of additional persons served are attached. *(You may use form POS-030(P).)*

5. Number of pages attached _____.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____

 (TYPE OR PRINT NAME OF DECLARANT)

▶

 (SIGNATURE OF DECLARANT)

ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NUMBER: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY DRAFT 11/07/2023 NOT APPROVED BY COUNCIL
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
IN RE (ADDRESS OF REAL PROPERTY):	
PETITION AND DECLARATION REGARDING UNRESOLVED CLAIMS AND DEPOSIT OF UNDISTRIBUTED SURPLUS PROCEEDS OF TRUSTEE'S SALE	
Jurisdiction (check all that apply): <input type="checkbox"/> ACTION IS A LIMITED CIVIL CASE (does not exceed \$35,000) Amount deposited <input type="checkbox"/> does not exceed \$10,000 <input type="checkbox"/> exceeds \$10,000 <input type="checkbox"/> ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$35,000)	CASE NUMBER:

1. Petitioner (name): _____ is the trustee under the Deed of Trust described in items 2 and 3 below.

The Deed of Trust

2. The Deed of Trust encumbered the real property commonly known as (describe):

(the "property") and legally described in Attachment 2 as follows:

3. The Deed of Trust was

a. Executed by (name): _____ as trustor.

b. Executed on (date): _____

c. Recorded:

(1) Date:

(2) County:

(3) Instrument number:

IN RE:

CASE NUMBER:

The Trustee's Sale, Surplus Proceeds, and Notice to Potential Claimants

4. The property was the subject of a trustee's sale that was held on *(date)*:
5. A trustee's sale guarantee was prepared for the trustee's sale. *(A copy of the trustee's sale guarantee must be attached as Attachment 5.)*
6. The total sale price of the property was: \$
7. After payment of the amounts required by Civil Code section 2924k(a)(1)–(2), there were surplus proceeds from the trustee's sale available to potential claimants in the total amount of: \$
8. Within 30 days after the trustee's sale, the trustee sent written notice under Civil Code section 2924j(a) to all persons with a recorded interest in the real property as of the date immediately prior to the trustee's sale who would be entitled to notice. The names and addresses of all persons sent notice under Civil Code section 2924j(a) are as follows:

Continued on Attachment 8.

The Claims

9. The trustee has received a total of *(specify number)*: _____ written claims from potential claimants.
10. The trustee has exercised due diligence to determine the priority of the written claims received by the trustee to the trustee's sale surplus proceeds from the persons identified in item 8 to whom notice was sent.
11. The trustee submits this declaration under Civil Code section 2924j(c) for the following reason:
 - a. After due diligence, the trustee is unable to determine the priority of the written claims received by the trustee to the trustee's sale surplus proceeds. *(If this reason applies, describe the problem of determining priorities in Attachment 11a.)*
 - b. The trustee has determined that there is a conflict between potential claimants to the surplus proceeds. *(If this reason applies, identify the claimants and describe the conflict in Attachment 11b.)*
12. The trustee provides the following additional information relevant to the identity, location, priority of potential claimants, and the conflict of claims:

Continued on Attachment 12.

Notice of Intent to Deposit Funds and Proof of Service

13. The trustee has provided written notice to all persons with a recorded interest in the property who would be entitled to notice under Civil Code section 2924b(b)–(c). The notice includes the following information:
 - a. The trustee intends to deposit funds from the trustee's sale with the clerk of the court.
 - b. A claim for funds must be filed with the court within 30 days from the date of notice.
 - c. The address of the court in which the funds are to be deposited and a telephone number for obtaining further information.*(Proof of Service of the notice on all persons entitled to notice under Civil Code section 2924j(d) must be attached to this declaration as Attachment 13.)*

IN RE:	CASE NUMBER:
--------	--------------

Deposit

14. Distributions

The trustee has distributed the total amount of: \$ _____ to the following claimants based on their written claims:

Name of claimant:	Amount:
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$

Continued on Attachment 14.

15. Trustee's Fees and Expenses

The trustee has incurred reasonable fees and expenses totaling: \$ _____. These fees and expenses are recoverable under Civil Code section 2924k(a)(1) and (b) and are described in Attachment 15 as follows (*specify*):

16. Deposit

The amount to be deposited is calculated as follows:

- a. Trustee's sale proceeds \$
- b. Debt to foreclosing creditor \$
- c. Available surplus proceeds (*a minus b*) \$
- d. Claims paid by trustee (*from item 14*) \$
- e. Trustee's fees and expenses (*from item 15*) \$
- f. Remaining surplus proceeds (*c minus (d plus e)*) \$
- g. Filing fee \$
- h. Deposit (*f minus g*) \$

(If the trustee is represented by an attorney, the attorney's signature follows):

Date:

(TYPE OR PRINT NAME OF ATTORNEY)

▶ _____

(SIGNATURE OF ATTORNEY)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME OF TRUSTEE)

▶ _____

(SIGNATURE OF TRUSTEE)

For your protection and privacy, please press the Clear This Form button after you have printed the form.

[Print this form](#)

[Save this form](#)

[Clear this form](#)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):

TELEPHONE NO.: FAX NO. (Optional):

E-MAIL ADDRESS:

ATTORNEY FOR (Name):

SUPERIOR COURT OF CALIFORNIA, COUNTY OF

STREET ADDRESS:

MAILING ADDRESS:

CITY AND ZIP CODE:

BRANCH NAME:

CASE NAME:

FOR COURT USE ONLY

DRAFT

11/06/2023

**Not approved
by Judicial
Council**

CIVIL CASE COVER SHEET

Unlimited (Amount demanded exceeds **\$35,000**) **Limited** (Amount demanded is **\$35,000** or less)

Complex Case Designation

Counter Joinder

Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

CASE NUMBER:

JUDGE:

DEPT.:

Items 1–6 below must be completed (see instructions on page 2).

1. Check **one** box below for the case type that best describes this case:

<p>Auto Tort</p> <p><input type="checkbox"/> Auto (22)</p> <p><input type="checkbox"/> Uninsured motorist (46)</p> <p>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</p> <p><input type="checkbox"/> Asbestos (04)</p> <p><input type="checkbox"/> Product liability (24)</p> <p><input type="checkbox"/> Medical malpractice (45)</p> <p><input type="checkbox"/> Other PI/PD/WD (23)</p> <p>Non-PI/PD/WD (Other) Tort</p> <p><input type="checkbox"/> Business tort/unfair business practice (07)</p> <p><input type="checkbox"/> Civil rights (08)</p> <p><input type="checkbox"/> Defamation (13)</p> <p><input type="checkbox"/> Fraud (16)</p> <p><input type="checkbox"/> Intellectual property (19)</p> <p><input type="checkbox"/> Professional negligence (25)</p> <p><input type="checkbox"/> Other non-PI/PD/WD tort (35)</p> <p>Employment</p> <p><input type="checkbox"/> Wrongful termination (36)</p> <p><input type="checkbox"/> Other employment (15)</p>	<p>Contract</p> <p><input type="checkbox"/> Breach of contract/warranty (06)</p> <p><input type="checkbox"/> Rule 3.740 collections (09)</p> <p><input type="checkbox"/> Other collections (09)</p> <p><input type="checkbox"/> Insurance coverage (18)</p> <p><input type="checkbox"/> Other contract (37)</p> <p>Real Property</p> <p><input type="checkbox"/> Eminent domain/Inverse condemnation (14)</p> <p><input type="checkbox"/> Wrongful eviction (33)</p> <p><input type="checkbox"/> Other real property (26)</p> <p>Unlawful Detainer</p> <p><input type="checkbox"/> Commercial (31)</p> <p><input type="checkbox"/> Residential (32)</p> <p><input type="checkbox"/> Drugs (38)</p> <p>Judicial Review</p> <p><input type="checkbox"/> Asset forfeiture (05)</p> <p><input type="checkbox"/> Petition re: arbitration award (11)</p> <p><input type="checkbox"/> Writ of mandate (02)</p> <p><input type="checkbox"/> Other judicial review (39)</p>	<p>Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400–3.403)</p> <p><input type="checkbox"/> Antitrust/Trade regulation (03)</p> <p><input type="checkbox"/> Construction defect (10)</p> <p><input type="checkbox"/> Mass tort (40)</p> <p><input type="checkbox"/> Securities litigation (28)</p> <p><input type="checkbox"/> Environmental/Toxic tort (30)</p> <p><input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41)</p> <p>Enforcement of Judgment</p> <p><input type="checkbox"/> Enforcement of judgment (20)</p> <p>Miscellaneous Civil Complaint</p> <p><input type="checkbox"/> RICO (27)</p> <p><input type="checkbox"/> Other complaint (not specified above) (42)</p> <p>Miscellaneous Civil Petition</p> <p><input type="checkbox"/> Partnership and corporate governance (21)</p> <p><input type="checkbox"/> Other petition (not specified above) (43)</p>
---	---	---

2. This case is is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- | | |
|--|--|
| a. <input type="checkbox"/> Large number of separately represented parties | d. <input type="checkbox"/> Large number of witnesses |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence | f. <input type="checkbox"/> Substantial postjudgment judicial supervision |
3. Remedies sought (check all that apply): a. monetary b. nonmonetary; declaratory or injunctive relief c. punitive
4. Number of causes of action (specify):
5. This case is is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)
- Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

CM-010

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you **must** complete and file, along with your first paper, the Civil Case Cover Sheet contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the Civil Case Cover Sheet to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort

- Auto (22)–Personal Injury/Property Damage/Wrongful Death
- Uninsured Motorist (46) *(if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto)*

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

- Asbestos (04)
 - Asbestos Property Damage
 - Asbestos Personal Injury/Wrongful Death
- Product Liability *(not asbestos or toxic/environmental)* (24)
- Medical Malpractice (45)
 - Medical Malpractice–Physicians & Surgeons
- Other Professional Health Care Malpractice
- Other PI/PD/WD (23)
 - Premises Liability (e.g., slip and fall)
 - Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
 - Intentional Infliction of Emotional Distress
 - Negligent Infliction of Emotional Distress

Non-PI/PD/WD (Other) Tort

- Business Tort/Unfair Business Practice (07)
- Civil Rights (e.g., discrimination, false arrest) *(not civil harassment)* (08)
- Defamation (e.g., slander, libel) (13)
- Fraud (16)
- Intellectual Property (19)
- Professional Negligence (25)
 - Legal Malpractice
 - Other Professional Malpractice *(not medical or legal)*
- Other Non-PI/PD/WD Tort (35)

Employment

- Wrongful Termination (36)
- Other Employment (15)

Contract

- Breach of Contract/Warranty (06)
 - Breach of Rental/Lease
 - Contract *(not unlawful detainer or wrongful eviction)*
- Contract/Warranty Breach–Seller Plaintiff *(not fraud or negligence)*
- Negligent Breach of Contract/Warranty
- Other Breach of Contract/Warranty
- Collections (e.g., money owed, open book accounts) (09)
 - Collection Case–Seller Plaintiff
 - Other Promissory Note/Collections Case
- Insurance Coverage *(not provisionally complex)* (18)
 - Auto Subrogation
 - Other Coverage
- Other Contract (37)
 - Contractual Fraud
 - Other Contract Dispute

Real Property

- Eminent Domain/Inverse Condemnation (14)
- Wrongful Eviction (33)
- Other Real Property (e.g., quiet title) (26)
 - Writ of Possession of Real Property
 - Mortgage Foreclosure
 - Quiet Title
 - Other Real Property *(not eminent domain, landlord/tenant, or foreclosure)*

Unlawful Detainer

- Commercial (31)
- Residential (32)
- Drugs (38) *(if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential)*

Judicial Review

- Asset Forfeiture (05)
- Petition Re: Arbitration Award (11)
- Writ of Mandate (02)
 - Writ–Administrative Mandamus
 - Writ–Mandamus on Limited Court Case Matter
 - Writ–Other Limited Court Case Review
- Other Judicial Review (39)
 - Review of Health Officer Order
 - Notice of Appeal–Labor Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)

- Antitrust/Trade Regulation (03)
- Construction Defect (10)
- Claims Involving Mass Tort (40)
- Securities Litigation (28)
- Environmental/Toxic Tort (30)
- Insurance Coverage Claims *(arising from provisionally complex case type listed above)* (41)

Enforcement of Judgment

- Enforcement of Judgment (20)
 - Abstract of Judgment (Out of County)
- Confession of Judgment *(non-domestic relations)*
- Sister State Judgment
- Administrative Agency Award *(not unpaid taxes)*
- Petition/Certification of Entry of Judgment on Unpaid Taxes
- Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

- RICO (27)
- Other Complaint *(not specified above)* (42)
 - Declaratory Relief Only
 - Injunctive Relief Only *(non-harassment)*
 - Mechanics Lien
 - Other Commercial Complaint Case *(non-tort/non-complex)*
 - Other Civil Complaint *(non-tort/non-complex)*

Miscellaneous Civil Petition

- Partnership and Corporate Governance (21)
- Other Petition *(not specified above)* (43)
 - Civil Harassment
 - Workplace Violence
 - Elder/Dependent Adult Abuse
 - Election Contest
 - Petition for Name Change
 - Petition for Relief From Late Claim
 - Other Civil Petition

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS: _____ ATTORNEY FOR (Name): _____	<p style="text-align: center;">FOR COURT USE ONLY</p> <p style="text-align: center;">DRAFT</p> <p style="text-align: center;">11/06/2023</p> <p style="text-align: center;">Not approved</p> <p style="text-align: center;">by Judicial</p> <p style="text-align: center;">Council</p>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	
<p style="text-align: center;">CASE MANAGEMENT STATEMENT</p> <p>(Check one): <input type="checkbox"/> UNLIMITED CASE <input type="checkbox"/> LIMITED CASE (Amount demanded exceeds \$35,000) (Amount demanded is \$35,000 or less)</p>	CASE NUMBER:
A CASE MANAGEMENT CONFERENCE is scheduled as follows: Date: _____ Time: _____ Dept.: _____ Div.: _____ Room: _____ Address of court (if different from the address above): <input type="checkbox"/> Notice of Intent to Appear by Telephone, by (name):	

INSTRUCTIONS: All applicable boxes must be checked, and the specified information must be provided.

1. **Party or parties (answer one):**
 - a. This statement is submitted by party (name):
 - b. This statement is submitted **jointly** by parties (names):
2. **Complaint and cross-complaint (to be answered by plaintiffs and cross-complainants only)**
 - a. The complaint was filed on (date):
 - b. The cross-complaint, if any, was filed on (date):
3. **Service (to be answered by plaintiffs and cross-complainants only)**
 - a. All parties named in the complaint and cross-complaint have been served, have appeared, or have been dismissed.
 - b. The following parties named in the complaint or cross-complaint
 - (1) have not been served (specify names and explain why not):
 - (2) have been served but have not appeared and have not been dismissed (specify names):
 - (3) have had a default entered against them (specify names):
 - c. The following additional parties may be added (specify names, nature of involvement in case, and date by which they may be served):

4. **Description of case**
 - a. Type of case in complaint cross-complaint (Describe, including causes of action):

PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	CASE NUMBER:
--	--------------

4. b. Provide a brief statement of the case, including any damages. *(If personal injury damages are sought, specify the injury and damages claimed, including medical expenses to date [indicate source and amount], estimated future medical expenses, lost earnings to date, and estimated future lost earnings. If equitable relief is sought, describe the nature of the relief.)*

(If more space is needed, check this box and attach a page designated as Attachment 4b.)

5. **Jury or nonjury trial**

The party or parties request a jury trial a nonjury trial. *(If more than one party, provide the name of each party requesting a jury trial):*

6. **Trial date**

a. The trial has been set for *(date)*:

b. No trial date has been set. This case will be ready for trial within 12 months of the date of the filing of the complaint *(if not, explain)*:

c. Dates on which parties or attorneys will not be available for trial *(specify dates and explain reasons for unavailability)*:

7. **Estimated length of trial**

The party or parties estimate that the trial will take *(check one)*:

a. days *(specify number)*:

b. hours (short causes) *(specify)*:

8. **Trial representation** *(to be answered for each party)*

The party or parties will be represented at trial by the attorney or party listed in the caption by the following:

a. Attorney:

b. Firm:

c. Address:

d. Telephone number:

f. Fax number:

e. E-mail address:

g. Party represented:

Additional representation is described in Attachment 8.

9. **Preference**

This case is entitled to preference *(specify code section)*:

10. **Alternative dispute resolution (ADR)**

a. **ADR information package.** Please note that different ADR processes are available in different courts and communities; read the ADR information package provided by the court under rule 3.221 of the California Rules of Court for information about the processes available through the court and community programs in this case.

(1) For parties represented by counsel: Counsel has has not provided the ADR information package identified in rule 3.221 to the client and reviewed ADR options with the client.

(2) For self-represented parties: Party has has not reviewed the ADR information package identified in rule 3.221.

b. **Referral to judicial arbitration or civil action mediation** (if available).

(1) This matter is subject to mandatory judicial arbitration under Code of Civil Procedure section 1141.11 or to civil action mediation under Code of Civil Procedure section 1775.3 because the amount in controversy does not exceed the statutory limit.

(2) Plaintiff elects to refer this case to judicial arbitration and agrees to limit recovery to the amount specified in Code of Civil Procedure section 1141.11.

(3) This case is exempt from judicial arbitration under rule 3.811 of the California Rules of Court or from civil action mediation under Code of Civil Procedure section 1775 et seq. *(specify exemption)*:

PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	CASE NUMBER:
--	--------------

10. c. Indicate the ADR process or processes that the party or parties are willing to participate in, have agreed to participate in, or have already participated in (*check all that apply and provide the specified information*):

	The party or parties completing this form are willing to participate in the following ADR processes (<i>check all that apply</i>):	If the party or parties completing this form in the case have agreed to participate in or have already completed an ADR process or processes, indicate the status of the processes (<i>attach a copy of the parties' ADR stipulation</i>):
(1) Mediation	<input type="checkbox"/>	<input type="checkbox"/> Mediation session not yet scheduled <input type="checkbox"/> Mediation session scheduled for (<i>date</i>): <input type="checkbox"/> Agreed to complete mediation by (<i>date</i>): <input type="checkbox"/> Mediation completed on (<i>date</i>):
(2) Settlement conference	<input type="checkbox"/>	<input type="checkbox"/> Settlement conference not yet scheduled <input type="checkbox"/> Settlement conference scheduled for (<i>date</i>): <input type="checkbox"/> Agreed to complete settlement conference by (<i>date</i>): <input type="checkbox"/> Settlement conference completed on (<i>date</i>):
(3) Neutral evaluation	<input type="checkbox"/>	<input type="checkbox"/> Neutral evaluation not yet scheduled <input type="checkbox"/> Neutral evaluation scheduled for (<i>date</i>): <input type="checkbox"/> Agreed to complete neutral evaluation by (<i>date</i>): <input type="checkbox"/> Neutral evaluation completed on (<i>date</i>):
(4) Nonbinding judicial arbitration	<input type="checkbox"/>	<input type="checkbox"/> Judicial arbitration not yet scheduled <input type="checkbox"/> Judicial arbitration scheduled for (<i>date</i>): <input type="checkbox"/> Agreed to complete judicial arbitration by (<i>date</i>): <input type="checkbox"/> Judicial arbitration completed on (<i>date</i>):
(5) Binding private arbitration	<input type="checkbox"/>	<input type="checkbox"/> Private arbitration not yet scheduled <input type="checkbox"/> Private arbitration scheduled for (<i>date</i>): <input type="checkbox"/> Agreed to complete private arbitration by (<i>date</i>): <input type="checkbox"/> Private arbitration completed on (<i>date</i>):
(6) Other (<i>specify</i>):	<input type="checkbox"/>	<input type="checkbox"/> ADR session not yet scheduled <input type="checkbox"/> ADR session scheduled for (<i>date</i>): <input type="checkbox"/> Agreed to complete ADR session by (<i>date</i>): <input type="checkbox"/> ADR completed on (<i>date</i>):

PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	CASE NUMBER:
--	--------------

11. Insurance

- a. Insurance carrier, if any, for party filing this statement (*name*):
- b. Reservation of rights: Yes No
- c. Coverage issues will significantly affect resolution of this case (*explain*):

12. Jurisdiction

Indicate any matters that may affect the court's jurisdiction or processing of this case and describe the status.

Bankruptcy Other (*specify*):

Status:

13. Related cases, consolidation, and coordination

- a. There are companion, underlying, or related cases.
 - (1) Name of case:
 - (2) Name of court:
 - (3) Case number:
 - (4) Status:
- Additional cases are described in Attachment 13a.
- b. A motion to consolidate coordinate will be filed by (*name party*):

14. Bifurcation

The party or parties intend to file a motion for an order bifurcating, severing, or coordinating the following issues or causes of action (*specify moving party, type of motion, and reasons*):

15. Other motions

The party or parties expect to file the following motions before trial (*specify moving party, type of motion, and issues*):

16. Discovery

- a. The party or parties have completed all discovery.
- b. The following discovery will be completed by the date specified (*describe all anticipated discovery*):

<u>Party</u>	<u>Description</u>	<u>Date</u>
--------------	--------------------	-------------

- c. The following discovery issues, including issues regarding the discovery of electronically stored information, are anticipated (*specify*):

PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	CASE NUMBER:
--	--------------

17. Economic litigation

- a. This is a limited civil case (i.e., the amount demanded is \$35,000 or less) and the economic litigation procedures in Code of Civil Procedure sections 90-98 will apply to this case.
- b. This is a limited civil case and a motion to withdraw the case from the economic litigation procedures or for additional discovery will be filed (if checked, explain specifically why economic litigation procedures relating to discovery or trial should not apply to this case):

18. Other issues

- The party or parties request that the following additional matters be considered or determined at the case management conference (specify):

19. Meet and confer

- a. The party or parties have met and conferred with all parties on all subjects required by rule 3.724 of the California Rules of Court (if not, explain):
- b. After meeting and conferring as required by rule 3.724 of the California Rules of Court, the parties agree on the following (specify):

20. Total number of pages attached (if any): _____

I am completely familiar with this case and will be fully prepared to discuss the status of discovery and alternative dispute resolution, as well as other issues raised by this statement, and will possess the authority to enter into stipulations on these issues at the time of the case management conference, including the written authority of the party where required.

Date:

(TYPE OR PRINT NAME)

▶ _____
(SIGNATURE OF PARTY OR ATTORNEY)

(TYPE OR PRINT NAME)

▶ _____
(SIGNATURE OF PARTY OR ATTORNEY)

Additional signatures are attached.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):

TELEPHONE NO.:

FAX NO. (Optional):

E-MAIL ADDRESS (Optional):

ATTORNEY FOR (Name):

SUPERIOR COURT OF CALIFORNIA, COUNTY OF

SHORT TITLE OF CASE:

FORM INTERROGATORIES—GENERAL

CASE NUMBER:

Asking Party:

Answering Party:

Set No.:

Sec. 1. Instructions to All Parties

- (a) Interrogatories are written questions prepared by a party to an action that are sent to any other party in the action to be answered under oath. The interrogatories below are form interrogatories approved for use in civil cases.
(b) For time limitations, requirements for service on other parties, and other details, see Code of Civil Procedure sections 2030.010–2030.410 and the cases construing those sections.
(c) These form interrogatories do not change existing law relating to interrogatories nor do they affect an answering party’s right to assert any privilege or make any objection.

Sec. 2. Instructions to the Asking Party

- (a) These interrogatories are designed for optional use by parties in unlimited civil cases where the amount demanded exceeds \$35,000. Separate interrogatories, Form Interrogatories—Limited Civil Cases (Economic Litigation) (form DISC-004), which have no subparts, are designed for use in limited civil cases where the amount demanded is \$35,000 or less; however, those interrogatories may also be used in unlimited civil cases.
(b) Check the box next to each interrogatory that you want the answering party to answer. Use care in choosing those interrogatories that are applicable to the case.
(c) You may insert your own definition of INCIDENT in Section 4, but only where the action arises from a course of conduct or a series of events occurring over a period of time.
(d) The interrogatories in section 16.0, Defendant’s Contentions—Personal Injury, should not be used until the defendant has had a reasonable opportunity to conduct an investigation or discovery of plaintiff’s injuries and damages.
(e) Additional interrogatories may be attached.

Sec. 3. Instructions to the Answering Party

- (a) An answer or other appropriate response must be given to each interrogatory checked by the asking party.
(b) As a general rule, within 30 days after you are served with these interrogatories, you must serve your responses on the asking party and serve copies of your responses on all other parties to the action who have appeared. See Code of Civil Procedure sections 2030.260–2030.270 for details.

- (c) Each answer must be as complete and straightforward as the information reasonably available to you, including the information possessed by your attorneys or agents, permits. If an interrogatory cannot be answered completely, answer it to the extent possible.
(d) If you do not have enough personal knowledge to fully answer an interrogatory, say so, but make a reasonable and good faith effort to get the information by asking other persons or organizations, unless the information is equally available to the asking party.
(e) Whenever an interrogatory may be answered by referring to a document, the document may be attached as an exhibit to the response and referred to in the response. If the document has more than one page, refer to the page and section where the answer to the interrogatory can be found.
(f) Whenever an address and telephone number for the same person are requested in more than one interrogatory, you are required to furnish them in answering only the first interrogatory asking for that information.
(g) If you are asserting a privilege or making an objection to an interrogatory, you must specifically assert the privilege or state the objection in your written response.
(h) Your answers to these interrogatories must be verified, dated, and signed. You may wish to use the following form at the end of your answers:

I declare under penalty of perjury under the laws of the State of California that the foregoing answers are true and correct.

(Date)

(SIGNATURE)

Sec. 4. Definitions

Words in BOLDFACE CAPITALS in these interrogatories are defined as follows:

(a) (Check one of the following):

- (1) INCIDENT includes the circumstances and events surrounding the alleged accident, injury, or other occurrence or breach of contract giving rise to this action or proceeding.

(2) **INCIDENT** means (insert your definition here or on a separate, attached sheet labeled "Sec. 4(a)(2)"): _____

(b) YOU OR ANYONE ACTING ON YOUR BEHALF

includes you, your agents, your employees, your insurance companies, their agents, their employees, your attorneys, your accountants, your investigators, and anyone else acting on your behalf.

(c) PERSON includes a natural person, firm, association, organization, partnership, business, trust, limited liability company, corporation, or public entity.

(d) DOCUMENT means a writing, as defined in Evidence Code section 250, and includes the original or a copy of handwriting, typewriting, printing, photostats, photographs, electronically stored information, and every other means of recording upon any tangible thing and form of communicating or representation, including letters, words, pictures, sounds, or symbols, or combinations of them.

(e) HEALTH CARE PROVIDER includes any **PERSON** referred to in Code of Civil Procedure section 667.7(e)(3).

(f) ADDRESS means the street address, including the city, state, and zip code.

Sec. 5. Interrogatories

The following interrogatories have been approved by the Judicial Council under Code of Civil Procedure section 2033.710:

CONTENTS

- 1.0 Identity of Persons Answering These Interrogatories
- 2.0 General Background Information—Individual
- 3.0 General Background Information—Business Entity
- 4.0 Insurance
- 5.0 *[Reserved]*
- 6.0 Physical, Mental, or Emotional Injuries
- 7.0 Property Damage
- 8.0 Loss of Income or Earning Capacity
- 9.0 Other Damages
- 10.0 Medical History
- 11.0 Other Claims and Previous Claims
- 12.0 Investigation—General
- 13.0 Investigation—Surveillance
- 14.0 Statutory or Regulatory Violations
- 15.0 Denials and Special or Affirmative Defenses
- 16.0 Defendant’s Contentions Personal Injury
- 17.0 Responses to Request for Admissions
- 18.0 *[Reserved]*
- 19.0 *[Reserved]*
- 20.0 How the Incident Occurred—Motor Vehicle
- 25.0 *[Reserved]*
- 30.0 *[Reserved]*
- 40.0 *[Reserved]*
- 50.0 Contract
- 60.0 *[Reserved]*
- 70.0 Unlawful Detainer *[See separate form DISC-003]*
- 101.0 Economic Litigation *[See separate form DISC-004]*
- 200.0 Employment Law *[See separate form DISC-002]* Family Law *[See separate form FL-145]*

1.0 Identity of Persons Answering These Interrogatories

1.1 State the name, **ADDRESS**, telephone number, and relationship to you of each **PERSON** who prepared or assisted in the preparation of the responses to these interrogatories. (Do not identify anyone who simply typed or reproduced the responses.)

2.0 General Background Information individual—

2.1 State:

- (a) your name;
- (b) every name you have used in the past; and
- (c) the dates you used each name.

2.2 State the date and place of your birth.

2.3 At the time of the **INCIDENT**, did you have a driver’s license? If so state:

- (a) the state or other issuing entity;
- (b) the license number and type;
- (c) the date of issuance; and
- (d) all restrictions.

2.4 At the time of the **INCIDENT**, did you have any other permit or license for the operation of a motor vehicle? If so, state:

- (a) the state or other issuing entity;
- (b) the license number and type;
- (c) the date of issuance; and
- (d) all restrictions.

2.5 State:

- (a) your present residence **ADDRESS**;
- (b) your residence **ADDRESSES** for the past five years; and
- (c) the dates you lived at each **ADDRESS**.

2.6 State:

- (a) the name, **ADDRESS**, and telephone number of your present employer or place of self-employment; and
- (b) the name, **ADDRESS**, dates of employment, job title, and nature of work for each employer or self-employment you have had from five years before the **INCIDENT** until today.

2.7 State:

- (a) the name and **ADDRESS** of each school or other academic or vocational institution you have attended, beginning with high school;
- (b) the dates you attended;
- (c) the highest grade level you have completed; and
- (d) the degrees received.

2.8 Have you ever been convicted of a felony? If so, for each conviction state:

- (a) the city and state where you were convicted;
- (b) the date of conviction;
- (c) the offense; and
- (d) the court and case number.

2.9 Can you speak English with ease? If not, what language and dialect do you normally use?

2.10 Can you read and write English with ease? If not, what language and dialect do you normally use?

- 2.11 At the time of the **INCIDENT** were you acting as an agent or employee for any **PERSON**? If so, state:
 - (a) the name, **ADDRESS**, and telephone number of that **PERSON**: and
 - (b) a description of your duties.
- 2.12 At the time of the **INCIDENT** did you or any other person have any physical, emotional, or mental disability or condition that may have contributed to the occurrence of the **INCIDENT**? If so, for each person state:
 - (a) the name, **ADDRESS**, and telephone number;
 - (b) the nature of the disability or condition; and
 - (c) the manner in which the disability or condition contributed to the occurrence of the **INCIDENT**.
- 2.13 Within 24 hours before the **INCIDENT** did you or any person involved in the **INCIDENT** use or take any of the following substances: alcoholic beverage, marijuana, or other drug or medication of any kind (prescription or not)? If so, for each person state:
 - (a) the name, **ADDRESS**, and telephone number;
 - (b) the nature or description of each substance;
 - (c) the quantity of each substance used or taken;
 - (d) the date and time of day when each substance was used or taken;
 - (e) the **ADDRESS** where each substance was used or taken;
 - (f) the name, **ADDRESS**, and telephone number of each person who was present when each substance was used or taken; and
 - (g) the name, **ADDRESS**, and telephone number of any **HEALTH CARE PROVIDER** who prescribed or furnished the substance and the condition for which it was prescribed or furnished.

3.0 General Background Information—Business Entity

- 3.1 Are you a corporation? If so, state:
 - (a) the name stated in the current articles of incorporation;
 - (b) all other names used by the corporation during the past 10 years and the dates each was used;
 - (c) the date and place of incorporation;
 - (d) the **ADDRESS** of the principal place of business; and
 - (e) whether you are qualified to do business in California.
- 3.2 Are you a partnership? If so, state:
 - (a) the current partnership name;
 - (b) all other names used by the partnership during the past 10 years and the dates each was used;
 - (c) whether you are a limited partnership and, if so, under the laws of what jurisdiction;
 - (d) the name and **ADDRESS** of each general partner; and
 - (e) the **ADDRESS** of the principal place of business.
- 3.3 Are you a limited liability company? If so, state:
 - (a) the name stated in the current articles of organization;
 - (b) all other names used by the company during the past 10 years and the date each was used;
 - (c) the date and place of filing of the articles of organization;
 - (d) the **ADDRESS** of the principal place of business; and
 - (e) whether you are qualified to do business in California.

- 3.4 Are you a joint venture? If so, state:
 - (a) the current joint venture name;
 - (b) all other names used by the joint venture during the past 10 years and the dates each was used;
 - (c) the name and **ADDRESS** of each joint venturer; and
 - (d) the **ADDRESS** of the principal place of business.
- 3.5 Are you an unincorporated association? If so, state:
 - (a) the current unincorporated association name;
 - (b) all other names used by the unincorporated association during the past 10 years and the dates each was used; and
 - (c) the **ADDRESS** of the principal place of business.
- 3.6 Have you done business under a fictitious name during the past 10 years? If so, for each fictitious name state:
 - (a) the name;
 - (b) the dates each was used;
 - (c) the state and county of each fictitious name filing; and
 - (d) the **ADDRESS** of the principal place of business.
- 3.7 Within the past five years has any public entity registered or licensed your business? If so, for each license or registration:
 - (a) identify the license or registration;
 - (b) state the name of the public entity; and
 - (c) state the dates of issuance and expiration.

4.0 Insurance

- 4.1 At the time of the **INCIDENT**, was there in effect any policy of insurance through which you were or might be insured in any manner (for example, primary, pro-rata, or excess liability coverage or medical expense coverage) for the damages, claims, or actions that have arisen out of the **INCIDENT**? If so, for each policy state:
 - (a) the kind of coverage;
 - (b) the name and **ADDRESS** of the insurance company;
 - (c) the name, **ADDRESS**, and telephone number of each named insured;
 - (d) the policy number;
 - (e) the limits of coverage for each type of coverage contained in the policy;
 - (f) whether any reservation of rights or controversy or coverage dispute exists between you and the insurance company; and
 - (g) the name, **ADDRESS**, and telephone number of the custodian of the policy.
- 4.2 Are you self-insured under any statute for the damages, claims, or actions that have arisen out of the **INCIDENT**? If so, specify the statute.

5.0 [Reserved]

6.0 Physical, Mental, or Emotional Injuries

- 6.1 Do you attribute any physical, mental, or emotional injuries to the **INCIDENT**? (If your answer is “no,” do not answer interrogatories 6.2 through 6.7).
- 6.2 Identify each injury you attribute to the **INCIDENT** and the area of your body affected.

- 6.3 Do you still have any complaints that you attribute to the **INCIDENT**? If so, for each complaint state:
 - (a) a description;
 - (b) whether the complaint is subsiding, remaining the same, or becoming worse; and
 - (c) the frequency and duration.

- 6.4 Did you receive any consultation or examination (except from expert witnesses covered by Code of Civil Procedure sections 2034.210–2034.310) or treatment from a **HEALTH CARE PROVIDER** for any injury you attribute to the **INCIDENT**? If so, for each **HEALTH CARE PROVIDER** state:
 - (a) the name, **ADDRESS**, and telephone number;
 - (b) the type of consultation, examination, or treatment provided;
 - (c) the dates you received consultation, examination, or treatment; and
 - (d) the charges to date.

- 6.5 Have you taken any medication, prescribed or not, as a result of injuries that you attribute to the **INCIDENT**? If so, for each medication state:
 - (a) the name;
 - (b) the **PERSON** who prescribed or furnished it;
 - (c) the date it was prescribed or furnished;
 - (d) the dates you began and stopped taking it; and
 - (e) the cost to date.

- 6.6 Are there any other medical services necessitated by the injuries that you attribute to the INCIDENT** that were not previously listed (for example, ambulance, nursing, prosthetics)? If so, for each service state:
 - (a) the nature;
 - (b) the date;
 - (c) the cost; and
 - (d) the name, **ADDRESS**, and telephone number of each provider.

- 6.7 Has any **HEALTH CARE PROVIDER** advised that you may require future or additional treatment for any injuries that you attribute to the **INCIDENT**? If so, for each injury state:
 - (a) the name and **ADDRESS** of each **HEALTH CARE PROVIDER**;
 - (b) the complaints for which the treatment was advised; and
 - (c) the nature, duration, and estimated cost of the treatment.

7.0 Property Damage

- 7.1 Do you attribute any loss of or damage to a vehicle or other property to the **INCIDENT**? If so, for each item of property:
 - (a) describe the property;
 - (b) describe the nature and location of the damage to the property;

- (c) state the amount of damage you are claiming for each item of property and how the amount was calculated; and
- (d) if the property was sold, state the name, **ADDRESS**, and telephone number of the seller, the date of sale, and the sale price.

- 7.2 Has a written estimate or evaluation been made for any item of property referred to in your answer to the preceding interrogatory? If so, for each estimate or evaluation state:
 - (a) the name, **ADDRESS**, and telephone number of the **PERSON** who prepared it and the date prepared;
 - (b) the name, **ADDRESS**, and telephone number of each **PERSON** who has a copy of it; and
 - (c) the amount of damage stated.

- 7.3 Has any item of property referred to in your answer to interrogatory 7.1 been repaired? If so, for each item state:
 - (a) the date repaired;
 - (b) a description of the repair;
 - (c) the repair cost;
 - (d) the name, **ADDRESS**, and telephone number of the **PERSON** who repaired it;
 - (e) the name, **ADDRESS**, and telephone number of the **PERSON** who paid for the repair.

8.0 Loss of Income or Earning Capacity

- 8.1 Do you attribute any loss of income or earning capacity to the **INCIDENT**? (If your answer is “no,” do not answer interrogatories 8.2 through 8.8).

- 8.2 State:
 - (a) the nature of your work;
 - (b) your job title at the time of the **INCIDENT**; and
 - (c) the date your employment began.

- 8.3 State the last date before the **INCIDENT** that you worked for compensation.

- 8.4 State your monthly income at the time of the **INCIDENT** and how the amount was calculated.

- 8.5 State the date you returned to work at each place of employment following the **INCIDENT**.

- 8.6 State the dates you did not work and for which you lost income as a result of the **INCIDENT**.

- 8.7 State the total income you have lost to date as a result of the **INCIDENT** and how the amount was calculated.

- 8.8 Will you lose income in the future as a result of the **INCIDENT**? If so, state:
 - (a) the facts upon which you base this contention;
 - (b) an estimate of the amount;
 - (c) an estimate of how long you will be unable to work; and
 - (d) how the claim for future income is calculated.

9.0 Other Damages

- 9.1 Are there any other damages that you attribute to the **INCIDENT**? If so, for each item of damage state:
- the nature;
 - the date it occurred;
 - the amount; and
 - the name, **ADDRESS**, and telephone number of each **PERSON** to whom an obligation was incurred.
- 9.2 Do any **DOCUMENTS** support the existence or amount of any item of damages claimed in interrogatory 9.1? If so, describe each document and state the name, **ADDRESS**, and telephone number of the **PERSON** who has each **DOCUMENT**.

10.0 Medical History

- 10.1 At any time before the **INCIDENT** did you have complaints or injuries that involved the same part of your body claimed to have been injured in the **INCIDENT**? If so, for each state:
- a description of the complaint or injury;
 - the dates it began and ended; and
 - the name, **ADDRESS**, and telephone number of each **HEALTH CARE PROVIDER** whom you consulted or who examined or treated you.
- 10.2 List all physical, mental, and emotional disabilities you had immediately before the **INCIDENT**. (*You may omit mental or emotional disabilities unless you attribute any mental or emotional injury to the **INCIDENT**.*)
- 10.3 At any time after the **INCIDENT**, did you sustain injuries of the kind for which you are now claiming damages? If so, for each incident giving rise to an injury state:
- the date and the place it occurred;
 - the name, **ADDRESS**, and telephone number of any other **PERSON** involved;
 - the nature of any injuries you sustained;
 - the name, **ADDRESS**, and telephone number of each **HEALTH CARE PROVIDER** who you consulted or who examined or treated you; and
 - the nature of the treatment and its duration.

11.0 Other Claims and Previous Claims

- 11.1 Except for this action, in the past 10 years have you filed an action or made a written claim or demand for compensation for your personal injuries? If so, for each action, claim, or demand state:
- the date, time, and place and location (closest street **ADDRESS** or intersection) of the **INCIDENT** giving rise to the action, claim, or demand;
 - the name, **ADDRESS**, and telephone number of each **PERSON** against whom the claim or demand was made or the action filed;

- the court, names of the parties, and case number of any action filed;
 - the name, **ADDRESS**, and telephone number of any attorney representing you;
 - whether the claim or action has been resolved or is pending; and
 - a description of the injury.
- 11.2 In the past 10 years have you made a written claim or demand for workers' compensation benefits? If so, for each claim or demand state:
- the date, time, and place of the **INCIDENT** giving rise to the claim;
 - the name, **ADDRESS**, and telephone number of your employer at the time of the injury;
 - the name, **ADDRESS**, and telephone number of the workers' compensation insurer and the claim number;
 - the period of time during which you received workers' compensation benefits;
 - a description of the injury;
 - the name, **ADDRESS**, and telephone number of any **HEALTH CARE PROVIDER** who provided services; and
 - the case number at the Workers' Compensation Appeals Board.

12.0 Investigation—General

- 12.1 State the name, **ADDRESS**, and telephone number of each individual:
- who witnessed the **INCIDENT** or the events occurring immediately before or after the **INCIDENT**;
 - who made any statement at the scene of the **INCIDENT**;
 - who heard any statements made about the **INCIDENT** by any individual at the scene; and
 - who **YOU OR ANYONE ACTING ON YOUR BEHALF** claim has knowledge of the **INCIDENT** (except for expert witnesses covered by Code of Civil Procedure section 2034).
- 12.2 Have **YOU OR ANYONE ACTING ON YOUR BEHALF** interviewed any individual concerning the **INCIDENT**? If so, for each individual state:
- the name, **ADDRESS**, and telephone number of the individual interviewed;
 - the date of the interview; and
 - the name, **ADDRESS**, and telephone number of the **PERSON** who conducted the interview.
- 12.3 Have **YOU OR ANYONE ACTING ON YOUR BEHALF** obtained a written or recorded statement from any individual concerning the **INCIDENT**? If so, for each statement state:
- the name, **ADDRESS**, and telephone number of the individual from whom the statement was obtained;
 - the name, **ADDRESS**, and telephone number of the individual who obtained the statement;
 - the date the statement was obtained; and
 - the name, **ADDRESS**, and telephone number of each **PERSON** who has the original statement or a copy.

12.4 Do **YOU OR ANYONE ACTING ON YOUR BEHALF** know of any photographs, films, or videotapes depicting any place, object, or individual concerning the **INCIDENT** or plaintiff's injuries? If so, state:

- (a) the number of photographs or feet of film or videotape;
- (b) the places, objects, or persons photographed, filmed, or videotaped;
- (c) the date the photographs, films, or videotapes were taken;
- (d) the name, **ADDRESS**, and telephone number of the individual taking the photographs, films, or videotapes; and
- (e) the name, **ADDRESS**, and telephone number of each **PERSON** who has the original or a copy of the photographs, films, or videotapes.

12.5 Do **YOU OR ANYONE ACTING ON YOUR BEHALF** know of any diagram, reproduction, or model of any place or thing (except for items developed by expert witnesses covered by Code of Civil Procedure sections 2034.210–2034.310) concerning the **INCIDENT**? If so, for each item state:

- (a) the type (i.e., diagram, reproduction, or model);
- (b) the subject matter; and
- (c) the name, **ADDRESS**, and telephone number of each **PERSON** who has it.

12.6 Was a report made by any **PERSON** concerning the **INCIDENT**? If so, state:

- (a) the name, title, identification number, and employer of the **PERSON** who made the report;
- (b) the date and type of report made;
- (c) the name, **ADDRESS**, and telephone number of the **PERSON** for whom the report was made; and
- (d) the name, **ADDRESS**, and telephone number of each **PERSON** who has the original or a copy of the report.

12.7 Have **YOU OR ANYONE ACTING ON YOUR BEHALF** inspected the scene of the **INCIDENT**? If so, for each inspection state:

- (a) the name, **ADDRESS**, and telephone number of the individual making the inspection (except for expert witnesses covered by Code of Civil Procedure sections 2034.210–2034.310); and
- (b) the date of the inspection.

13.0 Investigation—Surveillance

13.1 Have **YOU OR ANYONE ACTING ON YOUR BEHALF** conducted surveillance of any individual involved in the **INCIDENT** or any party to this action? If so, for each surveillance state:

- (a) the name, **ADDRESS**, and telephone number of the individual or party;
- (b) the time, date, and place of the surveillance;
- (c) the name, **ADDRESS**, and telephone number of the individual who conducted the surveillance; and
- (d) the name, **ADDRESS**, and telephone number of each **PERSON** who has the original or a copy of any surveillance photograph, film, or videotape.

13.2 Has a written report been prepared on the surveillance? If so, for each written report state:

- (a) the title;
- (b) the date;
- (c) the name, **ADDRESS**, and telephone number of the individual who prepared the report; and
- (d) the name, **ADDRESS**, and telephone number of each **PERSON** who has the original or a copy.

14.0 Statutory or Regulatory Violations

14.1 Do **YOU OR ANYONE ACTING ON YOUR BEHALF** contend that any **PERSON** involved in the **INCIDENT** violated any statute, ordinance, or regulation and that the violation was a legal (proximate) cause of the **INCIDENT**? If so, identify the name, **ADDRESS**, and telephone number of each **PERSON** and the statute, ordinance, or regulation that was violated.

14.2 Was any **PERSON** cited or charged with a violation of any statute, ordinance, or regulation as a result of this **INCIDENT**? If so, for each **PERSON** state:

- (a) the name, **ADDRESS**, and telephone number of the **PERSON**;
- (b) the statute, ordinance, or regulation allegedly violated;
- (c) whether the **PERSON** entered a plea in response to the citation or charge and, if so, the plea entered; and
- (d) the name and **ADDRESS** of the court or administrative agency, names of the parties, and case number.

15.0 Denials and Special or Affirmative Defenses

15.1 Identify each denial of a material allegation and each special or affirmative defense in your pleadings and for each:

- (a) state all facts upon which you base the denial or special or affirmative defense;
- (b) state the names, **ADDRESSES**, and telephone numbers of all **PERSONS** who have knowledge of those facts; and
- (c) identify all **DOCUMENTS** and other tangible things that support your denial or special or affirmative defense, and state the name, **ADDRESS**, and telephone number of the **PERSON** who has each **DOCUMENT**.

16.0 Defendant's Contentions—Personal Injury

16.1 Do you contend that any **PERSON**, other than you or plaintiff, contributed to the occurrence of the **INCIDENT** or the injuries or damages claimed by plaintiff? If so, for each **PERSON**:

- (a) state the name, **ADDRESS**, and telephone number of the **PERSON**;
- (b) state all facts upon which you base your contention;
- (c) state the names, **ADDRESSES**, and telephone numbers of all **PERSONS** who have knowledge of the facts; and
- (d) identify all **DOCUMENTS** and other tangible things that support your contention and state the name, **ADDRESS**, and telephone number of the **PERSON** who has each **DOCUMENT** or thing.

16.2 Do you contend that plaintiff was not injured in the **INCIDENT**? If so:

- (a) state all facts upon which you base your contention;
- (b) state the names, **ADDRESSES**, and telephone numbers of all **PERSONS** who have knowledge of the facts; and
- (c) identify all **DOCUMENTS** and other tangible things that support your contention and state the name, **ADDRESS**, and telephone number of the **PERSON** who has each **DOCUMENT** or thing.

- 16.3 Do you contend that the injuries or the extent of the injuries claimed by plaintiff as disclosed in discovery proceedings thus far in this case were not caused by the **INCIDENT**? If so, for each injury:
- identify it;
 - state all facts upon which you base your contention;
 - state the names, **ADDRESSES**, and telephone numbers of all **PERSONS** who have knowledge of the facts; and
 - identify all **DOCUMENTS** and other tangible things that support your contention and state the name, **ADDRESS**, and telephone number of the **PERSON** who has each **DOCUMENT** or thing.
- 16.4 Do you contend that any of the services furnished by any **HEALTH CARE PROVIDER** claimed by plaintiff in discovery proceedings thus far in this case were not due to the **INCIDENT**? If so:
- identify each service;
 - state all facts upon which you base your contention;
 - state the names, **ADDRESSES**, and telephone numbers of all **PERSONS** who have knowledge of the facts; and
 - identify all **DOCUMENTS** and other tangible things that support your contention and state the name, **ADDRESS**, and telephone number of the **PERSON** who has each **DOCUMENT** or thing.
- 16.5 Do you contend that any of the costs of services furnished by any **HEALTH CARE PROVIDER** claimed as damages by plaintiff in discovery proceedings thus far in this case were not necessary or unreasonable? If so:
- identify each cost;
 - state all facts upon which you base your contention;
 - state the names, **ADDRESSES**, and telephone numbers of all **PERSONS** who have knowledge of the facts; and
 - identify all **DOCUMENTS** and other tangible things that support your contention and state the name, **ADDRESS**, and telephone number of the **PERSON** who has each **DOCUMENT** or thing.
- 16.6 Do you contend that any part of the loss of earnings or income claimed by plaintiff in discovery proceedings thus far in this case was unreasonable or was not caused by the **INCIDENT**? If so:
- identify each part of the loss;
 - state all facts upon which you base your contention;
 - state the names, **ADDRESSES**, and telephone numbers of all **PERSONS** who have knowledge of the facts; and
 - identify all **DOCUMENTS** and other tangible things that support your contention and state the name, **ADDRESS**, and telephone number of the **PERSON** who has each **DOCUMENT** or thing.
- 16.7 Do you contend that any of the property damage claimed by plaintiff in discovery Proceedings thus far in this case was not caused by the **INCIDENT**? If so:
- identify each item of property damage;
 - state all facts upon which you base your contention;
 - state the names, **ADDRESSES**, and telephone numbers of all **PERSONS** who have knowledge of the facts; and
 - identify all **DOCUMENTS** and other tangible things that support your contention and state the name, **ADDRESS**, and telephone number of the **PERSON** who has each **DOCUMENT** or thing.
- 16.8 Do you contend that any of the costs of repairing the property damage claimed by plaintiff in discovery proceedings thus far in this case were unreasonable? If so:
- identify each cost item;
 - state all facts upon which you base your contention;
 - state the names, **ADDRESSES**, and telephone numbers of all **PERSONS** who have knowledge of the facts; and
 - identify all **DOCUMENTS** and other tangible things that support your contention and state the name, **ADDRESS**, and telephone number of the **PERSON** who has each **DOCUMENT** or thing.
- 16.9 Do **YOU OR ANYONE ACTING ON YOUR BEHALF** have any **DOCUMENT** (for example, insurance bureau index reports) concerning claims for personal injuries made before or after the **INCIDENT** by a plaintiff in this case? If so, for each plaintiff state:
- the source of each **DOCUMENT**;
 - the date each claim arose;
 - the nature of each claim; and
 - the name, **ADDRESS**, and telephone number of the **PERSON** who has each **DOCUMENT**.
- 16.10 Do **YOU OR ANYONE ACTING ON YOUR BEHALF** have any **DOCUMENT** concerning the past or present physical, mental, or emotional condition of any plaintiff in this case from a **HEALTH CARE PROVIDER** not previously identified (except for expert witnesses covered by Code of Civil Procedure sections 2034.210–2034.310)? If so, for each plaintiff state:
- the name, **ADDRESS**, and telephone number of each **HEALTH CARE PROVIDER**;
 - a description of each **DOCUMENT**; and
 - the name, **ADDRESS**, and telephone number of the **PERSON** who has each **DOCUMENT**.

17.0 Responses to Request for Admissions

- 17.1 Is your response to each request for admission served with these interrogatories an unqualified admission? If not, for each response that is not an unqualified admission:
- state the number of the request;
 - state all facts upon which you base your response;
 - state the names, **ADDRESSES**, and telephone numbers of all **PERSONS** who have knowledge of those facts; and
 - identify all **DOCUMENTS** and other tangible things that support your response and state the name, **ADDRESS**, and telephone number of the **PERSON** who has each **DOCUMENT** or thing.

18.0 [Reserved]

19.0 [Reserved]

20.0 How the Incident Occurred—Motor Vehicle

- 20.1 State the date, time, and place of the **INCIDENT** (closest street **ADDRESS** or intersection).
- 20.2 For each vehicle involved in the **INCIDENT**, state:
- the year, make, model, and license number;
 - the name, **ADDRESS**, and telephone number of the driver;

- (c) the name, **ADDRESS**, and telephone number of each occupant other than the driver;
- (d) the name, **ADDRESS**, and telephone number of each registered owner;
- (e) the name, **ADDRESS**, and telephone number of each lessee;
- (f) the name, **ADDRESS**, and telephone number of each owner other than the registered owner or lien holder; and
- (g) the name of each owner who gave permission or consent to the driver to operate the vehicle.
- 20.3 State the **ADDRESS** and location where your trip began and the **ADDRESS** and location of your destination.
- 20.4 Describe the route that you followed from the beginning of your trip to the location of the **INCIDENT**, and state the location of each stop, other than routine traffic stops, during the trip leading up to the **INCIDENT**.
- 20.5 State the name of the street or roadway, the lane of travel, and the direction of travel of each vehicle involved in the **INCIDENT** for the 500 feet of travel before the **INCIDENT**.
- 20.6 Did the **INCIDENT** occur at an intersection? If so, describe all traffic control devices, signals, or signs at the intersection.
- 20.7 Was there a traffic signal facing you at the time of the **INCIDENT**? If so, state:
- (a) your location when you first saw it;
- (b) the color;
- (c) the number of seconds it had been that color; and
- (d) whether the color changed between the time you first saw it and the **INCIDENT**.
- 20.8 State how the **INCIDENT** occurred, giving the speed, direction, and location of each vehicle involved:
- (a) just before the **INCIDENT**;
- (b) at the time of the **INCIDENT**; and (c) just after the **INCIDENT**.
- 20.9 Do you have information that a malfunction or defect in a vehicle caused the **INCIDENT**? If so:
- (a) identify the vehicle;
- (b) identify each malfunction or defect;
- (c) state the name, **ADDRESS**, and telephone number of each **PERSON** who is a witness to or has information about each malfunction or defect; and
- (d) state the name, **ADDRESS**, and telephone number of each **PERSON** who has custody of each defective part.
- 20.10 Do you have information that any malfunction or defect in a vehicle contributed to the injuries sustained in the **INCIDENT**? If so:
- (a) identify the vehicle;
- (b) identify each malfunction or defect;
- (c) state the name, **ADDRESS**, and telephone number of each **PERSON** who is a witness to or has information about each malfunction or defect; and
- (d) state the name, **ADDRESS**, and telephone number of each **PERSON** who has custody of each defective part.
- 20.11 State the name, **ADDRESS**, and telephone number of each owner and each **PERSON** who has had possession since the **INCIDENT** of each vehicle involved in the **INCIDENT**.
- 25.0 [Reserved]**
- 30.0 [Reserved]**
- 40.0 [Reserved]**
- 50.0 Contract**
- 50.1 For each agreement alleged in the pleadings:
- (a) identify each **DOCUMENT** that is part of the agreement and for each state the name, **ADDRESS**, and telephone number of each **PERSON** who has the **DOCUMENT**;
- (b) state each part of the agreement not in writing, the name, **ADDRESS**, and telephone number of each **PERSON** agreeing to that provision, and the date that part of the agreement was made;
- (c) identify all **DOCUMENTS** that evidence any part of the agreement not in writing and for each state the name, **ADDRESS**, and telephone number of each **PERSON** who has the **DOCUMENT**;
- (d) identify all **DOCUMENTS** that are part of any modification to the agreement, and for each state the name, **ADDRESS**, and telephone number of each **PERSON** who has the **DOCUMENT**;
- (e) state each modification not in writing, the date, and the name, **ADDRESS**, and telephone number of each **PERSON** agreeing to the modification, and the date the modification was made;
- (f) identify all **DOCUMENTS** that evidence any modification of the agreement not in writing and for each state the name, **ADDRESS**, and telephone number of each **PERSON** who has the **DOCUMENT**.
- 50.2 Was there a breach of any agreement alleged in the pleadings? If so, for each breach describe and give the date of every act or omission that you claim is the breach of the agreement.
- 50.3 Was performance of any agreement alleged in the pleadings excused? If so, identify each agreement excused and state why performance was excused.
- 50.4 Was any agreement alleged in the pleadings terminated by mutual agreement, release, accord and satisfaction, or novation? If so, identify each agreement terminated, the date of termination, and the basis of the termination.
- 50.5 Is any agreement alleged in the pleadings unenforceable? If so, identify each unenforceable agreement and state why it is unenforceable.
- 50.6 Is any agreement alleged in the pleadings ambiguous? If so, identify each ambiguous agreement and state why it is ambiguous.
- 60.0 [Reserved]**

SUPERIOR COURT OF CALIFORNIA, COUNTY OF	
Plaintiff (name): Defendant (name):	CASE NUMBER:
CASE QUESTIONNAIRE—FOR LIMITED CIVIL CASES (Under \$35,000)	
Requesting Party (name): Requesting Party (name):	

—INSTRUCTIONS—

- A. The purpose of the case questionnaire is to help the parties settle their differences without spending a lot of money. This is accomplished by exchanging information about the case early in the lawsuit. The exchange of case questionnaires may be started only by a plaintiff (or cross-complainant) in a limited civil case. The case questionnaire is optional, and if plaintiff (or cross-complainant) exercises the option, only this form may be used.
- B. **Instructions for plaintiffs (and cross-complainants)**
 - 1. Under Code of Civil Procedure section 93, a plaintiff (or cross-complainant) may serve a completed case questionnaire and a blank questionnaire with a complaint (or cross-complaint).
 - 2. This is the only way you can require defendants (or cross-defendants) to serve you with a completed case questionnaire.
- C. **Instructions for defendants (and cross-defendants)**
 - 1. If you have been served with a completed case questionnaire by a plaintiff (or cross-complainant), then you must fill in the blank case questionnaire. Your completed case questionnaire must be served on that same plaintiff (or cross-complainant) with your answer to the complaint (or cross-complaint).
 - 2. **THIS IS NOT AN ANSWER OR RESPONSE TO THE COMPLAINT.**
- D. **Instructions for all parties**
 - 1. **ALL QUESTIONS REFER TO THE INCIDENT OR AGREEMENT IN THIS LAWSUIT ONLY.**
 - 2. Answer each question. If a question is not applicable, answer “NA.”
 - 3. Your answers are not limited to your personal knowledge, but you are required to furnish information available to you or to anyone acting on your behalf, whether you are a plaintiff, defendant, cross-complainant, or cross-defendant.
 - 4. Type or legibly print your answer below each question. If you cannot completely answer a question in the space provided on the case questionnaire, check the “attachment” box and put the number of the question and the complete answer on an attached sheet of paper or form MC-025. You should *not* put part of an answer on the case questionnaire and part on the attachment. You may put more than one answer on each attached page.
 - 5. When you have completed the case questionnaire, sign the verification and serve the original.
 - 6. You may compel compliance with these requirements under Code of Civil Procedure section 93.
 - 7. **DO NOT FILE THIS CASE QUESTIONNAIRE WITH THE COURT.**

DO NOT FILE WITH THE COURT

DISC-010

Plaintiff (<i>name</i>): Defendant (<i>name</i>):	CASE NUMBER:
--	--------------

—QUESTIONS—

1. FOR ALL CASES

a. State your name and street address.

b. State your current business name and street address, the type of business entity, and your title.

c. Describe in detail your claims or defenses and the facts on which they are based, giving relevant dates.

See attachment for answer number 1c.

d. State the name, street address, and telephone number of each person who has knowledge of facts relating to this lawsuit, and specify his or her area of knowledge.

See attachment for answer number 1d.

e. Describe each document or photograph that relates to the issues or facts. You are encouraged to attach a copy of each. For each that you have described but not attached, state the name, street address, and telephone number of each person who has it.

See attachment for answer number 1e.

DO NOT FILE WITH THE COURT

DISC-010

Plaintiff (<i>name</i>): Defendant (<i>name</i>):	CASE NUMBER:
--	--------------

1. f. Describe each item of physical evidence that relates to the issues and facts; give its location; and state the name, street address, and telephone number of each person who has it.

See attachment for answer number 1f.

g. State the name and street address of each insurance company and the number of each policy that may cover you in whole or part for the damages claimed.

See attachment for answer number 1g.

2. FOR PERSONAL INJURY OR PROPERTY DAMAGE CASES

a. Describe each injury or illness that you received and your present complaints about each.

See attachment for answer number 2a.

b. State the name, street address, and telephone number of each physician, dentist, or other health care provider who treated or examined you; the type of treatment; the dates of treatment; and the charges by each to date.

See attachment for answer number 2b.

c. Itemize the medical expenses you anticipate in the future.

See attachment for answer number 2c.

d. Itemize your loss of income to date, give the name and street address of each source, and show how the loss is computed.

See attachment for answer number 2d.

DO NOT FILE WITH THE COURT

DISC-010

Plaintiff (<i>name</i>): Defendant (<i>name</i>):	CASE NUMBER:
--	--------------

2. e. Itemize the loss of income you anticipate in the future, give the name and street address of each source, and show how the loss is computed.

See attachment for answer number 2e.

f. Itemize your property damage, and state the amount or attach an itemized bill or estimate.

See attachment for answer number 2f.

g. Describe each other item of damage or cost that you claim, and state the amount.

See attachment for answer number 2g.

3. FOR CASES BASED ON AGREEMENTS

a. In addition to your answer to 1e, state all the terms and give the date of any part of the agreement that is not in writing.

See attachment for answer number 3a.

b. Describe each item of damage or cost you claim, state the amount, and show how it is computed.

See attachment for answer number 3b.

VERIFICATION

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME)

 _____
(SIGNATURE)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address):		DRAFT 11/06/2023 NOT APPROVED BY COUNCIL
TELEPHONE NO.:	FAX NO. (Optional):	
E-MAIL ADDRESS (Optional):		
ATTORNEY FOR (Name):		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF		
STREET ADDRESS:		
MAILING ADDRESS:		
CITY AND ZIP CODE:		
BRANCH NAME:		
PLAINTIFF:		
DEFENDANT:		
REQUEST FOR STATEMENT OF WITNESSES AND EVIDENCE— FOR LIMITED CIVIL CASES (UNDER \$35,000)		CASE NUMBER:
Requesting Party (name):		
Responding Party (name):		

Under Code of Civil Procedure section 96, you are requested to serve on the undersigned, within 20 days, a statement of:

1. The names and street addresses of witnesses you intend to call at trial (except for any individual who is a party to this action).
2. A description of each document that you intend to offer at trial. Attach a copy of each document available to you.
3. A description of each photograph and other physical evidence you intend to offer at trial.

Witnesses and evidence that will be used only for impeachment need not be included.

You Will Not Be Permitted To Call Any Witness Or Introduce Any Evidence Not Included In Your Statement in Response To This Request, Except As Otherwise Provided By Law.

Date:

(TYPE OR PRINT NAME)

▶ _____
(SIGNATURE OF PARTY OR ATTORNEY)

INFORMATION SHEET ON WAIVER OF SUPERIOR COURT FEES AND COSTS

If you have been sued or if you wish to sue someone, if you are filing or have received a family law petition, or if you are asking the court to appoint a guardian for a minor or a conservator for an adult or are an appointed guardian or conservator, and if you (or your ward or conservatee) cannot afford to pay court fees and costs, you may not have to pay them in order to go to court. If you (or your ward or conservatee) are getting public benefits, are a low-income person, or do not have enough income to pay for your (or his or her) household’s basic needs and your court fees, you may ask the court to waive all or part of those fees.

1. To make a request to the court to waive your fees in superior court, complete the *Request to Waive Court Fees* (form FW-001) or, if you are petitioning for the appointment of a guardian or conservator or are an appointed guardian or conservator, complete the *Request to Waive Court Fees (Ward or Conservatee)* (form FW-001-GC). If you qualify, the court will waive all or part of its fees for the following:
 - Filing papers in superior court (other than for an appeal in a case with a value of over \$35,000)
 - Making and certifying copies
 - Sheriff’s fee to give notice
 - Court fee for telephone hearing
 - Reporter’s fee for attendance at hearing or trial, if the court is not electronically recording the proceeding and you request that the court provide an official reporter (use form FW-020 to ask for a court reporter)
 - Assessment for court investigations under Probate Code section 1513, 1826, or 1851
 - Preparing, certifying, copying, and sending the clerk’s transcript on appeal
 - Holding in trust the deposit for a reporter’s transcript on appeal under Cal. Rules of Court, rule 8.833 or 8.834
 - Making a transcript or copy of an official electronic recording under Cal. Rules of Court, rule 8.835
 - Giving notice and certificates
 - Sending papers to another court department
2. You may ask the court to waive other court fees during your case in superior court as well. To do that, complete a *Request to Waive Additional Court Fees (Superior Court)* (form FW-002) or *Request to Waive Additional Court Fees (Superior Court) (Ward or Conservatee)* (form FW-002-GC). The court will consider waiving fees for items such as the following, or other court services you need for your case:
 - Jury fees and expenses
 - Fees for court-appointed experts
 - Other necessary court fees
 - Fees for a peace officer to testify in court
 - Court-appointed interpreter fees for a witness
3. If you want the Appellate Division of the Superior Court or the Court of Appeal to review an order or judgment against you and you want the court fees waived, ask for and follow the instructions on *Information Sheet on Waiver of Appellate Court Fees (Supreme Court, Court of Appeal, Appellate Division)* (form APP-015/FW-015-INFO).

IMPORTANT INFORMATION!

- **You are signing your request under penalty of perjury. Answer truthfully, accurately, and completely.**
- **The court may ask you for information and evidence.** You may be ordered to go to court to answer questions about your ability, or the ability of your ward or conservatee, to pay court fees and costs and to provide proof of eligibility. Any initial fee waiver you or your ward or conservatee are granted may be ended if you do not go to court when asked. You or your ward’s or conservatee’s estate may be ordered to repay amounts that were waived if the court finds you were not eligible for the fee waiver.
- **Public benefits programs listed on the application form.** In item 5 on the Request to Waive Court Fees (item 8 of the Request to Waive Court Fees (Ward or Conservatee)), there is a list of programs from which you (or your ward or conservatee) may be receiving benefits, listed by the abbreviations they are commonly known by. The full names of those programs can be found in Government Code section 68632(a), and are also listed here:

- Medi-Cal
- Food Stamps—California Food Assistance Program, CalFresh Program, or SNAP
- SSP—State Supplemental Payment
- Supp. Sec. Inc.—Supplemental Security Income (not Social Security)

(list continues on next page)

- County Relief/Gen. Assist.—County Relief, General Relief (GR), or General Assistance (GA)
 - IHSS—In-Home Supportive Services
 - CalWORKs—California Work Opportunity and Responsibility to Kids Act
 - Tribal TANF—Tribal Temporary Assistance for Needy Families
 - CAPI—Cash Assistance Program for Aged, Blind, or Disabled Legal Immigrants
 - WIC—Special Supplemental Nutrition Program for Women, Infants, and Children
 - Unemployment—unemployment compensation
- **If you receive a fee waiver, you must tell the court if there is a change in your finances, or the finances of your ward or conservatee.** You must tell the court within five days if those finances improve or if you, or your ward or conservatee, become able to pay court fees or costs during this case. (File *Notice to Court of Improved Financial Situation or Settlement* (form FW-010) or *Notice to Court of Improved Financial Situation or Settlement (Ward or Conservatee)* (form FW-010-GC) with the court.) You may be ordered to repay any amounts that were waived after your eligibility, or the eligibility of your ward or conservatee, came to an end.
 - **If you receive a judgment or support order in a family law matter:** You may be ordered to pay all or part of your waived fees and costs if the court finds your circumstances have changed so that you can afford to pay. You will have the opportunity to ask the court for a hearing if the court makes such a decision.
 - **If you win your case in the trial court:** In most circumstances the other side will be ordered to pay your waived fees and costs to the court. The court will not enter a satisfaction of judgment until the court is paid. (This does not apply in unlawful detainer cases. Special rules apply in family law cases and in guardianships and conservatorships. (Gov. Code, § 68637(d), (e); Cal. Rules of Court, rule 7.5).)
 - **If you settle your civil case for \$10,000 or more:** Any trial court-waived fees and costs must first be paid to the court out of the settlement. **The court will have a lien on the settlement in the amount of the waived fees and costs.** The court may refuse to dismiss the case until the lien is satisfied. A request to dismiss the case (use form CIV-110) must have a declaration under penalty of perjury that the waived fees and costs have been paid. Special rules apply to family law cases.
 - **The court can collect fees and costs due the court.** If waived fees and costs are ordered paid to the trial court, or if you fail to make the payments over time, the court can start collection proceedings and add a \$25 fee plus any additional costs of collection to the other fees and costs owed to the court.
 - **The fee waiver ends.** The fee waiver expires 60 days after the judgment, dismissal, or other final disposition of the case or earlier if a court finds that you or your ward or conservatee are not eligible for a fee waiver. If the case is a guardianship or conservatorship proceeding, see California Rules of Court, rule 7.5(k) for information on the final disposition of that matter.
 - **If you are in jail or state prison:** Prisoners may be required to pay the full cost of the filing fee in the trial court but may be allowed to do so over time. See Government Code section 68635.
 - **If you want a record made of your court hearing or trial:** There are various reasons why you may want a record of the hearing or trial. Among other reasons, you may want to have a record for an appeal if you disagree with a court order or judgment. If you receive a fee waiver and if the court is not electronically recording the proceeding, you may ask the court to have an official court reporter attend your hearing or trial at no cost to you, so there can be a record of the proceeding. You should use form FW-020 to make the request, which you should file at least 10 calendar days before a scheduled court date, or as soon as you can if the court date is set with less than 10-days' notice.

If you want a written transcript after the hearing or trial, you will need to pay the court reporter separately, or arrange to get the transcript in another way. To learn about ways to do that, talk with the court's Self Help Center or read the information about appeals on the self-help webpages at <https://courts.ca.gov/selfhelp-appeals.htm> .

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS: _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY DRAFT 11/06/2023 NOT APPROVED BY COUNCIL
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	
GENERAL DENIAL	CASE NUMBER:

If you want to file a general denial, you **MUST** use this form if the amount asked for in the complaint or the value of the property involved is \$1,000 or less.
 You **MAY** use this form for a general denial if:

1. The complaint is not verified; **or**
2. The complaint is verified and the case is a limited civil case (the amount in controversy is **\$35,000** or less), **BUT NOT** if the complaint involves a claim for more than \$1,000 that has been assigned to a third party for collection.

(See Code of Civil Procedure sections 85–86, 90–100, 431.30, and 431.40.)

1. DEFENDANT (name):
generally denies each and every allegation of plaintiff's complaint.
2. DEFENDANT states the following **FACTS** as separate affirmative defenses to plaintiff's complaint (*attach additional pages if necessary*):

Date: _____

_____ _____

(TYPE OR PRINT NAME) (SIGNATURE OF DEFENDANT OR ATTORNEY)

If you have a claim for damages or other relief against the plaintiff, the law may require you to state your claim in a special pleading called a cross-complaint or you may lose your right to bring the claim. (See Code of Civil Procedure sections 426.10–426.40.)

The original of this *General Denial* must be filed with the clerk of this court with proof that a copy was served on each plaintiff's attorney and on each plaintiff not represented by an attorney. There are two main ways to serve this *General Denial*: by personal delivery or by mail. It may be served by anyone at least 18 years of age EXCEPT you or any other party to this legal action. Be sure that whoever serves the *General Denial* fills out and signs a proof of service. You may use the applicable Judicial Council form (such as form POS-020, POS-030, or POS-040) for the proof of service.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY DRAFT 11/07/2023 NOT APPROVED BY COUNCIL
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF: DEFENDANT: <input type="checkbox"/> DOES 1 TO _____	
<p style="text-align: center;">CONTRACT</p> <input type="checkbox"/> COMPLAINT <input type="checkbox"/> AMENDED COMPLAINT (Number): <input type="checkbox"/> CROSS-COMPLAINT <input type="checkbox"/> AMENDED CROSS-COMPLAINT (Number):	
Jurisdiction (check all that apply): <input type="checkbox"/> ACTION IS A LIMITED CIVIL CASE (does not exceed \$35,000) Amount demanded <input type="checkbox"/> does not exceed \$10,000 <input type="checkbox"/> exceeds \$10,000 <input type="checkbox"/> ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$35,000) <input type="checkbox"/> ACTION IS RECLASSIFIED by this amended complaint or cross-complaint <input type="checkbox"/> from limited to unlimited <input type="checkbox"/> from unlimited to limited	CASE NUMBER:

1. **Plaintiff*** (name or names):

alleges causes of action against **defendant*** (name or names):

2. This pleading, including attachments and exhibits, consists of the following number of pages:

3. a. Each plaintiff named above is a competent adult

except plaintiff (name):

- (1) a corporation qualified to do business in California
- (2) an unincorporated entity (describe):
- (3) other (specify):

b. Plaintiff (name):

a. has complied with the fictitious business name laws and is doing business under the fictitious name (specify):

b. has complied with all licensing requirements as a licensed (specify):

c. Information about additional plaintiffs who are not competent adults is shown in Attachment 3c.

4. a. Each defendant named above is a natural person

except defendant (name):

- (1) a business organization, form unknown
- (2) a corporation
- (3) an unincorporated entity (describe):

(4) a public entity (describe):

(5) other (specify):

except defendant (name):

- (1) a business organization, form unknown
- (2) a corporation
- (3) an unincorporated entity (describe):

(4) a public entity (describe):

(5) other (specify):

* If this form is used as a cross-complaint, plaintiff means cross-complainant and defendant means cross-defendant.

SHORT TITLE:	CASE NUMBER:
--------------	--------------

4. (Continued)
- b. The true names of defendants sued as Does are unknown to plaintiff.
- (1) Doe defendants (*specify Doe numbers*): _____ were the agents or employees of the named defendants and acted within the scope of that agency or employment.
- (2) Doe defendants (*specify Doe numbers*): _____ are persons whose capacities are unknown to plaintiff.
- c. Information about additional defendants who are not natural persons is contained in Attachment 4c.
- d. Defendants who are joined under Code of Civil Procedure section 382 are (*names*):

5. Plaintiff is required to comply with a claims statute, **and**
- a. has complied with applicable claims statutes, *or*
- b. is excused from complying because (*specify*):

6. This action is subject to Civil Code section 1812.10 Civil Code section 2984.4.

7. This court is the proper court because
- a. a defendant entered into the contract here.
- b. a defendant lived here when the contract was entered into.
- c. a defendant lives here now.
- d. the contract was to be performed here.
- e. a defendant is a corporation or unincorporated association and its principal place of business is here.
- f. real property that is the subject of this action is located here.
- g. other (*specify*):

8. The following causes of action are attached and the statements above apply to each (*each complaint must have one or more causes of action attached*):
- Breach of Contract
- Common Counts
- Other (*specify*):

9. Other allegations:

10. **Plaintiff prays** for judgment for costs of suit; for such relief as is fair, just, and equitable; and for
- a. damages of: \$
- b. interest on the damages
- (1) according to proof
- (2) at the rate of (*specify*): _____ percent per year from (*date*):
- c. attorney's fees
- (1) of: \$
- (2) according to proof.
- d. other (*specify*):

11. The paragraphs of this pleading alleged on information and belief are as follows (*specify paragraph numbers*):

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF PLAINTIFF OR ATTORNEY)

(If you wish to verify this pleading, affix a verification.)

For your protection and privacy, please press the Clear This Form button after you have printed the form.

Print this form

Save this form

Clear this form

ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NUMBER: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY <div style="font-size: 24pt; font-weight: bold; text-align: center;"> DRAFT 11/07/2023 NOT APPROVED BY COUNCIL </div>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF: DEFENDANT:	
COMPLAINT—RECOVERY OF COVID-19 RENTAL DEBT <input type="checkbox"/> COMPLAINT <input type="checkbox"/> AMENDED COMPLAINT (<i>Number</i>):	
Jurisdiction (check all that apply): <input type="checkbox"/> ACTION IS A LIMITED CIVIL CASE (does not exceed \$35,000) Amount demanded <input type="checkbox"/> does not exceed \$10,000 <input type="checkbox"/> exceeds \$10,000 <input type="checkbox"/> ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$35,000)	CASE NUMBER:

**ACTION FOR RECOVERY OF COVID-19 RENTAL DEBT
 AS DEFINED UNDER CODE OF CIVIL PROCEDURE SECTION 1179.02
 Access to the records in this case is limited under Code of Civil Procedure section 1161.2.5.**

If plaintiff cannot afford to pay filing fees, plaintiff may ask the court to waive the fees by completing form FW-001, Request to Waive Court Fees, and filing it with the court.

This form may not be used for actions to recover commercial rental debt.

Notice to defendant: Defendant must use form PLD-C-505, Answer—Recovery of COVID-19 Rental Debt, to answer this complaint.

1. **Plaintiff** (name or names):

brings this complaint for recovery of COVID-19 rental debt against **defendant** (name or names):

INTRODUCTORY ALLEGATIONS

2. a. Each plaintiff named above is a competent adult

- except** plaintiff (name):
- (1) a corporation qualified to do business in California
- (2) an unincorporated entity (*describe*):
- (3) other (*specify*):

b. Plaintiff (name):
 has complied with the fictitious business name laws and is doing business under the fictitious name (*specify*):

c. Information about additional plaintiffs who are not competent adults is shown in Attachment 2.

PLAINTIFF: DEFENDANT:	CASE NUMBER:
--------------------------	--------------

3. This court is the proper court because
- a. a defendant lives here now.
 - b. a defendant entered into the rental agreement or lease here.
 - c. the property that is the subject matter of the rental agreement or lease is here.
 - d. Other (*specify*):
4. Plaintiff has been assigned the rights to the COVID-19 rental debt that is set out in item 6 of this complaint, by (*name of assignor*): _____ on (*date of assignment*): _____

ALLEGATIONS ABOUT COVID-19 RENTAL DEBT

5. a. Defendant (*name each*): _____
 agreed to pay rent for the premises at (*address*): _____
 during part or all of the period between March 1, 2020, and September 30, 2021.
- b. The rent was in the amount of: \$ _____ payable monthly Other (*specify*): _____
 - c. Defendant (*name each*): _____
 agreed to pay other amounts as part of the rental agreement or lease, for (*describe service paid for*): _____
 in the amount of: \$ _____ payable monthly Other (*specify*): _____
 - d. Copies of all relevant rental agreements or leases for the tenancy described in item 5a are attached, numbered as Attachment 5.
6. The plaintiff claims defendant or defendants owe: \$ _____ for unpaid rent or other financial obligations of the tenancy that came due between March 1, 2020, and September 30, 2021. (*Complete items a and b.*)
- a. Rent due. (*List all rent plaintiff claims defendant or defendants owe that came due during the period from March 1, 2020, to September 30, 2021. For each month you claim rent is due, include each amount due and the date it came due. If there is not enough space below, check the box below, use form MC-025, and title it Attachment 6(a).*)
 Other allegations are on form MC-025.
 - b. Other amounts of COVID-19 rental debt due. (*List all unpaid financial obligations under the lease or rental agreement (other than rent) that plaintiff claims defendant owes and that came due during the period from March 1, 2020, to September 30, 2021. For each month you claim other financial obligations are due, include each amount, the date it came due, and what it was for (for example, parking fees or utilities included as part of the rental agreement). If there is not enough space below, check the box below, use form MC-025, and title it Attachment 6(b).*)
 Other allegations are on form MC-025.

PLAINTIFF: DEFENDANT:	CASE NUMBER:
--------------------------	--------------

ALLEGATIONS ABOUT RENTAL ASSISTANCE

7. a. Plaintiff made a good-faith effort to help defendant obtain rental assistance before filing this case, as required under Code of Civil Procedure section 871.10(a), by *(check all that apply)*
- (1) investigating whether governmental rental assistance is available to the defendant.
 - (2) seeking governmental rental assistance for the defendant.
 - (3) cooperating with the defendant's efforts to obtain rental assistance from any governmental entity or other third party.
- b. Documentation of the efforts described in item 7a is attached as required by statute and marked as Attachment 7.
- c. Plaintiff does not have documentation of the efforts described in item 7a, but made the following efforts *(describe)*:

8. Plaintiff states that the following are true:
- (Note: The statements in items 8a and b must be verified under penalty of perjury before a judgment for plaintiff can be entered by the court. [See Health & Saf. Code, § 50897.3(e).] If plaintiff later requests a default judgment, plaintiff must file Verification by Plaintiff Regarding Rental Assistance—Recovery of COVID-19 Rental Debt (form PLD-C-520) with that request.)*
- a. The landlord has not received rental assistance or other financial compensation from any other source corresponding to any of the amount claimed in item 6.
 - b. The landlord does not have any application pending for rental assistance or other financial compensation from any other source corresponding to any of the amount claimed in item 6.
 - c. *(Complete if plaintiff is not the landlord.)*
The landlord is (name): _____ and plaintiff can make the statements above on the following basis *(describe the basis for plaintiff making the statements in items 8a and b)*:

PLAINTIFF: DEFENDANT:	CASE NUMBER:
--------------------------	--------------

OTHER ALLEGATIONS

9. Plaintiff makes the following additional allegations: *(State any additional allegations below, with each allegation lettered in order, starting with (a), (b), (c), etc. If there is not enough space below, check the box below and use form MC-025, title it Attachment 9, and letter each allegation in order.)* Other allegations are on form MC-025.

10. The following items in this complaint are alleged on information and belief *(list item numbers)*:

11. This pleading, including attachments and exhibits, consists of the following number of pages: _____.

DEMAND FOR JUDGMENT

12. **Plaintiff** requests judgment for costs of suit; for such relief as is fair, just, and equitable; and for

- a. damages of: \$
- b. interest on damages
 - (1) according to proof.
 - (2) at the date of *(specify)*: _____ per year from *(date)*:
- c. attorneys' fees, to the extent permitted under Code of Civil Procedure section 871.11,
 - (1) of: \$
 - (2) according to proof.
- d. Other *(specify)*:

Date:

(TYPE OR PRINT NAME)

▶ _____
(SIGNATURE OF PLAINTIFF OR ATTORNEY)

VERIFICATION
(Optional, but see item 8)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, except as to those matters listed in item 10 as alleged on information and belief, and as to those matters, I believe them to be true.

Date: _____

(TYPE OR PRINT NAME)

▶ _____
(SIGNATURE)

(TITLE--provide if signing on behalf of corporation or other business entity)

ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NUMBER: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY DRAFT 11/06/2023 NOT APPROVED BY COUNCIL
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF: DEFENDANT:	
ANSWER—RECOVERY OF COVID-19 RENTAL DEBT	
<input type="checkbox"/> TO COMPLAINT OF (name):	CASE NUMBER:

**ACTION FOR RECOVERY OF COVID-19 RENTAL DEBT
 AS DEFINED UNDER CODE OF CIVIL PROCEDURE SECTION 1179.02**

Access to the records in this case is limited under Code of Civil Procedure section 1161.2.5.

This form must be used to answer Complaint—Recovery of COVID-19 Rental Debt (form PLD-C-500) within 30 calendar days after defendant is served with the complaint. Alternatively, defendant may file a demurrer, motion to strike, or motion to quash within that same time period if any of those responses are appropriate. A cross-complaint may be made on a separate pleading form (Judicial Council forms that have form numbers preceded by PLD) or individually prepared on pleading paper. Defendant may want to consult with an attorney.

If defendant cannot afford to pay filing fees to answer, defendant may ask the court to waive the fees by completing Request to Waive Court Fees (form FW-001), and filing it with the court.

1. **Defendant (name or names):**
 answers the complaint as follows:

DENIALS (Complete item 2 or item 3, not both.)

2. **General Denial (Read the instructions below before checking this item.)**

Defendant generally denies each statement in the complaint.

(This item can be checked only if either of the following applies:

- *The complaint is **not** verified. (The complaint is verified if the Verification at the bottom of page 4 of form PLD-C-500 is signed or if a Verification is attached to the form.); or*
- *The amount demanded in the complaint is **\$35,000** or less (a limited civil case) AND the debt has not been assigned to someone other than the landlord. (If item 4 on form PLD-C-500 has been checked, this General Denial **cannot** be checked.)*

If this General Denial is checked, go on to item 4.

If this General Denial is not checked, defendant may make the Specific Denials in item 3.)

3. **Specific Denials of Allegations in Complaint**

Defendant may complete this item if Defendant did not check the general denial box, above. Defendant should complete each section in item 3 below if defendant either

- *disagrees that one or more statements in the corresponding section of the complaint is true or correct (list those statements by item number or letter in subpart (1) for each section); or*
- *does not have enough information or belief to state whether one or more of the statements in the corresponding section of the complaint are true or false (list those statements by item number or letter in subpart (2) for each section).*

If defendant agrees with all of the statements in a section of the complaint, do not check any boxes for that section in item 3 below. This will be an admission that all the statements in that section of the complaint are true.

PLAINTIFF: DEFENDANT:	CASE NUMBER:
--------------------------	--------------

3. a. **Introductory Allegations** (items 2-4 on form PLD-C-500)

(1) Defendant denies the following statements in the section of the complaint titled **Introductory Allegations** (write the item number of any items in that section of form PLD-C-500 that defendant disagrees with, or explain why defendant disagrees):

(2) Defendant has no information or belief as to whether the following items in the section titled **Introductory Allegations** are true, so denies them (write the item number of any items in that section of form PLD-C-500 that defendant denies on this basis):

b. **Allegations About COVID-19 Rental Debt** (items 5 and 6 on form PLD-C-500)

(1) Defendant denies the following statements in the section of the complaint titled **Allegations About COVID-19 Rental Debt** (write the item number of any items in that section of form PLD-C-500 that defendant disagrees with, or explain why defendant disagrees):

(2) Defendant has no information or belief as to whether the following items in the section titled **Allegations About COVID-19 Rental Debt** are true, so denies them (write the item number of any items in that section of form PLD-C-500 that defendant denies on this basis):

PLAINTIFF: DEFENDANT:	CASE NUMBER:
--------------------------	--------------

3. c. **Allegations About Rental Assistance** (items 7 and 8 on form PLD-C-500)
- (1) Defendant denies the following statements in the section of the complaint titled **Allegations About Rental Assistance** (*write the item number of any items in that section of form PLD-C-500 that defendant disagrees with, or explain why defendant disagrees*):

 - (2) Defendant has no information or belief as to whether the following items in the section titled **Allegations About Rental Assistance** are true, so denies them (*write the item number of any items in that section of form PLD-C-500 that defendant denies on this basis*):
- d. **Other Allegations** (item 9 on form PLD-C-500 and any statements in Attachment 9 to the form)
- (1) Defendant denies the following statements in the section of the complaint titled **Other Allegations** or in **Attachment 9** to the complaint (*write the item number or letter of any items in that section of form PLD-C-500 or in Attachment 9 that defendant disagrees with, or explain why defendant disagrees. If more room is needed, use form MC-025.*)
 - Response is provided on form MC-025, titled as Attachment 3d.

 - (2) Defendant has no information or belief as to whether the following items in the section titled **Other Allegations** or in **Attachment 9** are true, so denies them (*write the item number or letter of any items in that section of form PLD-C-500 that defendant denies on this basis*):
- e. **Demand for Judgment** (item 12 on form PLD-C-500)
- (1) Defendant denies the following statements in the section of the complaint titled **Demand for Judgment** (*write the item number or letter of any items in that section of form PLD-C-500 that defendant disagrees with, or explain why defendant disagrees*):

 - (2) Defendant has no information or belief as to whether the following items in the section titled **Demand for Judgment** are true, so denies them (*write the item number or letter of any items that defendant denies on this basis*):

PLAINTIFF: DEFENDANT:	CASE NUMBER:
--------------------------	--------------

4. Defenses and Objections

(Check all that apply. NOTE: For each box checked, defendant must state any additional facts needed to support it in item 4m or, if more room is needed, on form MC-025. The parties may disagree about the amount of rent that is owed for various reasons. Read more about these reasons in the California Department of Real Estate's guide at <https://landlordtenant.dre.ca.gov/resources/guidebook/index.html> in the "Living in the Rental Unit" and "Dealing with Problems" sections.)

- a. Defendant delivered to the landlord one or more declarations of COVID-19–related financial distress and *(check any that apply)*
 - (1) the amount demanded includes late fees on rent or other financial obligations due between March 1, 2020, and September 30, 2021 (Civ. Code, § 1942.9);
 - (2) the amount demanded includes fees for services and the fees that were increased between March 1, 2020, and September 30, 2021, or had not been charged before (Civ. Code, § 1942.9).

- b. Defendant has completed an application for government rental assistance for part or all of the amount demanded, which is still pending, and *(check one)*
 - (1) a copy of the notification from the government rental assistance program that a completed application was submitted is attached, marked as Attachment 4h.
 - (2) defendant does not have a copy of a notification, but the application was completed with the following government rental assistance program:
(name of program):
(date completed):
(application number):

- c. The landlord refused to obtain rental assistance from the governmental rental assistance program that applied to the housing for which rent or other financial obligations is demanded, even though tenant met all eligibility requirements. (Code Civ. Proc., § 871.10(b).)

- d. Plaintiff was assigned debt in violation of Civil Code section 1788.66 because defendant's household income is at or below 80 percent of the area median income for the 2020 or 2021 calendar year.

- e. The amount of attorneys' fees requested by plaintiff is more than permitted by law for cases for recovery of COVID-19 rental debt. (Code Civ. Proc., § 871.11.)

- f. The amount demanded includes amounts that a third party offered to pay, but which the landlord did not accept. (Civ. Code, § 1947.3; Gov. Code, § 12955.)

- g. Defendant vacated the premises and does not owe rent after *(date)*:

- h. The amount demanded should be reduced because the landlord breached the warranty to provide habitable premises.

- i. The amount demanded includes amounts that the defendant spent to make needed repairs and properly deducted from the rent, but for which the landlord did not give proper credit.

- j. The amount demanded includes the security deposit that the landlord improperly withheld after the lease or rental agreement was terminated.

- k. The amount demanded is in violation of law because the landlord improperly raised the rent in violation of state law or a local rent control ordinance. *(If a local ordinance, provide name of locality and ordinance number):*

- l. Other defenses or objections. *(Describe briefly, and state facts to support them either here or in item m. Include any additional reasons why any claims raised in item 9 or Attachment 9 to form PLD-C-500 should be denied. If more space is needed, check box below and use form MC-025.)*
 Other defenses and objections are provided on form MC-025, titled as Attachment 4l.

PLAINTIFF: DEFENDANT:	CASE NUMBER:
--------------------------	--------------

4. m. Additional Facts. *(Provide facts supporting each item checked as needed, either below or, if more space is needed, check box below and use form MC-025.)*

Facts are provided on form MC-025, titled as Attachment 4m.

5. **Other statements** *(specify below or, if more room is needed, check box below and use form MC-025):*

Other statements are on form MC-025, titled as Attachment 5.

PLAINTIFF: DEFENDANT:	CASE NUMBER:
--------------------------	--------------

6. This pleading, including attachments and exhibits, consists of the following number of pages: _____

Demand for Judgment

7. Defendant requests

- a. that plaintiff take nothing.
- b. for costs of suit.
- c. attorneys' fees, to the extent permitted under Code of Civil Procedure section 871.11,
 - (1) of: \$
 - (2) according to proof.
- d. Other (*specify*):

(Each defendant for whom this answer is filed must be named in item 1 and must sign this answer unless defendant's attorney signs.)

Date:

(TYPE OR PRINT NAME)

▶ _____
(SIGNATURE OF DEFENDANT OR ATTORNEY)

Date:

(TYPE OR PRINT NAME)

▶ _____
(SIGNATURE OF DEFENDANT OR ATTORNEY)

Date:

(TYPE OR PRINT NAME)

▶ _____
(SIGNATURE OF DEFENDANT OR ATTORNEY)

VERIFICATION

*Required only if complaint is verified.
An attorney should use a different verification form if verifying the pleading.*

I am the defendant in this proceeding and have read this answer. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME)

▶ _____
(SIGNATURE OF DEFENDANT)

Date:

(TYPE OR PRINT NAME)

▶ _____
(SIGNATURE OF DEFENDANT)

Date:

(TYPE OR PRINT NAME)

▶ _____
(SIGNATURE OF DEFENDANT)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY DRAFT 11/07/2023 NOT APPROVED BY COUNCIL
SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____ STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF: DEFENDANT: <input type="checkbox"/> DOES 1 TO _____	
COMPLAINT—Personal Injury, Property Damage, Wrongful Death <input type="checkbox"/> AMENDED (Number): Type (check all that apply): <input type="checkbox"/> MOTOR VEHICLE <input type="checkbox"/> OTHER (specify): <input type="checkbox"/> Property Damage <input type="checkbox"/> Wrongful Death <input type="checkbox"/> Personal Injury <input type="checkbox"/> Other Damages (specify):	CASE NUMBER:
Jurisdiction (check all that apply): <input type="checkbox"/> ACTION IS A LIMITED CIVIL CASE (does not exceed \$35,000) Amount demanded <input type="checkbox"/> does not exceed \$10,000 <input type="checkbox"/> exceeds \$10,000 <input type="checkbox"/> ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$35,000) <input type="checkbox"/> ACTION IS RECLASSIFIED by this amended complaint <input type="checkbox"/> from limited to unlimited <input type="checkbox"/> from unlimited to limited	

1. **Plaintiff** (name or names):
 alleges causes of action against **defendant** (name or names):

 2. This pleading, including attachments and exhibits, consists of the following number of pages:

 3. Each plaintiff named above is a competent adult
 - a. **except** plaintiff (name):
 - (1) a corporation qualified to do business in California
 - (2) an unincorporated entity (describe):
 - (3) a public entity (describe):
 - (4) a minor an adult
 - (a) for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
 - (b) other (specify):
 - (5) other (specify):
 - b. **except** plaintiff (name):
 - (1) a corporation qualified to do business in California
 - (2) an unincorporated entity (describe):
 - (3) a public entity (describe):
 - (4) a minor an adult
 - (a) for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
 - (b) other (specify):
 - (5) other (specify):
- Information about additional plaintiffs who are not competent adults is shown in Attachment 3.

SHORT TITLE:	CASE NUMBER:
--------------	--------------

4. Plaintiff (*name*):
is doing business under the fictitious name (*specify*):
- and has complied with the fictitious business name laws.
5. Each defendant named above is a natural person
- a. **except** defendant (*name*):
- (1) a business organization, form unknown
(2) a corporation
(3) an unincorporated entity (*describe*):
- (4) a public entity (*describe*):
- (5) other (*specify*):
- c. **except** defendant (*name*):
- (1) a business organization, form unknown
(2) a corporation
(3) an unincorporated entity (*describe*):
- (4) a public entity (*describe*):
- (5) other (*specify*):
- b. **except** defendant (*name*):
- (1) a business organization, form unknown
(2) a corporation
(3) an unincorporated entity (*describe*):
- (4) a public entity (*describe*):
- (5) other (*specify*):
- d. **except** defendant (*name*):
- (1) a business organization, form unknown
(2) a corporation
(3) an unincorporated entity (*describe*):
- (4) a public entity (*describe*):
- (5) other (*specify*):
- Information about additional defendants who are not natural persons is contained in Attachment 5.
6. The true names of defendants sued as Does are unknown to plaintiff.
- a. Doe defendants (*specify Doe numbers*): _____ were the agents or employees of other named defendants and acted within the scope of that agency or employment.
- b. Doe defendants (*specify Doe numbers*): _____ are persons whose capacities are unknown to plaintiff.
7. Defendants who are joined under Code of Civil Procedure section 382 are (*names*):
8. This court is the proper court because
- a. at least one defendant now resides in its jurisdictional area.
b. the principal place of business of a defendant corporation or unincorporated association is in its jurisdictional area.
c. injury to person or damage to personal property occurred in its jurisdictional area.
d. other (*specify*):
9. Plaintiff is required to comply with a claims statute, **and**
- a. has complied with applicable claims statutes, **or**
b. is excused from complying because (*specify*):

SHORT TITLE:	CASE NUMBER:
--------------	--------------

10. The following causes of action are attached and the statements above apply to each (*each complaint must have one or more causes of action attached*):

- a. Motor Vehicle
- b. General Negligence
- c. Intentional Tort
- d. Products Liability
- e. Premises Liability
- f. Other (*specify*):

11. Plaintiff has suffered

- a. wage loss
- b. loss of use of property
- c. hospital and medical expenses
- d. general damage
- e. property damage
- f. loss of earning capacity
- g. other damage (*specify*):

12. The damages claimed for wrongful death and the relationships of plaintiff to the deceased are

- a. listed in Attachment 12.
- b. as follows:

13. The relief sought in this complaint is within the jurisdiction of this court.

14. **Plaintiff prays** for judgment for costs of suit; for such relief as is fair, just, and equitable; and for

- a. (1) compensatory damages
- (2) punitive damages

The amount of damages is (*in cases for personal injury or wrongful death, you must check (1)*):

- (1) according to proof
- (2) in the amount of: \$

15. The paragraphs of this complaint alleged on information and belief are as follows (*specify paragraph numbers*):

Date:

(TYPE OR PRINT NAME)

▶

(SIGNATURE OF PLAINTIFF OR ATTORNEY)

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, state bar number, and address</i>): TELEPHONE NO: _____ FAX NO. (<i>Optional</i>): _____ E-MAIL ADDRESS (<i>Optional</i>): _____ ATTORNEY FOR (<i>Name</i>): _____	FOR COURT USE ONLY DRAFT 11/07/2023 NOT APPROVED BY COUNCIL
NAME OF COURT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
SHORT TITLE:	
CROSS-COMPLAINANT: CROSS-DEFENDANT:	
<input type="checkbox"/> DOES 1 TO	
CROSS-COMPLAINT—Personal Injury, Property Damage, Wrongful Death <input type="checkbox"/> AMENDED (<i>Number</i>): Causes of Action (<i>check all that apply</i>): <input type="checkbox"/> Apportionment of Fault <input type="checkbox"/> Declaratory Relief <input type="checkbox"/> Indemnification <input type="checkbox"/> Other (<i>specify</i>):	
Jurisdiction (<i>check all that apply</i>): <input type="checkbox"/> ACTION IS A LIMITED CIVIL CASE (\$35,000 or less) <input type="checkbox"/> ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$35,000) It <input type="checkbox"/> is <input checked="" type="checkbox"/> is not reclassified as unlimited by this cross-complaint	CASE NUMBER:

1. CROSS-COMPLAINANT (*name*):

alleges causes of action against CROSS-DEFENDANT (*name*):

2. This pleading, including exhibits and attachments, consists of the following number of pages: _____

3. Each cross-complainant named above is a competent adult

a. **except** cross-complainant (*name*):

(1) a corporation qualified to do business in California

(2) an unincorporated entity (*describe*):

(3) a public entity (*describe*):

(4) a minor an adult

(a) for whom a guardian or conservator of the estate or a guardian ad litem has been appointed

(b) other (*specify*):

(5) other (*specify*):

Information about additional cross-complainants who are not competent adults is contained in Cross-Complaint—Attachment 3.

SHORT TITLE:	CASE NUMBER:
--------------	--------------

4. Each cross-defendant named above is a natural person

a. **except** cross-defendant (*name*):

- (1) a business organization, form unknown
- (2) a corporation
- (3) an unincorporated entity (*describe*):

- (4) an public entity (*describe*):

- (5) other (*specify*):

b. **except** cross-defendant (*name*):

- (1) a business organization, form unknown
- (2) a corporation
- (3) an unincorporated entity (*describe*):

- (4) an public entity (*describe*):

- (5) other (*specify*):

Information about additional cross-defendants who are not natural persons is contained in Cross-Complaint—Attachment 4.

5. The true names and capacities of cross-defendants sued as Does are unknown to cross-complainant.

6. Cross-complainant is required to comply with a claims statute, **and**

a. has complied with applicable claims statutes, **or**

b. is excused from complying because (*specify*):

7. _____ **Cause of Action—Indemnification**
(NUMBER)

- a. Cross-defendants were the agents, employees, co-venturers, partners, or in some manner agents or principals, or both, for each other and were acting within the course and scope of their agency or employment.
- b. The principal action alleges, among other things, conduct entitling plaintiff to compensatory damages against me. I contend that I am not liable for events and occurrences described in plaintiff's complaint.
- c. If I am found in some manner responsible to plaintiff or to anyone else as a result of the incidents and occurrences described in plaintiff's complaint, my liability would be based solely upon a derivative form of liability not resulting from my conduct, but only from an obligation imposed upon me by law; therefore, I would be entitled to complete indemnity from each cross-defendant.

8. _____ **Cause of Action—Apportionment of Fault**
(NUMBER)

- a. Each cross-defendant was responsible, in whole or in part, for the injuries, if any, suffered by plaintiff.
- b. If I am judged liable to plaintiff, each cross-defendant should be required: (1) to pay a share of plaintiffs judgment which is in proportion to the comparative negligence of that cross-defendant in causing plaintiff's damages; and (2) to reimburse me for any payments I make to plaintiff in excess of my proportional share of all cross-defendants' negligence.

SHORT TITLE:	CASE NUMBER:
--------------	--------------

9. _____ **Cause of Action—Declaratory Relief**
(NUMBER)

An actual controversy exists between the parties concerning their respective rights and duties because cross-complainant contends and cross-defendant disputes as specified in Cross-Complaint—Attachment 9 as follows:

10. _____ **Cause of Action—(specify):**
(NUMBER)

11. The following additional causes of action are attached and the statements below apply to each (*in each of the attachments, "plaintiff" means "cross-complainant" and "defendant" means "cross-defendant"*):

- a. Motor Vehicle
- b. General Negligence
- c. Intentional Tort
- d. Products Liability
- e. Premises Liability
- f. Other (*specify*):

12. **CROSS-COMPLAINANT PRAYS** for judgment for costs of suit; for such relief as is fair, just, and equitable; and for

- a. total and complete indemnity for any judgments rendered against me.
- b. judgment in a proportionate share from each cross-defendant.
- c. a judicial determination that cross-defendants were the legal cause of any injuries and damages sustained by plaintiff and that cross-defendants indemnify me, either completely or partially, for any sums of money which may be recovered against me by plaintiff.
- d. compensatory damages
 - (1) (unlimited civil cases) according to proof.
 - (2) (limited civil cases) in the amount of: \$
- e. other (*specify*):

13. The paragraphs of this cross-complaint alleged on information and belief are as follows (*specify paragraph numbers*):

Date:

(TYPE OR PRINT NAME)

▶ _____
SIGNATURE OF CROSS-COMPLAINANT OR ATTORNEY

For your protection and privacy, please press the Clear This Form button after you have printed the form.

Print this form

Save this form

Clear this form

Clerk stamps date here when form is filed.

**DRAFT
11/06/2023
NOT APPROVED
BY COUNCIL**

Notice to the person being sued:

- You are the defendant if your name is listed in ② on page 2 of this form or on form SC-100A. The person suing you is the plaintiff, listed in ① on page 2.
- You and the plaintiff must go to court on the trial date listed below. If you do not go to court, you may lose the case. If you lose, the court can order that your wages, money, or property be taken to pay this claim.
- Bring witnesses, receipts, and any evidence you need to prove your case.
- Read this form and all pages attached to understand the claim against you and to protect your rights.

Aviso al Demandado:

- Usted es el Demandado si su nombre figura en ② de la página 2 de este formulario, o en el formulario SC-100A. La persona que lo demanda es el Demandante, la que figura en ① de la página 2.
- Usted y el Demandante tienen que presentarse en la corte en la fecha del juicio indicada a continuación. Si no se presenta, puede perder el caso. Si pierde el caso, la corte podría ordenar que le quiten de su sueldo, dinero u otros bienes para pagar este reclamo.
- Lleve testigos, recibos y cualquier otra prueba que necesite para probar su caso.
- Lea este formulario y todas las páginas adjuntas para entender la demanda en su contra y para proteger sus derechos.

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:

Case Name:

Order to Go to Court

The people in ① and ② must attend court: *(Clerk fills out section below.)*

Trial Date	Date	Time	Department	Name and address of court, if different from above
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
Date: _____		Clerk, by _____, Deputy		

Instructions for the person suing:

Do not use this form to recover COVID-19 rental debt, which is unpaid rent or other financial obligations under a tenancy due between March 1, 2020, and September 30, 2021. (See Code of Civil Procedure, §1179.02.) To recover COVID-19 rental debt, use form [SC-500, Plaintiff's Claim and ORDER to Go to Small Claims Court](#).

- You are the plaintiff. The person you are suing is the defendant.
- **Before** you fill out this form, read form [SC-100-INFO, Information for the Plaintiff](#), to know your rights. You can get form SC-100-INFO at any courthouse or county law library, or go to www.courts.ca.gov/forms.
- **Fill out pages 2, 3, and 4 of this form.** Make copies of all the pages of this form and any attachments—one for each party named in this case and an extra copy for yourself. Take or mail the original and the copies to the court clerk's office and pay the filing fee. The clerk will write the date of your trial in the box above. Your court may allow electronic filing. Check your local court website for information: www.courts.ca.gov/find-my-court.htm.
- You must have someone at least 18—not you or anyone else listed in this case—give each defendant a court-stamped copy of all pages of this form and any pages this form tells you to attach. There are special rules for “serving,” or delivering, this form to public entities, associations, and some businesses. See forms [SC-104](#), [SC-104B](#), and [SC-104C](#).
- **Go to court on your trial date listed above.** Bring witnesses, receipts, and any evidence you need to prove your case.



Plaintiff (list names):

Case Number: _____

1 The plaintiff (the person, business, or public entity that is suing) is:

Name: _____ Phone: _____

Street address: _____
Street City State Zip

Mailing address (if different): _____
Street City State Zip

Email address (if available): _____

If more than one plaintiff, list next plaintiff here:

Name: _____ Phone: _____

Street address: _____
Street City State Zip

Mailing address (if different): _____
Street City State Zip

Email address (if available): _____

- Check here if more than two plaintiffs and attach form [SC-100A](#).
- Check here if either plaintiff listed above is doing business under a fictitious name and attach form [SC-103](#).
- Check here if any plaintiff is a "licensee" or "deferred deposit originator" (payday lender) under Financial Code sections 23000 et seq.

2 The defendant (the person, business, or public entity being sued) is:

Name: _____ Phone: _____

Street address: _____
Street City State Zip

Mailing address (if different): _____
Street City State Zip

If the defendant is a corporation, limited liability company, or public entity, list the person or agent authorized for service of process here:

Name: _____ Job title, if known: _____

Address: _____
Street City State Zip

- Check here if your case is against more than one defendant and attach form [SC-100A](#).
- Check here if any defendant is on active military duty and write defendant's name here: _____

3 The plaintiff claims the defendant owes \$ _____ . (Explain below and on next page.)

(Note: A claim for COVID-19 rental debt cannot be made on this form. Use form [SC-500, Plaintiff's Claim and ORDER to Go to Small Claims Court \(COVID-19 Rental Debt\)](#).)

a. Why does the defendant owe the plaintiff money?



Plaintiff (list names):

Case Number:

- 3 b. When did this happen? (Date): _____
 If no specific date, give the time period: Date started: _____ Through: _____
- c. How did you calculate the money owed to you? (Do not include court costs or fees for service.)
- _____
- _____
- _____

Check here if you need more space. Attach one sheet of paper or form [MC-031](#) and write "SC-100, Item 3" at the top.

4 **You must ask the defendant (in person, in writing, or by phone) to pay you before you sue. If your claim is for possession of property, you must ask the defendant to give you the property. Have you done this?**

Yes No If no, explain why not:

5 **Why are you filing your claim at this courthouse?**

This courthouse covers the area (check the one that applies):

- a. (1) Where the defendant lives or does business. (4) Where a contract (written or spoken) was made, signed, performed, or broken by the defendant or where the defendant lived or did business when the defendant made the contract.
- (2) Where the plaintiff's property was damaged.
- (3) Where the plaintiff was injured.
- b. Where the buyer or lessee signed the contract, lives now, or lived when the contract was made, if this claim, is about an offer or contract for personal, family, or household goods, services, or loans. (Code Civ. Proc., § 395(b).)
- c. Where the buyer signed the contract, lives now, or lived when the contract was made, if this claim is about a retail installment contract (like a credit card). (Civ. Code, § 1812.10.)
- d. Where the buyer signed the contract, lives now, or lived when the contract was made, or where the vehicle is permanently garaged, if this claim is about a vehicle finance sale. (Civ. Code, § 2984.4.)
- e. Other (specify): _____
- _____

6 **List the zip code of the place checked in 5 above** (if you know): _____

7 **Is your claim about an attorney-client fee dispute?** Yes No
 If yes, and if you have had arbitration, fill out form SC-101, attach it to this form, and check here:

8 **Are you suing a public entity?** Yes No
 If yes, you must file a written claim with the entity first. A claim was filed on (date): _____
 If the public entity denies your claim or does not answer within the time allowed by law, you can file this form.



Plaintiff (list names):

Case Number:

9 Have you filed more than 12 other small claims within the last 12 months in California?

Yes No If yes, the filing fee for this case will be higher.

10 Is your claim for more than \$2,500? Yes No

If you answer yes, you also confirm that you have not filed, and you understand that you may not file, more than two small claims cases for more than \$2,500 in California during this calendar year.

11 I understand that by filing a claim in small claims court, I have no right to appeal this claim.

I declare under penalty of perjury under the laws of the State of California that the information above and on any attachments to this form is true and correct.

Date:

Plaintiff types or prints name here



Plaintiff signs here

Date:

Second plaintiff types or prints name here



Second plaintiff signs here



Requests for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the trial. For these and other accommodations, contact the clerk's office for form MC-410, Disability Accommodation Request. (Civ. Code, § 54.8.)



"Small claims court" is a special court where claims for \$12,500 or less are decided. Individuals, including "natural persons" and sole proprietors, may claim up to \$12,500. Corporations, partnerships, public entities, and other businesses are limited to claims of \$6,250. (See below for exceptions.*) The process is quick and cheap. The rules are simple and informal. You are the *defendant*—the person being sued. The person who is suing you is the *plaintiff*.

Do I need a lawyer? You may talk to a lawyer before or after the case. But you *may not* have a lawyer represent you in court (unless this is an appeal from a small claims case).

How do I get ready for court? You don't have to file any papers before your trial, unless you think this is the wrong court for your case. But bring to your trial any witnesses, receipts, and evidence that support your case. And read "Be Prepared for Your Trial" at www.courts.ca.gov/smallclaims/prepare.

What if I need an accommodation? If you have a disability or are hearing impaired, fill out form [MC-410, Disability Accommodation Request](#). Give the form to your court clerk or the ADA/Access Coordinator.

What if I don't speak English well? Ask the court clerk as soon as possible for a court-provided interpreter. You may use form [INT-300, Request for Interpreter \(Civil\)](#) or a local court form to request an interpreter. If a court interpreter is unavailable for your trial, it may be necessary to reschedule your trial. You cannot bring your own interpreter for the trial unless the interpreter has been approved by the court as a certified, registered, or provisionally qualified interpreter. (See Cal. Rules of Court, rule 2.893, and form [INT-140](#).)

Where can I get the court forms I need? Go to any courthouse or your county law library, or print forms at www.courts.ca.gov/forms.

What happens at the trial? The judge will listen to both sides. The judge may make a decision at your trial or mail the decision to you later.

What if I lose the case? If you lose, you may appeal. You'll have to pay a fee. (Plaintiffs cannot appeal their own claims.)

- If you were at the trial, file form [SC-140, Notice of Appeal](#). You must file within 30 days after the clerk hands or mails you the judge's decision (judgment) on form [SC-200](#) or form [SC-130, Notice of Entry of Judgment](#).
- If you were *not* at the trial, fill out and file form [SC-135, Notice of Motion to Vacate Judgment and Declaration](#), to ask the judge to cancel the judgment (decision). If the judge does not give you a new trial, you have 10 days to appeal the decision. File form [SC-140](#).

For more information on appeals, see www.courts.ca.gov/smallclaims/appeals.

Do I have options? Yes. If you are being sued you can:

- **Settle your case before the trial.** If you and the plaintiff agree on how to settle the case before the trial, the plaintiff must file form [CIV-110, Request for Dismissal](#) or a written and signed settlement agreement with the clerk. Ask the Small Claims Advisor for help.

* **Exceptions:** Different limits apply in an action against a defendant who is a guarantor. (See Code Civ. Proc., § 116.220(c).) Limits do not apply in an action to recover COVID-19 rental debt. (See Code Civ. Proc., §§ 116.223 & 1179.02; form SC-500.)

- **Prove this is the wrong court.** Send a letter to the court *before* your trial explaining why you think this is the wrong court. Ask the court to dismiss the claim. You must serve (give) a copy of your letter (by mail or in person) to all parties. (Your letter to the court must say you have done so.)
- **Go to the trial and try to win your case.** Bring witnesses, receipts, and any evidence you need to prove your case. To have the court order a witness to go to the trial, fill out form [SC-107, Small Claims Subpoena and Declaration](#), and have it served on the witness.
- **Sue the person who is suing you.** If you have a claim against the plaintiff, and the claim is appropriate for small claims court as described on this form, you may file *Defendant's Claim* (form [SC-120](#)) and bring the claim in this action. If your claim is for *more* than allowed in small claims court, you may still file it in small claims court if you give up the amount over the small claims value amount, or you may file a claim for the full value of the claim in the appropriate court. If your claim is for more than allowed in small claims court *and* relates to the same contract, transaction, matter, or event that is the subject of the plaintiff's claim, you may file your claim in the appropriate court and file a motion to transfer the plaintiff's claim to that court to resolve both matters together. You can see a description of the amounts allowed in the paragraph above, titled "**Small Claims Court.**"
- **Agree with the plaintiff's claim and pay the money.** Or, if you can't pay the money now, go to your trial and say you want to make payments.
- **Let the case "default."** If you don't settle and do not go to the trial (default), the judge may give the plaintiff what he or she is asking for plus court costs. If this happens, the plaintiff can legally take your money, wages, and property to pay the judgment.

What if I need more time?

You can change the trial date if:

- You cannot go to court on the scheduled date (you will have to pay a fee to postpone the trial), *or*
- You did not get served (receive this order to go to court) at least 15 days before the trial (or 20 days if you live outside the county).

Ask the Small Claims Clerk about the rules and fees for postponing a trial. Or fill out form [SC-150](#) (or write a letter) and mail it to the court *and* to all other people listed on your court papers before the deadline. Enclose a check for your court fees, unless a fee waiver was granted.



Need help?

Your county's Small Claims Advisor can help for free.

Or go to www.courts.ca.gov/smallclaims/advisor.



La “Corte de reclamos menores” es una corte especial donde se deciden casos por \$12,500 o menos. Los individuos, o sea las “personas físicas” y los propietarios por cuenta propia, pueden reclamar hasta \$12,500. Las corporaciones, asociaciones, entidades públicas y otras empresas solo pueden reclamar hasta \$6,250. (Vea abajo para las excepciones.*) El proceso es rápido y económico. Las reglas son sencillas e informales. Usted es el Demandado—la persona que se está demandando. La persona que lo está demandando es el Demandante.

¿Necesito un abogado? Puede hablar con un abogado antes o después del caso. Pero no puede tener a un abogado que lo represente ante la corte (a menos que se trate de una apelación de un caso de reclamos menores).

¿Cómo me preparo para ir a la corte? No tiene que presentar ningún documento antes del juicio, a menos que piense que ésta es la corte equivocada para su caso. Pero lleve al juicio cualquier testigos, recibos y pruebas que apoyan su caso. Y lea “Esté preparado para su juicio” en www.courts.ca.gov/reclamosmenores/preparesse.

¿Qué hago si necesito una modificación? Si tiene una discapacidad o tiene impedimentos de audición, llene el formulario MC-410, *Solicitud de modificaciones para discapacidad*. Entregue el formulario al secretario de la corte o al Coordinador de Acceso/ADA de su corte.

¿Qué pasa si no hablo bien inglés? Solicite un intérprete al secretario de la corte lo más pronto posible. Puede usar el formulario INT-300 o un formulario de su corte local. Si no está disponible un intérprete de la corte para su juicio, es posible que se tenga que cambiar la fecha de su juicio. No puede llevar su propio intérprete para el juicio a menos que el intérprete haya sido aprobado por la corte como un intérprete certificado, registrado, o provisionalmente calificado. (Vea la regla 2.893 de las Reglas de la Corte de California, y el formulario INT-140.)

¿Dónde puedo obtener los formularios de la corte que necesito? Vaya a cualquier edificio de la corte, la biblioteca legal de su condado, o imprima los formularios en www.courts.ca.gov/smallclaims/forms (página está en inglés).

¿Qué pasa en el juicio? El juez escuchará a ambas partes. El juez puede tomar su decisión durante la audiencia o enviársela por correo después.

¿Qué pasa si pierdo el caso? Si pierde, puede apelar. Tendrá que pagar una cuota. (El Demandante no puede apelar su propio reclamo.)

- Si estuvo presente en el juicio, llene el formulario SC-140, *Aviso de apelación* (Notice of Appeal). Tiene que presentarlo dentro de 30 días después de que el secretario le entregue o envíe la decisión (fallo) del juez en el formulario SC-200 o SC-130, *Aviso de publicación del fallo* (Notice of Entry of Judgment).
- Si no estuvo en el juicio, llene y presente el formulario SC-135, *Aviso de petición para anular el fallo y Declaración* para pedirle al juez que anule el fallo (decisión). Si la corte no le otorga un nuevo juicio, tiene 10 días para apelar la decisión. Presente el formulario SC-140.

Para obtener más información sobre las apelaciones, vea www.courts.ca.gov/reclamosmenores/apelaciones.

¿Tengo otras opciones? Sí. Si lo están demandando, puede:

- **Resolver su caso antes del juicio.** Si usted y el Demandante se ponen de acuerdo en cómo resolver el caso antes del juicio, el Demandante tiene que presentar el formulario CIV-110 *Solicitud de desestimación* (Request for Dismissal) o un acuerdo de resolución escrito y firmado al secretario de la corte. Pídale al Asesor de Reclamos Menores que lo ayude.

- **Probar que es la corte equivocada.** Envíe una carta a la corte antes del juicio explicando por qué cree que es la corte equivocada. Pídale a la corte que despida el reclamo. Tiene que entregar (dar) una copia de su carta (por correo o en persona) a todas las partes. (Su carta a la corte tiene que decir que hizo la entrega.)
- **Ir al juicio y tratar de ganar el caso.** Lleve testigos, recibos y cualquier prueba que necesite para probar su caso. Si desea que la corte emita una orden de comparecencia para que los testigos vayan al juicio, llene el formulario SC-107, *Citatorio de reclamos menores* (Small Claims Subpoena) y entrégueselo legalmente al testigo.
- **Demandar a la persona que lo demandó.** Si tiene un reclamo contra el Demandante, y el reclamo se puede presentar en la corte de reclamos menores, tal como se describe en este formulario, puede presentar el formulario SC-120, *Reclamo del demandado* (Defendant’s Claim) y presentarlo en este mismo caso. Si su reclamo excede el límite permitido en la corte de reclamos menores, puede igualmente presentarlo en la corte de reclamos menores si está dispuesto a limitar su reclamo al máximo permitido, o puede presentar un reclamo por el monto total en la corte apropiada. Si su reclamo excede el límite permitido en la corte de reclamos menores y está relacionado con el mismo contrato, transacción, asunto o acontecimiento que el reclamo del Demandante, puede presentar su reclamo en la corte apropiada y presentar una moción para transferir el reclamo del Demandante a dicha corte, para poder resolver los dos reclamos juntos. Puede ver una descripción de los montos permitidos en el párrafo anterior titulado “Corte de reclamos menores”.
- **Aceptar el reclamo del Demandante y pagar el dinero.** O, si no puede pagar en ese momento, vaya al juicio y diga que quiere hacer los pagos a plazos.
- **No ir al juicio y aceptar el fallo por falta de comparecencia.** Si no llega a un acuerdo con el Demandante y no va al juicio (fallo por falta de comparecencia), el juez le puede otorgar al Demandante lo que está reclamando más los costos de la corte. En ese caso, el Demandante legalmente puede tomar su dinero, su sueldo o sus bienes para cobrar el fallo.

¿Qué hago si necesito más tiempo? Puede cambiar la fecha del juicio si:

- No puede ir a la corte en la fecha programada (tendrá que pagar una cuota para aplazar el juicio), o
- No le entregaron los documentos legalmente (no recibió la orden para ir a la corte) por lo menos 15 días antes del juicio (ó 20 días si vive fuera del condado).

Pregúntele al secretario de reclamos menores sobre las reglas y las cuotas para aplazar un juicio. O llene el formulario SC-150 (o escriba una carta) y envíelo antes del plazo a la corte y a todas las otras personas que figuran en sus papeles de la corte. Adjunte un cheque para pagar los costos de la corte, a menos que le hayan dado una exención.



¿Necesita ayuda? El Asesor de Reclamos Menores de su condado le puede ayudar sin cargo.

O visite www.courts.ca.gov/reclamosmenores/asesores.

* **Excepciones:** Existen diferentes límites en un reclamo contra un garante. (Vea el Código de Procedimiento Civil, sección 116.220 (c).) Los límites no se aplican a las acciones para reclamar una deuda de alquiler del COVID-19. (Vea el Código de Procedimiento Civil, secciones 116.223 y 1179.02; y el formulario SC-500.)

This information sheet is written for the person who sues in the small claims court. It explains some of the rules of, and some general information about, the small claims court. It may also be helpful for the person who is sued.

WHAT IS SMALL CLAIMS COURT?

Small claims court is a special court where disputes are resolved quickly and inexpensively. The rules are simple and informal. The person who sues is the **plaintiff**. The person who is sued is the **defendant**. In small claims court, you may ask a lawyer for advice before you go to court, but you cannot have a lawyer in court. Your claim cannot be for more than **\$6,250** if you are a business or public entity or for more than **\$12,500** if you are a natural person (including a sole proprietor). (See below for reference to exceptions. *) If you have a claim for more than this amount, you may sue in the civil division of the trial court or you may sue in the small claims court and give up your right to the amount over the limit. You cannot, however, file more than two cases in small claims court for more than \$2,500 each during a calendar year.

WHO CAN FILE A CLAIM?

1. You must be at least *18 years old* to file a claim. If you are not yet 18, tell the clerk. You may ask the court to appoint a **guardian ad litem**. This is a person who will act for you in the case. The guardian ad litem is usually a parent, a relative, or an adult friend.
2. A person who sues in small claims court must first make a **demand**, if possible. This means that you have asked the defendant to pay, and the defendant has refused. If your claim is for possession of property, you must ask the defendant to give you the property.
3. Unless you fall within two technical exceptions, you must be the **original owner** of the claim. This means that if the claim is assigned, the buyer cannot sue in the small claims court.

You must also appear at the small claims hearing yourself unless you filed the claim for a corporation or other entity that is not a natural person.

4. If a corporation files a claim, an employee, an officer, or a director must act on its behalf. If the claim is filed on behalf of an association or another entity that is not a natural person, a regularly employed person of the entity must act on its behalf. A person who appears on behalf of a corporation or another entity must not be employed or associated solely for the purpose of representing the corporation or other entity in the small claims court. **You must file a declaration with the court to appear in any of these instances.** (See *Authorization to Appear*, form SC-109.)

WHERE CAN YOU FILE YOUR CLAIM?

You must sue in the right court and location. This rule is called **venue**. Check the court's local rules if there is more than one court location in the county handling small claims cases. If you file your claim in the wrong court, the court will dismiss the claim unless all defendants personally appear at the hearing and agree that the claim may be heard. The right location may be any of these:

1. Where the defendant lives or where the business involved is located;
2. Where the damage or accident happened;
3. Where the contract was signed or carried out;
4. If the defendant is a corporation, where the contract was broken; or
5. For a retail installment account or sales contract or a motor vehicle finance sale:
 - a. Where the buyer lives;
 - b. Where the buyer lived when the contract was entered into;
 - c. Where the buyer signed the contract; or
 - d. Where the goods or vehicle are permanently kept.

SOME RULES ABOUT THE DEFENDANT (including government agencies)

1. You must sue using the defendant's *exact legal name*. If the defendant is a business or a corporation and you do not know the exact legal name, check with the state or local licensing agency, the county clerk's office, or the Office of the Secretary of State, Corporate Status Unit, at www.sos.ca.gov/business. Ask the clerk for help if you do not know how to find this information. If you do not use the defendant's exact legal name, the court may be able to correct the name on your claim at the hearing or after the judgment.
2. If you want to sue a government agency, you must first file a claim with the agency before you can file a lawsuit in court. Strict time limits apply. If you are in a Department of Corrections or Youth Authority facility, you must prove that the agency denied your claim. Please attach a copy of the denial to your claim.
3. With very limited exceptions, the defendant must be served within the state of California.

HOW DOES THE DEFENDANT FIND OUT ABOUT THE CLAIM?

You must make sure the defendant finds out about your lawsuit. This has to be done according to the rules or your case may be dismissed or delayed. The correct way of telling the defendant about the lawsuit is called **service of process**. This means giving the defendant a copy of the claim. **YOU CANNOT DO THIS YOURSELF.** You should read form SC-104B, *What is "Proof of Service"?* Here are four ways to serve the defendant:

1. **Service by a law officer**—You may ask the marshal or sheriff to serve the defendant. A fee will be charged.
2. **Process server**—You may ask anyone who is *not a party* in your case and who is at least *18 years old* to serve the defendant. The person is called a **process server** and must personally give a copy of your claim to the defendant. The person must also sign a proof of service form showing when the defendant was served. Registered process servers will serve papers for a fee. You may also ask a friend or relative to do it.
3. **Certified mail**—You may ask the clerk of the court to serve the defendant by certified mail. The clerk will charge a fee. You should check back with the court before the hearing to see if the receipt for certified mail was returned to the court. **Service by certified mail must be done by the clerk's office except in motor vehicle accident cases involving out-of-state defendants.**
4. **Substituted service**—This method lets you serve another person instead of the defendant. You must follow the procedures carefully. You may also wish to use the marshal or sheriff or a registered process server.

* Exceptions: Different limits apply in an action against a defendant who is a guarantor. (See Code Civ. Proc., § 116.220(c).)

4. **Substituted service** (*continued*) A copy of your claim must be left at the defendant's business with the person in charge, **OR** at the defendant's home with a competent person who is at least 18 years old. The person who receives the claim must be told about its contents. Another copy must be mailed, first class postage prepaid, to the defendant at the address where the paper was left. The service is not complete until **10 days** after the copy is mailed.

5. **Timing and proof of service**—No matter which method of service you choose, the defendant must be served by a certain date, or the trial will be postponed. If the defendant lives in the county, service must be completed at least **15 days** before the trial date. This period is at least **20 days** if the defendant lives outside the county.

The person who serves the defendant must sign a court paper showing when the defendant was served. This paper is called a *Proof of Service* (form SC-104). It must be signed and returned to the court clerk as soon as the defendant has been served.

WHAT IF THE DEFENDANT ALSO HAS A CLAIM?

Sometimes the person who was sued (the **defendant**) will also have a claim against the person who filed the lawsuit (the **plaintiff**). This claim is called the *Defendant's Claim*. The defendant may file this claim in the same lawsuit. This helps to resolve all of the disagreements between the parties at the same time.

If the defendant decides to file the claim in the small claims court, the claim may not be for more than **\$6,250**, or **\$12,500** if the defendant is a natural person (*see exceptions on page 1**). If the value of the claim is more than this amount, the defendant may either give up the amount over **\$6,250** or **\$12,500** and sue in the small claims court or sue in the appropriate court for the full value of the claim. If the defendant's claim relates to the same contract, transaction, matter, or event that is the subject of your claim and exceeds the value amount for small claims court, the defendant may file the claim in the appropriate court and file a motion to transfer your claim to that court to resolve both claims together.

The defendant's claim must be served on the plaintiff at least **five days** before the trial. If the defendant received the plaintiff's claim **10 days** or less before the trial, then the claim must be served at least **one day** before the trial. Both claims will be heard by the court at the same time.

WHAT HAPPENS AT THE TRIAL?

Be sure you are on time for the trial. The small claims trial is informal. You must bring with you all witnesses, books, receipts, and other papers or things to prove your case. You may ask the witnesses to come to court voluntarily, or you may ask the clerk to issue a **subpoena**. A subpoena is a court order that *requires* the witness to go to trial. The witness has a right to charge a fee for going to the trial. If you do not have the records or papers to prove your case, you may also get a court order before the trial date requiring the papers to be brought to the trial. This order is called a *Small Claims Subpoena and Declaration* (form SC-107).

If you settle the case before the trial, you must file a **dismissal** form with the clerk.

The court's decision is usually mailed to you after the trial. It may also be hand delivered to you when the trial is over and after the judge has made a decision. The decision appears on a form called the *Notice of Entry of Judgment* (form SC-130 or SC-200).

WHAT HAPPENS AFTER JUDGMENT?

The court may have ordered one party to pay money to the other party. The party who wins the case and is owed the money is called the **judgment creditor**. The party who loses the case and owes the money is called the **judgment debtor**. Enforcement of the judgment is **postponed** until the time for appeal ends or until the appeal is decided. This means that the judgment creditor cannot collect any money or take any action until this period is over. Generally both parties may be represented by lawyers after judgment. More information about your rights after judgment is available on the back of the *Notice of Entry of Judgment*. The clerk may also have this information on a separate sheet.

HOW TO GET HELP WITH YOUR CASE

1. **Lawyers**—Both parties may ask a lawyer about the case, but a lawyer may not represent either party in court at the small claims trial. Generally, after judgment and on appeal, both parties may be represented by lawyers.
2. **Interpreters**—If you do not speak English well, ask the court clerk as soon as possible for a court-provided interpreter. You may use form INT-300 or a local court form to request an interpreter. If a court interpreter is not available at the time of your trial, it may be necessary to reschedule your trial. You cannot bring your own interpreter for the trial unless the interpreter has been approved by the court as a certified, registered, or provisionally qualified interpreter. (See Cal. Rules of Court, rule 2.893, and form INT-140.)
3. **Waiver of fees**—The court charges fees for some of its procedures. Fees are also charged for serving the defendant with the claim. The court may excuse you from paying these fees if you cannot afford them. Ask the clerk for the *Information Sheet on Waiver of Superior Court Fees and Costs* (form FW-001-INFO) to find out if you meet the requirements so that you do not have to pay the fees.
4. **Night and Saturday court**—If you cannot go to court during working hours, ask the clerk if the court has trials at **night** or on **Saturdays**.
5. **Parties who are in jail**—If you are in jail, the court may excuse you from going to the trial. Instead, you may ask another person who is not an attorney to go to the trial for you. You may mail written declarations to the court to support your case.
6. **Accommodations**—If you have a disability and need assistance, immediately ask the court to help accommodate your needs. If you are hearing impaired and need assistance, notify the court immediately.
7. **Forms**—You can get small claims forms and more information at the California Courts Self-Help Center website (www.courts.ca.gov/smallclaims), your county law library, or the courthouse nearest you.
8. **Small claims advisors**—The law requires each county to provide assistance in small claims cases free of charge. (*Small claims advisor information*):

This form is attached to Form SC-100, item 7. It tells the court that you are suing about a disagreement for \$6,250 or less in attorney fees and that you have tried to solve the disagreement through arbitration. Read page 2 of this form before you fill out this form. It explains your rights and some small claims terms.

1 How much money is in dispute? \$ _____ 2 You are (check one): [] Attorney [] Client

3 What did the arbitrator decide? (Check one):
a. [] The [] attorney [] client has to pay the other party this amount: \$ _____
b. [] Neither party has to pay the other party anything.

4 Write the date your Notice of Award was mailed here: _____ (Look at the bottom of the Notice.)

5 Why are you filing in small claims court now? (Check what you are asking the judge to do):
a. [] I want the court to confirm the award.
b. [] I want the court to correct the award because (check only one and explain below):
1. [] It contains an error in calculation or a mistake in describing someone or something in the award.
2. [] The arbitrator considered legal issues not allowed in this kind of hearing and the award can be corrected so it is fair.
3. [] It doesn't follow the rules for proper wording, information, or signature. (State Bar Rule 37.2 et seq.)
Explain: _____

c. [] I want the court to vacate (cancel) the award because (check only one and explain below):
1. [] It was obtained by fraud, corruption, or other unfair means.
2. [] The arbitrator was corrupt.
3. [] The arbitrator did something wrong that substantially hurt my case.
4. [] The arbitrator considered legal issues not allowed in this kind of hearing and the award cannot be corrected so it is fair.
5. [] The arbitrator unfairly refused to postpone my case or refused to consider important evidence that could help settle the dispute or conducted the hearing in another way that is not allowed.
6. [] The arbitrator knew of reasons why he or she could have been disqualified but did not disclose this information or did not disqualify himself or herself after I asked the arbitrator to do so at the proper time.
Explain: _____

[] Check here if you are asking for a new arbitration hearing.

d. [] I want a trial in small claims court to decide the fee dispute. (You can check this option only if you did not agree in writing to a binding award and you file this form within 30 days after the Notice of the Award.)

6 Did you (or your attorney) go to the arbitration hearing? [] Yes [] No (If no, explain below):

7 Attach a copy of the Arbitration Agreement and the Notice of Award (the arbitrator's decision). If you do not attach them, explain why here:

Date: _____ Type or print your name

Sign your name

Your name: _____

Case Number:

What is arbitration?

Arbitration is when a neutral person (an arbitrator) hears evidence from each side and then makes a decision (award) in your case. It is less formal than a trial in court.

Do I have to use arbitration for this dispute?

In most cases, yes. The only exceptions are:

- Parties who did not sign an agreement to arbitrate fee disputes *and*
- Clients who do not want to use arbitration. The attorney *must* use arbitration if the client asks for it.

What is *nonbinding* arbitration?

Nonbinding arbitration allows you *or* the other side to ask for a trial if either of you does not like the arbitrator's decision. You have 30 days after the notice is mailed to ask for a trial.

What is *binding* arbitration?

Binding arbitration means you and the other side gave up your right to a trial and must accept the arbitrator's decision. Your arbitration is binding if:

- Both sides agreed to binding arbitration in writing (after they disagreed about fees or costs) *or*
- 30 days or more have gone by since the nonbinding decision was mailed.

What if I agree with the award?

If your award is *nonbinding* and the other party does not file papers asking for a trial, the award becomes binding in 30 days.

If the award is *binding* and it says the other party owes you money, send a letter asking to be paid within a reasonable time. If you don't get paid, ask the court to "confirm" the award. This allows you to ask the court to order payment from the other party's paycheck, bank accounts or property. You must do this within 4 years after the notice of award. (See page 1, item 5a.)

What if I am not happy with the award?

You can ask the court to **correct** the award if it contains an obvious mistake in calculating a number or describing a person, thing, or property. (See page 1, item 5b.)

You can ask the court to **vacate (cancel)** the award if certain kinds of misconduct or mistakes happened in the arbitration. (See page 1, item 5c.)

You can reject the award and **ask for a trial** if you and the other party did not agree in writing to binding arbitration. (See page 1, item 5d.)

How long do I have to ask for a trial?

You have up to 30 days after the date the Notice of Award was mailed to you. Look for the date on the bottom of the notice. If you do not ask for a trial within 30 days, the award will become binding.

How long do I have to ask the court to vacate or correct the award?

In most cases you have up to 100 days after the date the Notice of Award was mailed to you. But if the other side asks the court to confirm, correct, or vacate the award, you must ask the court to correct or vacate the award before the court's deadline to answer the other side's request. Your Small Claims Advisor can give you more information on court deadlines.

Which court do I use for a trial or to confirm, correct, or vacate the award?

If a lawsuit has already been filed about the fee disagreement, file your papers in the same court and use same case number as in that lawsuit. (Before filing, you must serve all parties named in the claim.)

If no lawsuit has been filed about the fee disagreement, file in the court of the county where the arbitration was held and ask for a trial or ask the court to confirm, correct, or vacate the award.

- If the amount in disagreement is **\$6,250** or less, file in small claims court. Use Forms SC-100 and SC-101.
- If the amount in disagreement is more than **\$6,250**, file in superior court. See Form ADR-105.

What if an attorney doesn't pay the award?

If an attorney doesn't pay the award, the State Bar can help you. If you don't receive the award in 100 days after receiving the Notice of the Award, or if the award becomes a final judgment, contact the State Bar at:

Mandatory Fee Arbitration
180 Howard Street, 6th Floor
San Francisco, CA 94105-1639
415-538-2020

More Information

California has special laws for arbitration of disputes over attorney fees. For more information, see:

- State Bar of California Web site: www.calbar.org
- Form ADR-105, *Information Regarding Rights After Attorney-Client Fee Arbitration*
- Cal. Business & Professions Code, §§ 6200–6206

SC-500

Plaintiff's Claim and ORDER to Go to Small Claims Court (COVID-19 Rental Debt)

Clerk stamps date here when form is filed.

DRAFT
11/06/2023
NOT APPROVED
BY COUNCIL

THIS IS AN ACTION TO RECOVER COVID-19 RENTAL DEBT AS DEFINED UNDER CODE OF CIVIL PROCEDURE, § 1179.02. ACCESS TO RECORDS IN THIS CASE IS LIMITED UNDER CODE OF CIVIL PROCEDURE, § 1161.2.5.

Notice to the person being sued:

- You are the defendant if your name is listed in ② of this form or on form [SC-500A](#). The person suing you is the plaintiff, listed in ①.
- You and the plaintiff must go to court on the trial date listed below. If you do not go to court, you may lose the case. If you lose, the court can order that your wages, money, or property be taken to pay this claim. (**Note: This small claims case cannot result in your eviction.**) Bring witnesses, receipts, and any other evidence you need to prove your case.
- Read this form and all pages attached to understand the claim against you and to protect your rights, and read [SC-500-INFO, COVID-19 Rental Debt in Small Claims Court](#) for more information, at www.courts.ca.gov/forms.

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:

Case Name:

Aviso al Demandado:

- Usted es el Demandado si su nombre figura en ② de la página 2 de este formulario, o en el formulario SC-500A. La persona que lo demanda es el Demandante, la que figura en ① de la página 2.
- Usted y el Demandante tienen que presentarse en la corte en la fecha del juicio indicada a continuación. Si no se presenta, puede perder el caso. Si pierde el caso, la corte podría ordenar que le quiten de su sueldo, dinero u otros bienes para pagar este reclamo. (**Nota: Este caso de reclamos menores no puede resultar en un desalojo.**) Lleve testigos, recibos y cualquier otra prueba que necesite para probar su caso.
- Lea este formulario y todas las páginas adjuntas para entender la demanda en su contra y para proteger sus derechos, y lea [SC-500-INFO, La deuda de alquiler del COVID-19 en la corte de reclamos menores](#) para más información, en www.courts.ca.gov/forms.

Order to Go to Court

The people in ① and ② must go to court: (Clerk fills out section below.)

Trial Date	→ Date	Time	Department	Name and address of court, if different from above
	1. _____	_____	_____	_____
	2. _____	_____	_____	_____
	3. _____	_____	_____	_____
Date: _____		Clerk, by _____, Deputy		

Instructions for the person suing:

- You are the plaintiff. The person you are suing is the defendant.
- **Before** you fill out this form, read forms [SC-500-INFO](#) and [SC-100-INFO](#) to know your rights. Get the forms at any courthouse or county law library, or go to www.courts.ca.gov/forms.
- Fill out pages 2, 3, and 4 of this form. Make copies of all the pages of this form and any attachments—one for each party named in this case and an extra copy for yourself. Take or mail the original and the copies to the court clerk's office and pay the filing fee. The clerk will write the date of your trial in the box above. Your court may allow electronic filing. Check your local court website for information: www.courts.ca.gov/find-my-court.htm.
- You must have someone at least 18—not you or anyone else listed in this case—give each defendant a court-stamped copy of all pages of this form and any pages this form tells you to attach. See forms [SC-104](#) and [SC-104B](#).
- **Go to court on your trial date listed above.** Bring witnesses, receipts, and any evidence you need to prove your case.



Plaintiff (list names):

Case Number:

1 The plaintiff (the person, business, or public entity that is suing) is:

Name: _____ Phone: _____

Street address: _____
Street City State Zip

Mailing address (if different): _____
Street City State Zip

Email address (if available): _____

If more than one plaintiff, list next plaintiff here:

Name: _____ Phone: _____

Street address: _____
Street City State Zip

Mailing address (if different): _____
Street City State Zip

Email address (if available): _____

Check here if more than two plaintiffs and attach form [SC-500A](#).

Check here if either plaintiff listed above is doing business under a fictitious name and attach form [SC-103](#).

2 The defendant (the person being sued) is:

Name: _____ Phone: _____

Street address: _____
Street City State Zip

Mailing address (if different): _____
Street City State Zip

If more than one defendant, list next defendant here:

Name: _____ Phone: _____

Street address: _____
Street City State Zip

Mailing address (if different): _____
Street City State Zip

Check here if more than two defendants and attach form [SC-500A](#).

Check here if any defendant is on active military duty and write defendant's name here:



Plaintiff (list names):

Case Number:

3 The plaintiff claims the defendant owes \$ _____ for COVID-19 rental debt (unpaid rent or other financial obligations of a tenant that came due in the period from March 1, 2020, to September 30, 2021). (Code Civ. Proc., § 1179.02.) (Explain amount below.)

a. Rent. List all rent you claim defendant owes that came due in the period from March 1, 2020, to September 30, 2021. For each month you claim rent is due, include each amount due and the date it came due.

b. Other amounts of COVID-19 rental debt. List all unpaid financial obligations under the lease or rental agreement (other than rent) that you claim defendant owes and that came due during the period in (a) above. For each month you claim other financial obligations are due, include each amount, the date it came due, and what it was for (for example, parking fees or utilities included as part of the rental agreement).

Check here if you need more space. Attach one sheet of paper or form MC-031, and write "SC-500, Item 3" at the top.

4 Amounts paid or offsets.

List any amounts you received from defendant, rental assistance programs, and other third parties that you have already credited, and any other amounts you have offset or credited, for rent or other financial obligations due between March 1, 2020, and September 30, 2021, that you are not claiming in item 3 above. Include each amount, when it was paid or credited, and what it was for.

Check here if you need more space. Attach one sheet of paper or form MC-031, and write "SC-500, Item 4" at the top.

5 You must ask the defendant (in person, in writing, or by phone) to pay you before you sue. Have you done this?

Yes No If no, explain why not:



Plaintiff (list names):

Case Number:

6 Why are you filing your claim at this courthouse?

This courthouse covers the area (check one that applies):

- a. Where the defendant lives or does business.
b. Where the rental agreement, lease, or contract (written or spoken) was made, signed, performed, or broken by the defendant or where the defendant lived or did business when the defendant made the contract.
c. Other (specify):

7 List the zip code of the place checked in 6 above (if you know it):

8 Have you filed more than 12 other small claims within the last 12 months in California?

Yes No If yes, the filing fee for this case will be higher.

9 Plaintiff must make a good-faith effort to help defendant obtain rental assistance before filing this case. Check all that apply below. You must also attach documentation of those efforts or, if you do not have documentation, describe your effort below.

Plaintiff made a good-faith effort to help defendant obtain rental assistance before filing this case, as required under Code of Civil Procedure section 871.10(a), by:

- a. Investigating whether governmental rental assistance is available to the tenant;
b. Seeking governmental rental assistance for the tenant; or
c. Cooperating with the tenant's efforts to obtain rental assistance from any governmental entity or other third party.
Check here if documentation is attached. If not attached, describe your efforts below.

Three horizontal lines for describing efforts.

10 I understand that the court cannot issue a judgment for me if I have received rental assistance for the amounts I am claiming from defendant. (Both statements must be true.)

- a. I have not received rental assistance or other financial compensation from any other source corresponding to any of the amount claimed in item 3 above; and
b. I do not have any application pending for rental assistance or other financial compensation from any other source corresponding to any of the amount claimed in item 3 above.

11 I understand that by filing a claim in small claims court, I have no right to appeal this claim.

I declare under penalty of perjury under the laws of the State of California that the information above and on any attachments to this form is true and correct.

Date: Plaintiff types or prints name here Plaintiff signs here

Date: Second plaintiff types or prints name here Second plaintiff signs here



Requests for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the trial. For these and other accommodations, contact the clerk's office for Disability Accommodation Request (form MC-410). (Civ. Code, § 54.8.)



"Small claims court" is a special court where generally only claims for \$12,500 or less are decided. This limitation has been lifted for cases for recovery of COVID-19 rental debt.* The process is quick and cheap. The rules are simple and informal. You are the *defendant*—the person being sued. The person who is suing you is the *plaintiff*.

Do I need a lawyer? You may talk to a lawyer before or after the case. But you *may not* have a lawyer represent you in court (unless this is an appeal from a small claims case).

How do I get ready for court? Read form [SC-500-INFO, COVID-19 Rental Debt in Small Claims Court](#). You don't have to file any papers before your trial, unless you think this is the wrong court for your case. But bring to your trial any witnesses, receipts, and evidence that support your case. And read "Be Prepared for Your Trial" at www.courts.ca.gov/smallclaims/prepare.

Where can I get the court forms I need? Go to any courthouse or your county law library, or get forms at www.courts.ca.gov/forms.

What if I need an accommodation? If you have a disability or are hearing impaired, fill out form [MC-410, Disability Accommodation Request](#). Give the form to your court clerk or the ADA/Access Coordinator.

What if I don't speak English well? Ask the court clerk as soon as possible for a court-provided interpreter. You may use form [INT-300, Request for Interpreter \(Civil\)](#), or a local court form to request an interpreter. If a court interpreter is unavailable for your trial, it may be necessary to reschedule your trial. You cannot bring your own interpreter for the trial unless the interpreter has been approved by the court as a certified, registered, or provisionally qualified interpreter. (See Cal. Rules of Court, rule 2.893, and form [INT-140](#).)

What happens at the trial? The judge will listen to both sides. The judge may make a decision at your trial or mail the decision to you later.

What if I lose the case? If you lose, you may appeal. You'll have to pay a fee. (Plaintiffs cannot appeal their own claims.)

- If you were at the trial, file form [SC-140, Notice of Appeal](#). You must file within 30 days after the clerk hands or mails you the judge's decision (judgment) on form [SC-200](#) or form [SC-130, Notice of Entry of Judgment](#).
- If you were *not* at the trial, fill out and file form [SC-135, Notice of Motion to Vacate Judgment and Declaration](#), to ask the judge to cancel the judgment (decision). If the judge does not give you a new trial, you have 10 days to appeal the decision. File form [SC-140](#).

For more information on appeals, see www.courts.ca.gov/smallclaims/appeals.

Do I have options? Yes. If you are being sued, you can:

- **Settle your case before the trial.** If you and the plaintiff agree on how to settle the case before the trial, the plaintiff must file form [CIV-110, Request for Dismissal](#) or a written and signed settlement agreement with the clerk. Ask the Small Claims Advisor for help.

*Limits do not apply in an action to recover COVID-19 rental debt, which is unpaid rent or other financial obligations of a tenant that are due between March 1, 2020, and Sept. 30, 2021. (See Code Civ. Proc., §§ 116.223 & 1179.02.) Read [SC-500-INFO, COVID-19 Rental Debt in Small Claims Court](#).

- **Prove this is the wrong court.** Send a letter to the court *before* your trial explaining why you think this is the wrong court. Ask the court to dismiss the claim. You must serve (give) a copy of your letter (by mail or in person) to all parties. (Your letter to the court must say you have done so.)
- **Go to the trial and try to win your case.** Bring witnesses, receipts, and any evidence you need to prove your case. To have the court order a witness to go to the trial, fill out form [SC-107, Small Claims Subpoena and Declaration](#) and have it served on the witness.
- **Sue the person who is suing you.** If you have a claim against the plaintiff, and the claim is for \$12,500 or less, you may file *Defendant's Claim and ORDER to Go to Small Claims Court* (form [SC-120](#)) and bring the claim in this action. If your claim is for *more* than allowed in small claims court, you may still file it in small claims court if you give up the amount over the small claims value amount, or you may file a claim for the full value of the claim in the appropriate court. If your claim is for more than allowed in small claims court *and* relates to the same contract, transaction, matter, or event that is the subject of the plaintiff's claim, you may file your claim in the appropriate court and file a motion to transfer the plaintiff's claim to that court to resolve both matters together. You can see a description of the amounts allowed in the paragraph above, titled "**Small Claims Court.**"
- **Agree with the plaintiff's claim and pay the money.** Or, if you can't pay the money now, go to your trial and say you want to make payments.
- **Let the case "default."** If you don't settle and do not go to the trial (default), the judge may give the plaintiff what he or she is asking for plus court costs. If this happens, the plaintiff can legally take your money, wages, and property to pay the judgment. (But not your rental unit; this is not an eviction case.)

What if I need more time?

You can change the trial date if:

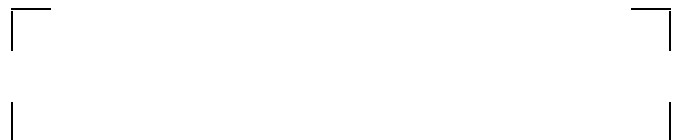
- You cannot go to court on the scheduled date (you will have to pay a fee to postpone the trial), *or*
- You did not get served (receive this order to go to court) at least 15 days before the trial (or 20 days if you live outside the county).

Ask the Small Claims Clerk about the rules and fees for postponing a trial. Or fill out form [SC-150](#) (or write a letter) and mail it to the court *and* to all other people listed on your court papers before the deadline. Enclose a check for your court fees, unless a fee waiver was granted.



Need help?

Your county's Small Claims Advisor can help for free.



Or go to www.courts.ca.gov/smallclaims/advisor.



La “Corte de reclamos menores” es una corte especial donde generalmente se deciden casos por \$12,500 o menos. Se suspendió este límite para acciones para reclamar una deuda de alquiler del COVID-19.* El proceso es rápido y económico. Las reglas son sencillas e informales. Usted es el Demandado—la persona que se está demandando. La persona que lo está demandando es el Demandante.

¿Necesito un abogado? Puede hablar con un abogado antes o después del caso. Pero no puede tener a un abogado que lo represente ante la corte (a menos que se trate de una apelación de un caso de reclamos menores).

¿Cómo me preparo para ir a la corte? Lea el formulario SC-500-INFO, *La deuda de alquiler del COVID-19 en la corte de reclamos menores*. No tiene que presentar ningún documento antes del juicio, a menos que piense que ésta es la corte equivocada para su caso. Pero lleve al juicio los testigos, recibos y pruebas que apoyan su caso. Y lea “Esté preparado para su juicio” en www.courts.ca.gov/reclamosmenores/preparesse.

¿Dónde puedo obtener los formularios de la corte que necesito? Vaya a cualquier edificio de la corte, la biblioteca legal de su condado, o imprima los formularios en www.courts.ca.gov/smallclaims/forms (página está en inglés).

¿Qué hago si necesito una modificación? Si tiene una discapacidad o tiene impedimentos de audición, puede llenar el formulario MC-410, *Solicitud de modificaciones para discapacidad*. Entregue el formulario al secretario de la corte o al Coordinador de Acceso/ADA de su corte.

¿Qué pasa si no hablo bien inglés? Solicite un intérprete al secretario de la corte lo más pronto posible. Puede usar el formulario INT-300 o un formulario de su corte local. Si no está disponible un intérprete de la corte para su juicio, es posible que se tenga que cambiar la fecha de su juicio. No puede llevar su propio intérprete para el juicio a menos que el intérprete haya sido aprobado por la corte como un intérprete certificado, registrado, o provisionalmente calificado. (Vea la regla 2.893 de las Reglas de la Corte de California, y el formulario INT-140.)

¿Qué pasa en el juicio? El juez escuchará a ambas partes. El juez puede tomar su decisión durante la audiencia o enviársela por correo después.

¿Qué pasa si pierdo el caso? Si pierde, puede apelar. Tendrá que pagar una cuota. (El Demandante no puede apelar su propio reclamo.)

- Si estuvo presente en el juicio, llene el formulario SC-140, *Aviso de apelación* (Notice of Appeal). Tiene que presentarlo dentro de 30 días después de que el secretario le entregue o envíe la decisión (fallo) del juez en el formulario SC-200 o SC-130, *Aviso de publicación del fallo* (Notice of Entry of Judgment).
- Si no estuvo en el juicio, llene y presente el formulario SC-135, *Aviso de petición para anular el fallo y Declaración* para pedirle al juez que anule el fallo (decisión). Si la corte no le otorga un nuevo juicio, tiene 10 días para apelar la decisión. Presente el formulario SC-140.

Para obtener más información sobre las apelaciones, vea www.courts.ca.gov/reclamosmenores/apelaciones.

¿Tengo otras opciones? Sí. Si lo están demandando, puede:

- **Resolver su caso antes del juicio.** Si usted y el Demandante se ponen de acuerdo en cómo resolver el caso antes del juicio, el Demandante tiene que presentar el formulario CIV-110 *Solicitud de desestimación* (Request for Dismissal) o un acuerdo de resolución escrito y firmado al secretario de la corte. Pídale al Asesor de Reclamos Menores que lo ayude.

*Los límites no se aplican a las acciones para reclamar una deuda de alquiler del COVID-19, que se define como alquiler u otras obligaciones financieras impagas de un inquilino que vencieron entre el 1 de marzo de 2020 y el 30 de septiembre de 2021. (Vea el Código de Procedimiento Civil, secciones 116.223 y 1179.02.) Lea el formulario SC-500-INFO, *La deuda de alquiler del COVID-19 en la corte de reclamos menores*.

- **Probar que es la corte equivocada.** Envíe una carta a la corte antes del juicio explicando por qué cree que es la corte equivocada. Pídale a la corte que despida el reclamo. Tiene que entregar (dar) una copia de su carta (por correo o en persona) a todas las partes. (Su carta a la corte tiene que decir que hizo la entrega.)
- **Ir al juicio y tratar de ganar el caso.** Lleve testigos, recibos y cualquier prueba que necesite para probar su caso. Si desea que la corte emita una orden de comparecencia para que los testigos vayan al juicio, llene el formulario SC-107, *Citatorio de reclamos menores* (Small Claims Subpoena) y entrégueselo legalmente al testigo.
- **Demandar a la persona que lo demandó.** Si tiene un reclamo contra el Demandante, y el reclamo se puede presentar en la corte de reclamos menores, tal como se describe en este formulario, puede presentar el formulario SC-120, *Reclamo del demandado* (Defendant's Claim) y presentarlo en este mismo caso. Si su reclamo excede el límite permitido en la corte de reclamos menores, puede igualmente presentarlo en la corte de reclamos menores si está dispuesto a limitar su reclamo al máximo permitido, o puede presentar un reclamo por el monto total en la corte apropiada. Si su reclamo excede el límite permitido en la corte de reclamos menores y está relacionado con el mismo contrato, transacción, asunto o acontecimiento que el reclamo del Demandante, puede presentar su reclamo en la corte apropiada y presentar una moción para transferir el reclamo del Demandante a dicha corte, para poder resolver los dos reclamos juntos. Puede ver una descripción de los montos permitidos en el párrafo anterior titulado “Corte de reclamos menores”.
- **Aceptar el reclamo del Demandante y pagar el dinero.** O, si no puede pagar en ese momento, vaya al juicio y diga que quiere hacer los pagos a plazos.
- **No ir al juicio y aceptar el fallo por falta de comparecencia.** Si no llega a un acuerdo con el Demandante y no va al juicio (fallo por falta de comparecencia), el juez le puede otorgar al Demandante lo que está reclamando más los costos de la corte. En ese caso, el Demandante legalmente puede tomar su dinero, su sueldo o sus bienes para cobrar el fallo. (Pero no su hogar alquilado; esto no es un caso de desalojo.)

¿Qué hago si necesito más tiempo? Puede cambiar la fecha del juicio si:

- No puede ir a la corte en la fecha programada (tendrá que pagar una cuota para aplazar el juicio), o
- No le entregaron los documentos legalmente (no recibió la orden para ir a la corte) por lo menos 15 días antes del juicio (o 20 días si vive fuera del condado).

Pregúntele al secretario de reclamos menores sobre las reglas y las cuotas para aplazar un juicio. O llene el formulario SC-150 (o escriba una carta) y envíelo antes del plazo a la corte y a todas las otras personas que figuran en sus papeles de la corte. Adjunte un cheque para pagar los costos de la corte, a menos que le hayan dado una exención.



¿Necesita ayuda? El Asesor de Reclamos Menores de su condado le puede ayudar sin cargo.

O visite www.courts.ca.gov/reclamosmenores/asesores.

ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NUMBER: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY DRAFT 11/07/2023 NOT APPROVED BY COUNCIL
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF: DEFENDANT: <input type="checkbox"/> DOES 1 TO	
COMPLAINT—UNLAWFUL DETAINER* <input type="checkbox"/> COMPLAINT <input type="checkbox"/> AMENDED COMPLAINT (Amendment Number):	
Jurisdiction (check all that apply): <input type="checkbox"/> ACTION IS A LIMITED CIVIL CASE (amount demanded does not exceed \$35,000) Amount demanded <input type="checkbox"/> does not exceed \$10,000 <input type="checkbox"/> exceeds \$10,000 <input type="checkbox"/> ACTION IS AN UNLIMITED CIVIL CASE (amount demanded exceeds \$35,000) <input type="checkbox"/> ACTION IS RECLASSIFIED by this amended complaint or cross-complaint (check all that apply): <input type="checkbox"/> from unlawful detainer to general unlimited civil (possession not in issue). <input type="checkbox"/> from limited to unlimited. <input type="checkbox"/> from unlawful detainer to general limited civil (possession not in issue). <input type="checkbox"/> from unlimited to limited.	

1. PLAINTIFF (name each):

alleges causes of action against DEFENDANT (name each):

2. a. Plaintiff is (1) an individual over the age of 18 years. (4) a partnership.
 (2) a public agency. (5) a corporation.
 (3) other (specify):
- b. Plaintiff has complied with the fictitious business name laws and is doing business under the fictitious name of (specify):

3. a. The venue is the court named above because defendant named above is in possession of the premises located at (street address, apt. no., city, zip code, and county):
- b. The premises in 3a are (check one)
 (1) within the city limits of (name of city):
 (2) within the unincorporated area of (name of county):
- c. The premises in 3a were constructed in (approximate year):

4. Plaintiff's interest in the premises is as owner other (specify):
5. The true names and capacities of defendants sued as Does are unknown to plaintiff.

* NOTE: Do not use this form for evictions after sale (Code Civ. Proc., § 1161a).

PLAINTIFF: DEFENDANT:	CASE NUMBER:
--------------------------	--------------

6. a. On or about *(date)*:
defendant (name each):
- (1) agreed to rent the premises as a month-to-month tenancy other tenancy *(specify)*:
(2) agreed to pay rent of \$ _____ payable monthly other *(specify frequency)*:
(3) agreed to pay rent on the first of the month other day *(specify)*:
- b. This written oral agreement was made with
(1) plaintiff. (3) plaintiff's predecessor in interest.
(2) plaintiff's agent. (4) Other *(specify)*:
- c. The defendants not named in item 6a are
(1) subtenants.
(2) assignees.
(3) Other *(specify)*:
- d. The agreement was later changed as follows *(specify)*:
- e. A copy of the written agreement, including any addenda or attachments that form the basis of this complaint, is attached and labeled Exhibit 1. *(Required for residential property, unless item 6f is checked. See Code Civ. Proc., § 1166.)*
- f. *(For residential property)* A copy of the written agreement is **not** attached because *(specify reason)*:
(1) *the written agreement is not in the possession of the landlord or the landlord's employees or agents.*
(2) *this action is solely for nonpayment of rent (Code Civ. Proc., § 1161(2)).*
7. The tenancy described in 6 *(complete (a) or (b))*
a. is **not** subject to the Tenant Protection Act of 2019 (Civil Code, § 1946.2). The specific subpart supporting why tenancy is exempt is *(specify)*:
b. is subject to the Tenant Protection Act of 2019.
8. *(Complete only if item 7b is checked. Check all applicable boxes.)*
a. The tenancy was terminated for at-fault just cause (Civil Code, § 1946.2(b)(1)).
b. The tenancy was terminated for no-fault just cause (Civil Code, § 1946.2(b)(2)) and the plaintiff *(check one)*
(1) waived the payment of rent for the final month of the tenancy, before the rent came due, under section 1946.2(d)(2), in the amount of \$ _____
(2) provided a direct payment of one month's rent under section 1946.2(d)(3), equaling \$ _____ to *(name each defendant and amount given to each)*:
- c. Because defendant failed to vacate, plaintiff is seeking to recover the total amount in 8b as damages in this action.
9. a. Defendant *(name each)*:

was served the following notice on the same date and in the same manner:
- (1) 3-day notice to pay rent or quit (5) 3-day notice to perform covenants or quit
(not applicable if item 7b checked)
(2) 30-day notice to quit (6) 3-day notice to quit under Civil Code, § 1946.2(c)
Prior required notice to perform covenants served *(date)*:
(3) 60-day notice to quit (7) Other *(specify)*:
(4) 3-day notice to quit

PLAINTIFF: DEFENDANT:	CASE NUMBER:
--------------------------	--------------

9. b. (1) On *(date)*: _____ the period stated in the notice checked in 9a expired at the end of the day.
 (2) Defendants failed to comply with the requirements of the notice by that date.
- c. All facts stated in the notice are true.
- d. The notice included an election of forfeiture.
- e. A copy of the notice is attached and labeled Exhibit 2. *(Required for residential property. See Code Civ. Proc., § 1166. When Civil Code, § 1946.2(c), applies and two notices are required, provide copies of both.)*
- f. One or more defendants were served (1) with the prior required notice under Civil Code, § 1946.2(c), (2) with a different notice, (3) on a different date, or (4) in a different manner, as stated in Attachment 10c. *(Check item 10c and attach a statement providing the information required by items 9a–e and 10 for each defendant and notice.)*
10. a. The notice in item 9a was served on the defendant named in item 9a as follows:
- (1) By personally handing a copy to defendant on *(date)*: _____
- (2) By leaving a copy with *(name or description)*: _____
 a person of suitable age and discretion, on *(date)*: _____ at defendant's
 residence business AND mailing a copy to defendant at defendant's place of residence
 on *(date)*: _____ because defendant cannot be found at defendant's residence or usual place of business.
- (3) By posting a copy on the premises on *(date)*: _____
 AND giving a copy to a person found residing at the premises AND mailing a copy to defendant at the premises
 on *(date)*: _____
 (a) because defendant's residence and usual place of business cannot be ascertained OR
 (b) because no person of suitable age or discretion can be found there.
- (4) *(Not for 3-day notice; see Civil Code, § 1946, before using)* By sending a copy by certified or registered mail
 addressed to defendant on *(date)*: _____
- (5) *(Not for residential tenancies; see Civil Code, § 1953, before using)* In the manner specified in a written
 commercial lease between the parties
- b. *(Name)*: _____
 was served on behalf of all defendants who signed a joint written rental agreement.
- c. *Information about service of notice on the defendants alleged in item 9f is stated in Attachment 10c.*
- d. *Proof of service of the notice in item 9a is attached and labeled Exhibit 3.*
11. *Plaintiff demands possession from each defendant because of expiration of a fixed-term lease.*
12. *At the time the 3-day notice to pay rent or quit was served, the amount of **rent due** was \$ _____*
13. *The fair rental value of the premises is \$ _____ per day.*
14. *Defendant's continued possession is malicious, and plaintiff is entitled to statutory damages under Code of Civil Procedure section 1174(b). (State specific facts supporting a claim up to \$600 in Attachment 14.)*
15. *A written agreement between the parties provides for attorney fees.*
16. *Defendant's tenancy is subject to the local rent control or eviction control ordinance of (city or county, title of ordinance, and date of passage): _____*

Plaintiff has met all applicable requirements of the ordinances.

17. *Other allegations are stated in Attachment 17.*
18. Plaintiff accepts the jurisdictional limit, if any, of the court.

PLAINTIFF: DEFENDANT:	CASE NUMBER:
--------------------------	--------------

19. PLAINTIFF REQUESTS

- a. possession of the premises.
- b. costs incurred in this proceeding:
- c. past-due rent of \$
- d. reasonable attorney fees.
- e. forfeiture of the agreement.
- f. damages in the amount of waived rent or relocation assistance as stated in item 8: \$
- g. damages at the rate stated in item 13 from
date:
for each day that defendants remain in possession through entry of judgment.
- h. statutory damages up to \$600 for the conduct alleged in item 14.
- i. other (*specify*):

20. Number of pages attached (*specify*):

UNLAWFUL DETAINER ASSISTANT (Bus. & Prof. Code, §§ 6400–6415)

21. (*Complete in all cases.*) An unlawful detainer assistant did **not** did for compensation give advice or assistance with this form. (*If declarant has received any help or advice for pay from an unlawful detainer assistant, complete a–f.*)

- a. Assistant's name:
- b. Street address, city, and zip code:
- c. Telephone no.:
- d. County of registration:
- e. Registration no.:
- f. Expires on (*date*):

Date: _____

(TYPE OR PRINT NAME)

 (SIGNATURE OF PLAINTIFF OR ATTORNEY)

VERIFICATION

(Use a different verification form if the verification is by an attorney or for a corporation or partnership.)

I am the plaintiff in this proceeding and have read this complaint. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____

(TYPE OR PRINT NAME)

 (SIGNATURE OF PLAINTIFF)

For your protection and privacy, please press the Clear This Form button after you have printed the form.

Print this form

Save this form

Clear this form

RULES COMMITTEE ACTION REQUEST FORM

Rules Committee Meeting Date: 12/7/2023

Rules Committee action requested [Choose from drop down menu below]:
Circulate for comment (September 1 cycle)

Title of proposal: Criminal Procedure: Racial Justice Act

Proposed rules, forms, or standards (include amend/revise/adopt/approve):

Amend Cal. Rules of Court, rules 4.551, 8.385, and 8.386; revise forms HC-001, CR-187, and CR-188

Committee or other entity submitting the proposal:

AAC, CLAC

Staff contact (name, phone and e-mail): Sarah Fleischer-Ihn, 415-865-7702, sarah.fleischer-ihn@jud.ca.gov
 Kendall Hannon, 415-865-7653, kendall.hannon@jud.ca.gov

Identify project(s) on the committee's annual agenda that is the basis for this item:

Annual agenda approved by Rules Committee on (date): 10/26/23

Project description from annual agenda: AAC: This is a joint project with the Criminal Law Advisory Committee to develop a proposal to amend various habeas corpus rules and revise certain forms used in post-conviction proceedings to implement the Racial Justice Act (AB 2542 from 2020) and AB 256 from 2022 (which made the Racial Justice Act apply retroactively).

CLAC: Amend California Rules of Court, rule 4.451, Habeas Corpus proceedings, and revise Petition for Writ of Habeas Corpus (form HC-001) to incorporate habeas corpus proceedings under Penal Code section 745 and 1473(f). Revise Motion to Vacate Conviction or Sentence (form CR-187), and Order on Motion to Vacate Conviction or Sentence (form CR-188) to incorporate requests for relief under Penal Code section 745 and 1473.7(a)(3).

Out of Cycle: *If requesting September 1 effective date or out of cycle, explain why:*

This proposal would implement a change in the law that is already in effect.

Additional Information for Rules Committee: (To facilitate Rules Committee's review of your proposal, please include any relevant information not contained in the attached summary.)

Additional Information for JC Staff (provide with reports to be submitted to JC):

- **Form Translations** (check all that apply)

This proposal:

- includes forms that have been translated.
- includes forms or content that are required by statute to be translated. Provide the code section that mandates translation: [Click or tap here to enter text.](#)
- includes forms that staff will request be translated.

- **Form Descriptions** (for any proposal with new or revised forms)

The forms in this proposal will require new or revised form descriptions on the JC forms webpage. (If this is checked, the form descriptions should be approved by a supervisor before submitting this RAR.)

- **Self-Help Website** (check if applicable)

This proposal may require changes or additions to self-help web content.



Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688

www.courts.ca.gov/policyadmin-invitationstocomment.htm

INVITATION TO COMMENT

W24-01

Title

Criminal Procedure: Racial Justice Act

Action Requested

Review and submit comments by January 19, 2024

Proposed Rules, Forms, Standards, or Statutes

Amend Cal. Rules of Court, rules 4.551, 8.385, and 8.386; revise forms HC-001, CR-187, and CR-188

Proposed Effective Date

September 1, 2024

Proposed by

Appellate Advisory Committee
Hon. Louis R. Mauro, Chair

Contact

Kendall Hannon, 415-865-7653
kendall.hannon@jud.ca.gov

Criminal Law Advisory Committee
Hon. Brian. M. Hoffstadt, Chair

Sarah Fleischer-Ihn, 415-865-7702
sarah.fleischer-ihn@jud.ca.gov

Executive Summary and Origin

The Appellate Advisory Committee and the Criminal Law Advisory Committee propose amending rules 4.551, 8.385, and 8.386 of the California Rules of Court and revising *Petition for Writ of Habeas Corpus* (form HC-001), *Motion to Vacate Conviction or Sentence* (form CR-187), and *Order on Motion to Vacate Conviction or Sentence* (form CR-188) to implement the Racial Justice Act, which prohibits the state from seeking or obtaining a conviction or sentence based on race, ethnicity, or national origin.

Background

The Racial Justice Act of 2020 (Assem. Bill 2542; Stats. 2020, ch. 317) enacted Penal Code section 745,¹ which prohibits the state from seeking or obtaining a conviction or sentence on the basis of race, ethnicity, or national origin and allows defendants to make claims for relief based on violations of this Act. This legislation applied prospectively to cases in which a judgment was entered on or after January 1, 2021. The bill allowed defendants to file motions in the trial court

¹ All further references are to the Penal Code unless otherwise specified.

This proposal has not been approved by the Judicial Council and is not intended to represent the views of the council, its Rules Committee, or its Legislation Committee. It is circulated for comment purposes only.

for claims under section 745 or, if judgment had been entered, a petition for writ of habeas corpus or a motion to vacate a conviction or sentence under section 1473.7 (§ 745(b)). The Act also added provisions to sections 1473 and 1473.7 specifically addressing claims raised under section 745 (§§ 1473(f)² and 1473.7(a)(3)).

Two years later, Assembly Bill 256 (Stats. 2022, ch. 739) made relief under section 745 apply retroactively to final judgments. This retroactive relief occurs in phases. Beginning on January 1, 2023, cases in which a petitioner was sentenced to death or facing actual or potential immigration consequences related to the conviction or sentence could seek retroactive relief. On January 1, 2024, the eligibility expands to petitioners who are currently incarcerated “in the state prison or in a county jail pursuant to subdivision (h) of Section 1170,³ or committed to the Division of Juvenile Justice for a juvenile disposition.” Finally, on January 1, 2025, and January 1, 2026, the eligibility extends to all felony convictions.

Section 745(b) was recently further amended effective January 1, 2024 to authorize petitioners with a claim based on the trial record to raise the claim on direct appeal and to move to stay an appeal and request remand to the superior court to file a motion for relief under section 745(a). (See Assem. Bill 1118 (Stats. 2023, ch. 464).) Additionally, AB 1118 eliminates the clause “if judgment has been imposed” before the clause authorizing the filing of a petition for writ of habeas corpus or a motion to vacate a conviction or sentence under section 1473.7.

The Judicial Council has rules of court that govern noncapital habeas corpus proceedings in both the superior courts (Cal. Rules of Court, rules 4.550–4.552) and appellate courts (Cal. Rules of Court, rules 8.380–8.388). The Judicial Council also has approved forms for a petition for writ of habeas corpus (form HC-001) and a motion and order to vacate a conviction or sentence under section 1473.7(a)(1) and (2) (forms CR-187 and CR-188). However, these rules and forms do not currently incorporate claims under section 745. To reflect each committee’s respective subject matter expertise, the Criminal Law Advisory Committee led the development of the proposed amendments to rule 4.551 and revisions to forms CR-187 and CR-188 as they primarily impact the trial courts. The Appellate Advisory Committee led the development of the proposed amendments to rules 8.385 and 8.386 on petitions for writ of habeas corpus in the appellate courts. Both committees developed the proposed revisions to form HC-001.

The Proposal

Rule 4.551, Habeas corpus proceedings

Rule 4.551 establishes procedures for habeas corpus petitions filed in the trial court in noncapital cases. The committees identified the following differences between the general procedures for petitions for writ of habeas corpus established by this rule and the procedures established by statute for petitions with claims under section 745(a) and propose the following amendments to

² This will be relettered as subdivision (e) effective January 1, 2024 (See Sen. Bill 97 (Stats. 2023, ch. 381)).

³ Under section 1170(h), imprisonment for certain felonies is served in the county jail, with specified exceptions.

rule 4.551.

- A petition for writ of habeas corpus with a claim under section 745(a) “shall state if the petitioner requests appointment of counsel and the court shall appoint counsel if the petitioner cannot afford counsel...” (§ 1473(f).) Rule 4.551 does not currently require that a petition for writ of habeas corpus include such a request, and counsel is appointed if the court issues an order to show cause and the petitioner is unrepresented and desires but cannot afford counsel. (Cal. Rules of Court, rule 4.551(c)(2).) To reflect these distinctions, the committees propose:
 - Revising subdivision (a)(3) to add subparagraph (A) to state that a postjudgment petition raising a claim under section 745(a) must include whether the petitioner requests appointment of counsel and whether the petitioner can afford counsel.
 - Adding new subdivision (d), Appointment of counsel, to incorporate, as paragraph (1), existing language that upon issuing an order to show cause, a court must appoint counsel for any unrepresented petitioner who desires but cannot afford counsel and add new paragraph (2) on appointment of counsel when requested in a postjudgment petition raising a claim under section 745(a). In these instances, the court must appoint counsel if the petitioner cannot afford counsel and either the petition alleges facts that would establish a violation of section 745(a) or the State Public Defender requests that counsel be appointed, and that newly appointed counsel may amend a petition filed before their appointment.
- If a petitioner with a claim under section 745(a) has an undecided habeas corpus petition pending in state court, the petitioner may amend the existing petition with a claim the petitioner’s conviction or sentence violated section 745(a). (*Ibid.*) Rule 4.551 does not currently address amending an undecided habeas corpus petition with a new claim, so the committees propose revising subdivision (a)(3) to add subparagraph (B) to state that if a petitioner has an undecided habeas corpus petition pending in superior court, the petitioner may amend the existing petition with a claim the petitioner’s conviction or sentence violated section 745(a).
- If a claim under section 745(a) is based in whole or in part on conduct or statements by the judge, the judge shall disqualify themselves from further proceedings. (§ 745(b).) Rule 4.551 does not currently address disqualification of a judge, so the committees propose renumbering current subdivision (a)(3) as (a)(4) and adding subparagraph (C) to state that if a postjudgment petition raises a claim under section 745(a) that is based on conduct or statements by a judge, the judge must disqualify themselves from proceedings under section 745.

- If the court issues an order to show cause on a claim raised under section 745(a), the court must hold an evidentiary hearing, unless the state declines to show cause. The defendant may appear remotely, and the court may conduct the hearing with remote technology unless counsel indicates the defendant's presence in court is needed. (§ 1473(e).) Rule 4.551 currently provides that an evidentiary hearing is only required after the issuance of an order to show cause if the court finds there is a reasonable likelihood that the petitioner may be entitled to relief and the relief depends on the resolution of an issue of fact. (Cal. Rules of Court, rule 4.551(f).) The committees propose renumbering subdivision (f), Evidentiary hearing; when required, as subdivision (g) and adding paragraph (2) as an exception applying when an order to show cause is issued for a claim raised under Penal Code section 745(a) to state that the court must hold an evidentiary hearing unless the state declines to show cause, and allow for the use of remote technology as appropriate.
- If the court determines that the petitioner has not established a prima facie showing of entitlement to relief for a claim under section 745(a), the court must include the factual and legal basis for its conclusion on the record or in a detailed written order. (*Ibid.*) Rule 4.551 currently provides that any order denying a petition for writ of habeas corpus must contain a brief statement of the reasons for denial. (Cal. Rules of Court, rule 4.551(g).) The committees propose renumbering subdivision (g), Reasons for denial of petition, as subdivision (h) and adding paragraph (2) as an exception applying to denials under section 745(a) to require the court to include the factual and legal basis for its conclusion on the record or in a detailed written order.

Appointment of counsel

There was significant discussion about when counsel should be appointed for a petition for writ of habeas corpus raising a claim under section 745(a). In noncapital petitions for writ of habeas corpus, the court must appoint counsel if an order to show cause is issued based on a prima facie showing that the petitioner is entitled to relief. (Cal. Rules of Court, rule 4.551(c)(1), (c)(2).) For a petition for writ of habeas corpus with a claim under section 745(a), section 1473(e) states that:

The petition shall state if the petitioner requests appointment of counsel and the court shall appoint counsel if the petitioner cannot afford counsel and either the petition alleges facts that would establish a violation of subdivision (a) of Section 745 or the State Public Defender requests counsel be appointed. Newly appointed counsel may amend a petition filed before their appointment. The court shall review a petition raising a claim pursuant to Section 745 and shall determine if the petitioner has made a prima facie showing of entitlement to relief. If the petitioner makes a prima facie showing that the petitioner is entitled to relief, the court shall issue an order to show cause why relief shall not be granted and hold an evidentiary hearing, unless the state declines to show.

One interpretation of the statutory language is that, unless the State Public Defender requests appointment, the court appoints counsel only if it issues an order to show cause, similar to appointment of counsel for other noncapital petitions for writ of habeas corpus.

Another interpretation, however, is that where a petition for writ of habeas corpus raises a claim under section 745(a), counsel must be appointed *before* an order to show cause is issued. Under this interpretation, the “facts that would establish a violation” standard of section 1743(e) is distinct from the prima facie showing that would be required for an order to show cause. Reinforcing this interpretation is the fact that the statute allows newly appointed counsel to amend a petition filed before their appointment and that this provision precedes the discussion of the prima facie showing required for issuance of an order to show cause.

Ultimately, the committees decided that both interpretations could be accommodated by creating a new appointment of counsel subdivision in the rule, proposed as rule 4.551(d). Current language about appointment of counsel in the existing “Order to show cause” section would be moved to the new subdivision, and a new paragraph (2) addressing petitions for writ of habeas corpus with a claim under section 745(a) would be added:

When a petition raises a claim under Penal Code section 745(a) and requests appointment of counsel, the court must also appoint counsel if the petitioner cannot afford counsel and either the petition alleges facts that would establish a violation of section 745(a) or the State Public Defender requests that counsel be appointed. Newly appointed counsel may amend a petition filed before their appointment.

Rules 8.385 and 8.386, habeas proceedings on appeal

Rule 8.385 establishes procedures for petitions for a writ of habeas corpus filed in the Supreme Court or Court of Appeal. Currently, rule 8.385(f) provides that when a return is ordered to be filed in the Supreme Court or the Court of Appeal, rule 8.386 applies and the “court in which the return is ordered filed must appoint counsel for any unrepresented petitioner who desires but cannot afford counsel.”

To reflect the Racial Justice Act’s appointment of counsel provision, this proposal would remove the appointment of counsel language from rule 8.385(f) and add a new subdivision entitled “Appointment of counsel.” Subdivision (g)(1) would contain the appointment of counsel language currently contained in rule 8.385(f), which applies when the reviewing court issues an order to show cause. Subdivision (g)(2) would apply where the petition raises a claim under section 745(a) and would require the reviewing court to appoint counsel where the petitioner requests counsel, cannot afford counsel, and either the petition alleges facts that would establish a violation of section 745(a) or the State Public Defender requests counsel be appointed. This provision would substantively mirror proposed rule 4.551(d)(2) discussed above.

Rule 8.386 establishes the procedures that apply when a return to a petition for writ of habeas corpus is ordered to be filed in the Supreme Court or the Court of Appeal. Subdivision (f) identifies when the reviewing court must hold an evidentiary hearing. The committees propose amending subdivision (f)(2) to reflect that if the reviewing court issues an order to show cause on a claim raised under section 745(a), an evidentiary hearing must be held unless the state declines to show cause. This provision substantively mirrors the language of proposed rule 4.551(d)(2) discussed above. Current rule 8.386(f)(2) would be renumbered as rule 8.386(f)(3).

Petition for Writ of Habeas Corpus (form HC-001)

Form HC-001 can be used to petition a superior court, a Court of Appeal, or the Supreme Court for a writ of habeas corpus.⁴ Under the California Rules of Court, a self-represented person must use form HC-001 to petition any of these courts for a writ of habeas corpus, with exceptions for good cause. (Cal. Rules of Court, rules 4.551(a)(1), 8.380(a).) Form HC-001 is designed to provide the court with sufficient information to either issue an order to show cause, deny the petition, or request an informal response.

Changes to implement the Racial Justice Act

Under section 1473(f), a person may file a petition for writ of habeas corpus based on a claim under section 745(a). The committees propose the following revisions to form HC-001 to incorporate claims under section 745(a):

- Add a check box to indicate that the petition concerns “A violation of the Racial Justice Act under Penal Code section 745(a);” and
- Add new item 18 specifically relating to claims under section 745(a), including allowing a petitioner to (1) request counsel and indicate if they cannot afford counsel; and (2) request permission to amend a pending petition for writ of habeas corpus and include the court and case number of the pending petition. (§ 1473(e).)

Other subitems in item 18 are discussed in detail below.

Successive or abusive claims: Section 1473(f) states that “A petition raising a claim of this nature for the first time, or on the basis of new discovery provided by the state or other new evidence that could not have been previously known by the petitioner with due diligence, shall not be deemed a successive or abusive petition.”

The committees discussed whether existing items on form HC-001 that address successive or abusive petitions would allow a petitioner with a claim under section 745(a) to sufficiently explain why the petition should not be deemed successive or abusive. The committees view is that existing items 7 (whether the case was directly appealed, what issues were raised, and the result), 10, and 11⁵ (regarding whether any other petition, application, or motion regarding the conviction, commitment, or issue was filed, what issues were raised, and the result) apply to

⁴ Note that rule 4.571 contains different requirements in death penalty-related habeas corpus proceedings.

⁵ Items 10 and 11 on form HC-001 have been renumbered as items 11 and 12 on the proposed form.

petitions raising claims under section 745(a) and could determine whether the same or similar issues were previously raised. In addition, the committees propose revising item 14 to allow petitioners to explain any delay in the discovering or presenting of the claims for relief and to add a citation to section 1473(f).

The committees also propose including a question in item 18e for the petitioner to indicate if they are raising this claim for the first time. If the petitioner is raising the claim again, the item directs the petitioner to state whether the claim is being raised again because of evidence that could not have previously been known to the petitioner.

Disqualification of judge: Section 745(b) states that, “If the motion is based in whole or in part on conduct or statements by the judge, the judge shall disqualify themselves from any further proceedings under this section.” The committee discussed whether this was intended to apply to a petition for writ of habeas corpus as well and concluded that it would not make sense to limit disqualification only to motions, and therefore propose including item 18b, for the petitioner to indicate if there is potential judicial conflict and if so, to identify the judge.

Retroactivity and timeliness of the petition: Section 745(j) added a phased-in retroactive application for claims under section 745(a). Petitioners may file at any time if a judgment is not final, and then as follows:

- On or after January 1, 2023, for a petition for writ of habeas corpus where the petitioner is sentenced to death or a motion to vacate a sentence or conviction under section 1473.7 due to potential or actual immigration consequences related to the sentence or conviction;
- On or after January 1, 2024, for a petition for writ of habeas corpus where the petitioner is currently serving a felony sentence in a state prison or in a county jail under section 1170(h);
- On or after January 1, 2025, for a petition for writ of habeas corpus or a motion to vacate a conviction or sentence under section 1473.7 for a felony conviction where judgment became final on or after January 1, 2015; or
- On or after January 1, 2026 for a petition for writ of habeas corpus or a motion to vacate a conviction or sentence under section 1473.7 for all felony convictions.

(§ 745(j).)

The committees propose adding corresponding check boxes for petitioners to indicate the timeliness of the petition under section 745(j) (see item 18):

18. Answer the following questions if you are raising a claim of violation of the Racial Justice Act under Penal Code section 745(a):

- a. Indicate which of the following apply to the case in which you are making a claim for violation of Penal Code section 745(a) (check all that apply):
- (1) Judgment is not final,
 - (2) You were sentenced to death,
 - (3) You are currently serving a sentence in the state prison or county jail under Penal Code 1170(h) for the felony conviction in which you are raising a Racial Justice Act claim,
 - (4) It is filed on or after January 1, 2025, and judgment became final for a felony conviction on or after January 1, 2015, or
 - (5) It is filed on or after January 1, 2026, and judgment is for a felony conviction.

The committees considered deleting the “judgment is not final” check box, since a motion in the trial court is appropriate for a case pending without judgment. However, the committees opted to include the check box in the proposal, as “judgment is not final” could also apply to cases where judgment was imposed but is currently being appealed.⁶ Additionally, there was discussion of whether the amendments to section 745(b) by AB 1118 eliminating the clause “when judgment is imposed” before the clause authorizing the filing of a petition for writ of habeas corpus could be construed as allowing pre-judgment petitions for writ of habeas corpus for section 745(a) relief.⁷ In light of these issues, the committees seek specific comments on whether the “judgment is not final” check box should be deleted or modified. Additionally, as discussed in the Alternatives Considered section, the committees also seek specific comments on whether item 18(a)(2), a check box indicating that the petitioner was sentenced to death, should be deleted due to the procedural distinctions of death penalty-related habeas proceedings.

The committees propose the following technical revisions to form HC-001 for consistency and clarity:

- Replace the reference to a CDC number to a CDCR number;
- Add criminal sentence to the instructions and item 11, as an example of what can be challenged in a petition;
- Update the citations about the rules of court requiring use of the form on page 1 to include rule 4.551;
- Add new item 2b for a petitioner to indicate if they are on supervised release;
- Revise item 3 to refer to supervised release;
- Replace “ground” and “grounds” with “claim” and “claims” for consistency throughout the form;
- Renumber item 8 as item 7, and renumber subsequent items;
- Add “all issues raised” to items 7, 8, and 12;
- Add a question requesting the case number or opinion citation to items 12a and 12b, and reorder sub-items for consistency with items 7 and 8; and

⁶ Where a conviction has been entered and a sentence imposed, but an appeal is pending, the judgment is not yet final. (See *People v. Shabazz*, 237 Cal.App.4th 303, 312.)

⁷ Conversely, the committees note that section 1473(f) states that a petition for writ of habeas corpus is appropriate after “judgment has been entered.”

- Add a note at the bottom of the form to alert petitioners to use an additional page for any answer on the petition that requires more space.

Motion to Vacate Conviction or Sentence (form CR-187) and Order on Motion to Vacate Conviction or Sentence (form CR-188)

Motion to Vacate a Conviction or Sentence (form CR-187) allows a petitioner to file a motion for relief under sections 1016.5, 1473.7(a)(1), and 1473.7(a)(2), and *Order on Motion to Vacate Conviction or Sentence* (form CR-188) allows a court to grant or deny the requested relief.

Changes to implement the Racial Justice Act in form CR-187

Under section 1473.7(a)(3), a person who is out of custody may file a motion to vacate a conviction or sentence based on a claim under section 745(a). The committees propose adding new item 5 to form CR-187 to incorporate claims under section 745(a).⁸

Retroactivity and timeliness of the petition: Section 745(j) added a phased-in retroactive application for claims under section 745(a).⁹ Item 5a proposes corresponding check boxes for a moving party to indicate the timeliness of the petition under section 745(j). As discussed earlier in the proposal, the committees seek specific comments on whether the “judgment is not final” check box should be deleted or modified.

Filed without undue delay: The motion must be “filed without undue delay from the date the moving party discovered, or could have discovered with the exercise of due diligence, the evidence that provides a basis for relief under this section or Section 745.” (§ 1473.7(c).) To incorporate these standards, the committees propose adding item 5c, discovery of violation, and 5d, supporting facts, for the moving party to provide the date the party learned of the grounds for relief and to describe the facts of their grounds for relief and why they did not bring a motion sooner.

Additional claims under section 745:

- Item 5b allows a moving party to indicate the grounds for relief under section 745(a).
- Item 5e allows a moving party to indicate if there is potential judicial conflict, and if so, to identify the judge (see § 745(b)).
- Item 5f allows a moving party to request a motion for disclosure, and describe the records or information needed and why they are needed (see § 745(d)).

⁸ Existing items 6-8, renumbered in this proposal as items 7-9, are also made applicable to motions for relief under section 745(a). These items allow a moving party to request: a hearing without their personal presence (§ 1473.7(d)), the court to vacate the conviction or sentence (§ 1473.7(e)(1)), and the withdrawal of a previously entered guilty or nolo contendere plea (§ 1473.7(e)(3)).

⁹ Relief under section 745 applies to all judgments that are not final, and a motion to vacate a sentence or conviction under section 1473.7 may be filed as follows: (1) on or after January 1, 2023, due to potential or actual immigration consequences related to the sentence or conviction; (2) on or after January 1, 2025, for a felony conviction where judgment became final on or after January 1, 2015; (3) on or after January 1, 2026 for all felony convictions. (§ 745(j).)

Appointed counsel: Effective September 21, 2022, form CR-187 was amended to add a request for counsel. This addition was based on *People v. Fryhaat* (2019) 35 Cal.App.5th 969, which held that there is a right to appointed counsel where an indigent moving party has set forth factual allegations stating a prima facie case for relief under section 1473.7. *Fryhaat* involved a motion for relief under section 1473.7(a)(1) claiming prejudicial error based on the moving party's inability to meaningfully understand, defend against, or knowingly accept the actual or potential adverse immigration consequences of a conviction or sentence.

Fryhaat was decided before claims under section 745(a) were added to section 1473.7. The committees discussed whether the appointment of counsel request on form CR-187 should be limited to claims in 1473.7 that existed when *Fryhaat* was decided. However, the *Fryhaat* opinion implies broader applicability:

In light of the fact writs of habeas corpus and writs of coram nobis, and likely section 1016.5 motions to vacate, require court-appointed counsel for an indigent petitioner or moving party who has established a prima facie case for entitlement to relief, and given a section 1473.7 motion was intended to fill the gap left by the foregoing procedural avenues for relief, interpreting section 1473.7 to also provide for court-appointed counsel where an indigent moving party has adequately set forth factual allegations stating a prima facie case for entitlement to relief would best effectuate the legislative intent in enacting section 1473.7.

(*Id.* at § 983.)

Therefore, the committees propose that the appointment of counsel item on form CR-187 include claims under section 745(a).

Changes to implement the Racial Justice Act in form CR-188

The committees propose the following revisions to incorporate claims under section 745(a) into the order form CR-188:

- Add a check box to indicate the order is for a motion to vacate a conviction or sentence under section 1473.7(a)(3);
- Add a new item 5 for the judicial officer to order or deny relief requested under section 1473.7(a)(3) including options for the judicial officer to:
 - Grant or deny a request to waive personal appearance;
 - Find whether the motion was timely under section 745(j);
 - Find whether the motion was filed with undue delay;
 - Grant or deny a motion for disclosure;
 - Indicate which, if any, violations of section 745(a) occurred;

- Grant or deny the Moving Party’s request to vacate the conviction or sentence, indicate the relevant remedies granted on the form or refer to a minute order, and describe the basis for the ruling; and
- Make formatting and wording changes including adding headings and separating options to grant and deny into two labeled choices, and bolding keywords.

Alternatives Considered

The committees decided to develop this proposal in anticipation of a significant increase in the number of requests for postjudgment relief due to the retroactive applicability of relief under section 745.

Separate forms

Initially, the committees considered developing separate forms for relief under section 745. Upon further discussion, however, the committees decided to propose revisions to existing forms so they could cover claims under section 745. In the habeas context, there is significant overlap between the information needed for a claim under section 745 and other claims, and having one form would allow a petitioner to raise multiple claims on a single petition for writ of habeas corpus rather than submit separate petitions when seeking to raise both section 745 and other claims for relief. The committees also thought having fewer forms would be easier for self-represented petitioners to use.

Guidance on what forms to use

The committees considered adding information about which forms to use postjudgment. It is not clear whether the amendments to section 745(b) under AB 1118 eliminating the clause “when judgment is imposed” before the clause authorizing the filing of a petition for writ of habeas corpus or motion to vacate a conviction or sentence under section 1473.7 could be construed as allowing postjudgment claims to now also be filed as motions in the trial court, and pre-judgment claims to be filed as habeas petitions. The committees believe this issue needs to be clarified by the courts.

Definition of a prima facie showing

Section 745(c) states that “[i]f a motion is filed in the trial court and the defendant makes a prima facie showing of a violation of [section 745(a)], the trial court shall hold a hearing.” A prima facie showing is defined in section 745(h)(2) as facts produced by the defendant that, if true, establish that there is a substantial likelihood that a violation of section 745(a) occurred. For purposes of section 745, a “substantial likelihood” requires more than a mere possibility, but less than a standard of more likely than not. (§ 745(h)(2).)

Section 1473(e), relating to petitions for a writ of habeas corpus raising a claim under section 745(a), also refers to a prima facie showing but does not include a definition of this term or a cross-reference to section 745’s definition.

The issue of whether the definition of a prima facie showing in section 745(h)(2) applies to petitions for writ of habeas corpus under section 1473(e) remains undecided by the courts. As a result, both committees declined to incorporate the definition in section 745(h)(2) into rule 4.551. The committees intend to track and monitor the issue.

Death penalty-related habeas corpus proceedings

A group of defense counsel requested form HC-001 include (1) an advisement that persons sentenced to death should not use the form and should consult with an attorney about rights under the Racial Justice Act, and (2) a general advisement regarding the importance of filing a timely petition that includes all issues or claims the petitioner is aware of at the time of filing. The committees were sympathetic to the concerns the advisements sought to address but were cautious about providing legal advice and therefore did not add the advisements. However, the committees seek specific comments on whether to consider rule amendments relating to the Racial Justice Act and death penalty-related habeas corpus proceedings and whether to limit the use of HC-001 to non-capital cases. The committees note that the rules for death penalty-related habeas corpus proceedings do not provide for using form HC-001 and that some of the requirements for such proceedings established by Proposition 66,¹⁰ such as for appointment of counsel, are different than for other habeas proceedings.

Relief as of January 1, 2026

As of January 1, 2026, persons with a judgment for any felony conviction may seek relief under section 745. (§ 745(j)(5).) While form HC-001 and CR-187 are intended to be effective September 1, 2024, they currently include a check box for this category. As the committees anticipate the use of these forms by many self-represented litigants, the committees seek specific comments on whether to exclude this category until January 1, 2026, and at that time, whether the retroactivity check boxes should be further revised to include one catch-all check box regarding felony convictions.

Fiscal and Operational Impacts

The fiscal and operational impacts of this proposal are largely attributable to legislation. The proposal aims to mitigate workload burdens by making the retroactive application of relief under section 745 more efficient, consistent, and easier to navigate for self-represented litigants and the courts. Expected costs include training, case management system updates, and the production of new forms.

¹⁰ Proposition 66, the Death Penalty Reform and Savings Act of 2016, was approved by California voters on November 8, 2016. The act made a variety of changes to the statutes relating to review of death penalty cases in the California courts, many of which were focused on reducing the time spent on this review. Among other provisions, Proposition 66 effected several changes to the procedures for filing, hearing, and making decisions on death penalty-related habeas corpus petitions.

Request for Specific Comments

In addition to comments on the proposal as a whole, the advisory committees are interested in comments on the following:

- Does the proposal appropriately address the stated purpose?
- Are the rules and forms written in a way that would be understandable to self-represented litigants?
- Does the proposal appropriately consider changes made to section 745 by AB 1118?
- Is it appropriate to include references on forms HC-001 and CR-187 to claims for relief under section 745 in cases in which judgments are not final? Should this language be deleted or modified?
- Should the committees consider rule amendments relating to the Racial Justice Act and death penalty-related habeas corpus proceedings? Should form HC-001 be limited to non-capital cases?
- Is it confusing for self-represented litigants to include items 18(a)(5) on form HC-001 and item 5(a)(4) on form CR-187, which both indicate that on or after January 1, 2026, relief may be sought for any felony conviction? Should these items be deleted and re-introduced in a future form proposal, effective January 1, 2026?
- Should item 18(c) on form HC-001 requesting appointment of counsel be revised to (1) separate the request for counsel from a declaration of indigency, and (2) require the petitioner to include a financial statement to indicate that the petitioner cannot afford counsel, similar to item 6 on form CR-187?
- Under AB 1118 (Stats. 2023, ch. 464), when a defendant has a claim alleging a violation of Penal Code section 745 that is based on the trial record, the defendant may either raise that claim on direct appeal or may move to stay his appeal and request remand to file a motion in the superior court. Should the criminal appeal rules in Title 8 of the Rules of Court be amended to address this provision?

The advisory committees also seek comments from *courts* on the following cost and implementation matters:

- Would the proposal provide cost savings? If so, please quantify.
- What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?
- Would three months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?
- How well would this proposal work in courts of different sizes?

Attachments and Links

1. Cal. Rules of Court, rules 4.551, 8.385, and 8.386, at pages 15–19
2. Forms HC-001, CR-187, and CR-188, at pages 20–36
3. Link A: Penal Code section 745,
https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=745.&lawCode=PEN
4. Link B: Penal Code section 1473,
https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=1473.&lawCode=PEN
5. Link C: Penal Code section 1473.7,
https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=1473.7.&lawCode=PEN

Rules 4.551, 8.385, and 8.386 of the California Rules of Court would be amended, effective September 1, 2024, to read:

Rule 4.551. Habeas corpus proceedings

(a) Petition; form and court ruling

- (1) Except as provided in (2), the petition must be on the *Petition for Writ of Habeas Corpus* (form HC-001).
- (2) For good cause, a court may also accept for filing a petition that does not comply with (a)(1). A petition submitted by an attorney need not be on the Judicial Council form. However, a petition that is not on the Judicial Council form must comply with Penal Code section 1474 and must contain the pertinent information specified in the *Petition for Writ of Habeas Corpus* (form HC-001), including the information required regarding other petitions, motions, or applications filed in any court with respect to the conviction, commitment, or issue.
- (3) If a postjudgment petition raises a claim under Penal Code section 745(a), the petition must include whether the petitioner requests appointment of counsel and whether the petitioner can afford counsel.
- (4) If a petitioner has an undecided habeas corpus petition pending in the superior court, the petitioner may amend the existing petition with a claim the petitioner's conviction or sentence was in violation of Penal Code section 745(a).
- ~~(5)~~ (5)
 - (A) On filing, the clerk of the court must immediately deliver the petition to the presiding judge or his or her designee. The court must rule on a petition for writ of habeas corpus within 60 days after the petition is filed.
- ~~(6)~~ (6) If the court fails to rule on the petition within 60 days of its filing, the petitioner may file a notice and request for ruling.
 - (i)(A) The petitioner's notice and request for ruling must include a declaration stating the date the petition was filed and the date of the notice and request for ruling, and indicating that the petitioner has not received a ruling on the petition. A copy of the original petition must be attached to the notice and request for ruling.
 - (ii)(B) If the presiding judge or his or her designee determines that the notice is complete and the court has failed to rule, the presiding judge or his or her designee must assign the petition to a judge and calendar the matter for a decision without appearances within 30 days of the filing of the notice and request for ruling. If the judge assigned by the presiding judge rules on the petition before the date the petition is calendared for decision, the matter may be taken off calendar.

(7) If a postjudgment petition raises a claim under Penal Code section 745(a) that is based on conduct or statements by a judge, the judge must disqualify themselves from proceedings under section 745.

~~(4)~~ (8) For the purposes of (a)(35), the court rules on the petition by:

- (A) Issuing an order to show cause under (c);
- (B) Denying the petition for writ of habeas corpus; or
- (C) Requesting an informal response to the petition for writ of habeas corpus under (b).

~~(5)~~ (9) The court must issue an order to show cause or deny the petition within 45 days after receipt of an informal response requested under (b).

(b) Informal response

* * *

(c) Order to show cause

- (1) The court must issue an order to show cause if the petitioner has made a prima facie showing that he or she is entitled to relief. In doing so, the court takes petitioner's factual allegations as true and makes a preliminary assessment regarding whether the petitioner would be entitled to relief if his or her factual allegations were proved. If so, the court must issue an order to show cause.
- (2) An order to show cause is a determination that the petitioner has made a showing that he or she may be entitled to relief. It does not grant the relief sought in the petition.

(d) Appointment of counsel

- (1) On issuing an order to show cause, the court must appoint counsel for any unrepresented petitioner who desires but cannot afford counsel.
- (2) When a postjudgment petition raises a claim under Penal Code section 745(a) and requests appointment of counsel, the court must appoint counsel if the petitioner cannot afford counsel and either the petition alleges facts that would establish a violation of section 745(a) or the State Public Defender requests that counsel be appointed. Newly appointed counsel may amend a petition filed before their appointment.

~~(d)~~ (e) Return

If an order to show cause is issued as provided in (c), the respondent may, within 30 days thereafter, file a return. Any material allegation of the petition not controverted by the return is deemed admitted for purposes of the proceeding. The return must comply with Penal Code section 1480 and must be served on the petitioner.

(e) (f) Denial

* * *

(f) (g) Evidentiary hearing; when required

(1) Except as provided in (2), Wwithin 30 days after the filing of any denial or, if none is filed, after the expiration of the time for filing a denial, the court must either grant or deny the relief sought by the petition or order an evidentiary hearing. An evidentiary hearing is required if, after considering the verified petition, the return, any denial, any affidavits or declarations under penalty of perjury, and matters of which judicial notice may be taken, the court finds there is a reasonable likelihood that the petitioner may be entitled to relief and the petitioner's entitlement to relief depends on the resolution of an issue of fact. The petitioner must be produced at the evidentiary hearing unless the court, for good cause, directs otherwise.

(2) If the court issues an order to show cause on a claim raised under Penal Code section 745(a), the court must hold an evidentiary hearing, unless the state declines to show cause. The defendant may appear remotely, and the court may conduct the hearing with remote technology, unless counsel indicates the defendant's presence in court is needed.

(g) (h) Reasons for denial of petition

(1) Except as provided in (2), any order denying a petition for writ of habeas corpus must contain a brief statement of the reasons for the denial. An order only declaring the petition to be "denied" is insufficient.

(2) If the court determines that the petitioner has not established a prima facie showing of entitlement to relief for a claim raised under Penal Code section 745(a), the court must state the factual and legal basis for its conclusion on the record or issue a written order detailing the factual and legal basis for its conclusion.

(h) (i) Extending or shortening time

* * *

Advisory Committee Comment

The court must appoint counsel on the issuance of an order to show cause. (*In re Clark* (1993) 5 Cal.4th 750, 780 and *People v. Shipman* (1965) 62 Cal.2d 226, 231–232.) The Court of Appeal has held that under Penal Code section 987.2, counties bear the expense of appointed counsel in a habeas corpus

proceeding challenging the underlying conviction. (*Charlton v. Superior Court* (1979) 93 Cal.App.3d 858, 862.) Penal Code section 987.2 authorizes appointment of the public defender, or private counsel if there is no public defender available, for indigents in criminal proceedings.

Rule 8.385. Proceedings after the petition is filed

(a)–(e) * * *

(f) Return to the reviewing court

If the return is ordered to be filed in the Supreme Court or the Court of Appeal, rule 8.386 applies, ~~and the court in which the return is ordered filed must appoint counsel for any unrepresented petitioner who desires but cannot afford counsel.~~

(g) Appointment of counsel

- (1) If the return is ordered to be filed in the Supreme Court or the Court of Appeal, the court in which the return is ordered filed must appoint counsel for any unrepresented petitioner who desires but cannot afford counsel.
- (2) When a petition raises a claim under Penal Code section 745(a) and requests appointment of counsel, the court must appoint counsel if the petitioner cannot afford counsel and either the petition alleges facts that would establish a violation of section 745(a) or the State Public Defender requests that counsel be appointed. Newly appointed counsel may amend a petition filed before their appointment.

Advisory Committee Comment

* * *

Rule 8.386. Proceedings if the return is ordered to be filed in the reviewing court

(a)–(e) * * *

(f) Evidentiary hearing ordered by the reviewing court

- (1) An evidentiary hearing is required if, after considering the verified petition, the return, any traverse, any affidavits or declarations under penalty of perjury, and matters of which judicial notice may be taken, the court finds there is a reasonable likelihood that the petitioner may be entitled to relief and the petitioner’s entitlement to relief depends on the resolution of an issue of fact.
- (2) If the court issues an order to show cause on a claim raised under Penal Code section 745(a), the court must hold an evidentiary hearing, unless the state declines to show cause. The defendant may appear remotely, and the court may conduct the hearing

with remote technology, unless counsel indicates the defendant's presence in court is needed.

~~(2)~~ (3) The court may appoint a referee to conduct the hearing and make recommended findings of fact.

(g) * * *

Name: _____
Address: _____

DRAFT
Not approved by the
Judicial Council
11/27/2023

CDCR or ID Number: _____

(Court)

Petitioner

vs.

Respondent

PETITION FOR WRIT OF HABEAS CORPUS

No. _____
(To be supplied by the Clerk of the Court)

INSTRUCTIONS—READ CAREFULLY

- If you are challenging an order of commitment or a criminal conviction or sentence and are filing this petition in the Superior Court, you should file it in the county that made the order.
- If you are challenging the conditions of your confinement and are filing this petition in the Superior Court, you should file it in the county in which you are confined.

- Read the entire form *before* answering any questions.
- This petition must be clearly handwritten in ink or typed. You should exercise care to make sure all answers are true and correct. Because the petition includes a verification, the making of a statement that you know is false may result in a conviction for perjury.
- Answer all applicable questions in the proper spaces. If you need additional space, add an extra page and indicate that your answer is "continued on additional page."
- If you are filing this petition in the superior court, you only need to file the original unless local rules require additional copies. Many courts require more copies.
- If you are filing this petition in the Court of Appeal, file the original of the petition and one set of any supporting documents.
- If you are filing this petition in the California Supreme Court, file the original and 10 copies of the petition and, if separately bound, an original and 2 copies of any supporting documents.
- Notify the Clerk of the Court in writing if you change your address after filing your petition.

Approved by the Judicial Council of California for use under rules 4.551 (as amended January 1, 2024) and 8.380 (as amended January 1, 2020) of the California Rules of Court. Subsequent amendments to rule 8.380 may change the number of copies to be furnished to the Supreme Court and Court of Appeal.

This petition concerns:

- A conviction Parole A violation of the Racial Justice Act under Penal Code section 745(a)
- A sentence Credits
- Jail or prison conditions Prison discipline
- Other (specify): _____

1. Your name: _____

2. a. Where are you incarcerated? _____

b. If you are not incarcerated, are you on supervised release, such as probation, parole, mandatory supervision, or postrelease community supervision?

Yes (specify): _____

No

3. Why are you in custody or on supervised release? Criminal conviction Civil commitment

Answer items a through i to the best of your ability.

a. State reason for civil commitment or, if criminal conviction, state nature of offense and enhancements (for example, "robbery with use of a deadly weapon").

b. Penal or other code sections: _____

c. Name and location of sentencing or committing court:

d. Case number: _____

e. Date convicted or committed: _____

f. Date sentenced/Date of judgment: _____

g. Length of sentence: _____

h. When do you expect to be released? _____

i. Were you represented by counsel in the trial court? Yes No *If yes, state the attorney's name and address:*

4. What was the LAST plea you entered? (Check one):

Not guilty Guilty Nolo contendere Other: _____

5. If you pleaded not guilty, what kind of trial did you have?

Jury Judge without a jury Submitted on transcript Awaiting trial

6. CLAIMS FOR RELIEF

Claim 1: State briefly your claim for relief. For example, "The trial court imposed an illegal enhancement," or "an expert witness violated the Racial Justice Act." (If you have additional claims for relief, use a separate page for each claim. State claim 2 on page 4. For additional claims, make copies of page 4 and number the additional claims in order.)

a. Supporting facts:

Tell your story briefly without citing cases or law. If you are challenging the legality of your conviction, describe the facts on which your conviction is based. *If necessary, attach additional pages.* CAUTION: You must state facts, not conclusions. For example, if you are claiming incompetence of counsel, you must state facts specifically setting forth what your attorney did or failed to do and how that affected your trial. Failure to allege sufficient facts will result in the denial of your petition. (See *In re Swain* (1949) 34 Cal.2d 300, 304.) A rule of thumb to follow is, *who* did exactly *what* to violate your rights at what time (*when*) or place (*where*).

b. Supporting documents:

Attach declarations, relevant records, transcripts, or other documents supporting your claim. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

c. Supporting cases, rules, or other authority (*optional*):

(Briefly discuss, or list by name and citation, the cases or other authorities that you think are relevant to your claim. If necessary, attach an extra page.)

Claim 2 or **Claim** _____ (if applicable):

a. Supporting facts:

b. Supporting documents:

c. Supporting cases, rules, or other authority:

7. Did you appeal from the conviction, sentence, or commitment? Yes No If yes, give the following information:

a. Name of court ("Court of Appeal" or "Appellate Division of Superior Court"): _____

b. Result: _____ c. Date of decision: _____

d. Case number or citation of opinion, if known: _____

e. All issues raised: (1) _____
 (2) _____
 (3) _____

f. Were you represented by counsel on appeal? Yes No If yes, state the attorney's name and address, if known:

8. Did you seek review in the California Supreme Court? Yes No If yes, give the following information:

a. Result: _____ b. Date of decision: _____

c. Case number or citation of opinion, if known: _____

d. All issues raised: (1) _____
 (2) _____
 (3) _____

9. If your petition makes a claim regarding your conviction, sentence, or commitment that you or your attorney did not make on appeal, explain why the claim was not made on appeal (see *In re Dixon* (1953) 41 Cal.2d 756, 759):

10. Administrative review:

a. If your petition concerns conditions of confinement or other claims for which there are administrative remedies, failure to exhaust administrative remedies may result in the denial of your petition, even if it is otherwise meritorious. (See *In re Dexter* (1979) 25 Cal.3d 921, 925.) Explain what administrative review you sought or explain why you did not seek such review:

b. Did you seek the highest level of administrative review available? Yes No
Attach documents that show you have exhausted your administrative remedies. (See People v. Duvall (1995) 9 Cal.4th 464, 474.)

11. Other than direct appeal, have you filed any other petitions, applications, or motions with respect to this conviction, sentence, commitment, or issue in any court, including this court? (See *In re Clark* (1993) 5 Cal.4th 750, 767-769 and *In re Miller* (1941) 17 Cal.2d 734, 735.)

Yes If yes, continue with number 12. No If no, skip to number 14.

12. a. (1) Nature of proceeding (for example, "habeas corpus petition"): _____
 (2) Name of court: _____
 (3) Result (*attach order or explain why unavailable*): _____
 (4) Date of decision: _____

- (5) Case number or citation of opinion, if known: _____
 (6) All issues raised: (a) _____
 (b) _____
 (c) _____

- b. (1) Nature of proceeding: _____
 (2) Name of court: _____
 (3) Result (*attach order or explain why unavailable*): _____
 (4) Date of decision: _____

- (5) Case number or citation of opinion, if known: _____
 (6) All issues raised: (a) _____
 (b) _____
 (c) _____

13. If any of the courts listed in number 12 held a hearing, state name of court, date of hearing, nature of hearing, and result:

14. Explain any delay in discovering or presenting the claims for relief and in raising the claims in this petition. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; Pen. Code, § 1473(e).)

15. Are you presently represented by counsel? Yes No If yes, state the attorney's name and address, if known:

16. Do you have any petition, appeal, or other matter pending in any court? Yes No If yes, explain:

17. If this petition might lawfully have been made to a lower court, state the circumstances justifying an application to this court:

18. Answer the following questions if you are raising a claim of violation of the Racial Justice Act under Penal Code section 745(a):

a. Indicate which of the following apply to the case in which you are making a claim for violation of Penal Code section 745(a) (check all that apply):

- (1) Judgment is not final,
- (2) You were sentenced to death,
- (3) You are currently serving a sentence in the state prison or county jail under Penal Code 1170(h) for the felony conviction in which you are raising a Racial Justice Act claim,
- (4) It is filed **on or after** January 1, 2025, and judgment became final for a felony conviction on or after January 1, 2015, or
- (5) It is filed **on or after** January 1, 2026, and judgment is for a felony conviction.

b. Is your claim based on a statement or conduct by a judge? Yes No

If yes, please state the judge's name:

c. Do you want appointed counsel? Yes, I cannot afford counsel No

d. Do you request permission to amend a pending petition for writ of habeas corpus with this claim? Yes No

(1) If yes, in what court is your petition pending? _____

(2) If yes, what is the case number of your pending petition? _____

e. Are you raising this claim for the first time? Yes No

If no, are you raising it again because of new evidence that could not have been previously known to you?

(1) Yes (explain):

(2) No (explain):

If you need additional space to answer any question on this petition, add an extra page and indicate that your answer is "continued on additional page."

I, the undersigned, say: I am the petitioner in this action. I declare under penalty of perjury under the laws of the State of California that the foregoing allegations and statements are true and correct, except as to matters that are stated on my information and belief, and as to those matters, I believe them to be true.

Date: _____



(SIGNATURE OF PETITIONER)

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.: NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY DRAFT Not approved by the Judicial Council 11/27/2023
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	CASE NUMBER:
PEOPLE OF THE STATE OF CALIFORNIA v. DEFENDANT: DATE OF BIRTH:	FOR COURT USE ONLY DATE: TIME: DEPARTMENT:

MOTION TO VACATE CONVICTION OR SENTENCE

Pen. Code, § 1016.5
 Pen. Code, § 1473.7(a)(1)
 Pen. Code, § 1473.7(a)(2)
 Pen. Code, § 1473.7(a)(3)

Instructions—Read carefully if you are filing this motion for yourself

- The term "Moving Party" as used in this form refers to the person asking for relief.
- This motion must be clearly handwritten in ink or typed. Make sure all answers are true and correct. If you make a statement that you know is false, you could be convicted of perjury (lying under oath).
- You must file a separate motion for each separate case number.
- Fill in the requested information. If you need more space, add an extra page and note that your answer is "continued on added page," or use *Attachment to Judicial Council Form* (form MC-025) as your additional page.
- Serve the motion on the prosecuting agency.
- **File the motion in the superior court in the county where the conviction or sentence was imposed.** Only the original motion needs to be filed unless local rules require additional copies.
- Notify the clerk of the court in writing if you change your address after filing your motion.

1. This motion concerns a conviction or sentence in case number _____ . On (date): _____ , the Moving Party was convicted of a violation of the following offenses (list all offenses included in the conviction):

CODE	SECTION	TYPE OF OFFENSE (felony, misdemeanor, or infraction)

If you need more space to list offenses, use *Attachment to Judicial Council Form* (form MC-025) or any other additional page.

PEOPLE OF THE STATE OF CALIFORNIA v. DEFENDANT:

CASE NUMBER:

2. **MOTION UNDER PENAL CODE SECTION 1016.5**a. **GROUND FOR RELIEF: The Moving Party requests relief based on the following:**

- (1) Before acceptance of a plea of guilty or nolo contendere to the offense, the court failed to advise the Moving Party that the conviction might have immigration consequences, as required under Penal Code section 1016.5(a).
- (2) The conviction that was based on the plea of guilty or nolo contendere may result in immigration consequences for the Moving Party, including possible deportation, exclusion from admission to the United States, or denial of naturalization.
- (3) The Moving Party likely would not have pleaded guilty or nolo contendere if the court had advised the Moving Party of the immigration consequences of the plea. (*People v. Arriaga* (2014) 58 Cal.4th 950.)

b. **Supporting Facts**

Tell your story. Describe the facts you allege regarding (1) the court's failure to advise you of the immigration consequences, (2) the possible immigration consequences, and (3) the likelihood that you would not have pleaded guilty or nolo contendere if you had been advised of the immigration consequences by the court. (*If necessary, attach additional pages. You may use Attachment to Judicial Council Form (form MC-025) for any additional pages. If available, attach declarations, relevant records, transcripts, or other documents supporting the claim.*)

3. **MOTION UNDER PENAL CODE SECTION 1473.7(a)(1), Legal Invalidity With Actual or Potential Immigration Consequences**

The Moving Party is not currently in criminal custody in the case referred to in item 1 (criminal custody includes in jail or prison or on bail, probation, mandatory supervision, postrelease community supervision (PRCS), or parole).

a. **GROUND FOR RELIEF: Moving Party requests relief based on the following:**

The conviction or sentence is legally invalid due to a prejudicial error (a mistake that causes harm) that damaged the Moving Party's ability to meaningfully understand, defend against, or knowingly accept the actual or potential adverse immigration consequences of a conviction or sentence. (Note: A determination of legal invalidity may, *but is not required to*, include a finding of ineffective assistance of counsel.) If you are claiming that your conviction or sentence is invalid due to ineffective assistance of counsel, before the hearing is held on this motion, you (or the prosecutor) must give timely notice to the attorney who you are claiming was ineffective in representing you.

PEOPLE OF THE STATE OF CALIFORNIA v. DEFENDANT:

CASE NUMBER:

3. b. **Supporting Facts**

Tell your story. What facts show prejudicial error? Include information that shows that the conviction or sentence you are challenging is currently causing or has the possibility of causing your removal from the United States, or the denial of your application for an immigration benefit, lawful status, or naturalization.

CAUTION: You must *state facts, not conclusions*. For example, if claiming ineffective assistance of counsel, you must state facts detailing what the attorney did or failed to do and how that affected your conviction or sentence.

Note: The court presumes your conviction or sentence is not legally valid if

- (1) you pleaded guilty or nolo contendere based on a law that provided that the arrest and conviction would be deemed never to have occurred if specific requirements were completed;
- (2) you completed those specific requirements; and
- (3) despite completing those requirements, your guilty or nolo contendere plea has been, or possibly could be, used as a basis for adverse immigration consequences.

(If necessary, attach additional pages. You may use Attachment to Judicial Council Form (form MC-025) for any additional pages. If available, attach declarations, relevant records, transcripts, or other documents supporting the claim.)

c. **Reasonable Diligence (check all that apply)**

- (1) (a) On *(date)*: _____, the Moving Party received a notice to appear in immigration court or other notice from immigration authorities that asserts the conviction or sentence as a basis for removal or the denial of an application for an immigration benefit, lawful status, or naturalization.
- (b) The Moving Party has not received a notice to appear in immigration court or other notice from immigration authorities as described above.
- (2) (a) On *(date)*: _____, the Moving Party received notice that a final removal order was issued against the Moving Party, based on the conviction or sentence that the Moving Party seeks to vacate.
- (b) The Moving Party has not received a final notice of removal as described above.

(If you are requesting appointment of counsel, you may skip the following item, 3c(3).)

- (3) This motion may be denied because of a delay in filing it. If you received *both* notices mentioned above, explain why you did not bring and could not bring this motion earlier. If you received both notices before this law went into effect on January 1, 2017, when did you become aware of the law? Did something happen to give you a reason to look for conviction relief?

PEOPLE OF THE STATE OF CALIFORNIA v. DEFENDANT:

CASE NUMBER:

4. **MOTION UNDER PENAL CODE SECTION 1473.7(a)(2), Newly Discovered Evidence of Actual Innocence**

The Moving Party is not currently in criminal custody in the case referred to in item 1 (criminal custody includes in jail or prison or on bail, probation, mandatory supervision, post release community supervision (PRCS), or parole).

a. **GROUND FOR RELIEF: Moving Party requests relief based on the following:**

- (1) Newly discovered evidence of actual innocence exists that requires vacating the conviction or sentence as a matter of law or in the interests of justice.
- (2) The Moving Party discovered the new evidence of actual innocence on *(date)*:

b. **Supporting Facts**

Tell your story. Describe the newly discovered evidence and how it proves your actual innocence. Explain why you could not discover this evidence at the time of your trial. Explain why you did not bring and could not bring this motion earlier. *(If necessary, attach additional pages. You may use Attachment to Judicial Council Form (form MC-025) for any additional pages. If available, attach declarations, relevant records, transcripts, or other documents supporting the claim.)*

5. **MOTION UNDER PENAL CODE SECTION 1473.7(a)(3), Conviction or Sentence Based on Race, Ethnicity, or National Origin in Violation of Penal Code section 745(a) (Racial Justice Act)**

The Moving Party is not currently in criminal custody in the case referred to in item 1 (criminal custody includes in jail or prison or on bail, probation, mandatory supervision, postrelease community supervision (PRCS), or parole).

a. **Filing Date**

If you have a claim for violation of Penal Code section 745(a), indicate which of the following apply to the case in which you are making this claim *(check all that apply)*:

- (1) Judgment is not final,
- (2) The Moving Party is facing actual or potential immigration consequences related to the conviction or sentence,
- (3) It is filed **on or after** January 1, 2025, and judgment became final for a felony conviction on or after January 1, 2015, or
- (4) It is filed **on or after** January 1, 2026, and judgment is for a felony conviction.

PEOPLE OF THE STATE OF CALIFORNIA v. DEFENDANT:	CASE NUMBER:
---	--------------

5. b. **GROUNDS FOR RELIEF: Moving Party requests relief based on the following (choose all that apply):**

- (1) The judge, an attorney, a law enforcement officer, an expert, or a juror in the case exhibited bias or animus toward the Moving Party because of the Moving Party's race, ethnicity, or national origin.
- (2) During in-court trial proceedings, the judge, an attorney, a law enforcement officer, an expert, or a juror used racially discriminatory language about the Moving Party's race, ethnicity, or national origin. (Racially discriminatory language does not include relaying language used by someone else that is relevant to the case, or giving a racially neutral and unbiased physical description of the suspect.)
- (3) The Moving Party was charged with or convicted of a more serious offense than defendants of other races, ethnicities, or national origins who have engaged in similar conduct and are similarly situated, **and** the prosecution more frequently sought or obtained convictions for more serious offenses against people who share the Moving Party's race, ethnicity, or national origin in the county where the convictions were sought or obtained.
- (4) The Moving Party received a longer or more severe sentence compared to similarly situated individuals convicted of the same offense **and**:
 - (a) longer or more severe sentences were more frequently imposed for the same offense on defendants who share the Moving Party's race, ethnicity, or national origin than on others in that county; and/or
 - (b) longer or more severe sentences were more frequently imposed for the same offense on defendants in cases with victims of one race, ethnicity, or national origin than in cases with victims of other races, ethnicities, or national origins in that county.

c. **Discovery of Violation**

The Moving Party learned of the grounds described in item 5(b) above on or about (date): _____

d. **Supporting Facts**

Tell your story. For each ground chosen above, explain the facts that support it and why you did not bring a motion on that ground sooner. Give details. (If necessary, attach additional pages. You may use Attachment to Judicial Council Form (form MC-025) for any additional pages. If available, attach declarations, relevant records, transcripts, or other documents supporting the claim.)

e. **Judicial Conflict.** The motion is based on a statement or conduct by a judge (check if applicable).
The judge's name is:

f. **Motion for Disclosure.** The Moving Party is requesting disclosure of evidence relevant to a potential violation of Penal Code section 745(a) (check if applicable).

(1) The type of records or information sought is described as follows:

(2) The reason the records or information are needed is as follows:

PEOPLE OF THE STATE OF CALIFORNIA v. DEFENDANT:	CASE NUMBER:
---	--------------

- 6. **REQUEST FOR COUNSEL (*People v. Fryhaat* (2019) 35 Cal.App.5th 969, 981)**
 - a. The Moving Party requests appointment of counsel upon a finding by the court that there is a prima facie case for relief, and
 - b. The Moving Party is indigent and has completed and attached *Defendant's Financial Statement* (form CR-105) showing that the Moving Party cannot afford to hire a lawyer. Form CR-105 is available online at www.courts.ca.gov/forms.
- 7. The Moving Party requests that the court hold the hearing on this motion without the Moving Party's personal presence because the Moving Party is (*check one*)
 - a. in federal custody awaiting deportation.
 - b. otherwise in custody at (*facility*):
 - c. outside of the United States and lacks permission to enter.
 - d. other (*specify*):
- 8. The Moving Party requests that the court vacate the conviction or sentence in the above-captioned matter.
- 9. If the Moving Party entered a plea of guilty or nolo contendere, the Moving Party requests that the court allow the withdrawal of the plea of guilty or nolo contendere in the above-captioned matter.

Date:

 (NAME OF MOVING PARTY OR ATTORNEY FOR MOVING PARTY)


 (SIGNATURE OF MOVING PARTY OR ATTORNEY)

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY <h1 style="margin: 0;">DRAFT</h1> <h2 style="margin: 0;">Not approved by the Judicial Council</h2> <h3 style="margin: 0;">11/27/2023</h3>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PEOPLE OF THE STATE OF CALIFORNIA v. DEFENDANT: DATE OF BIRTH:	CASE NUMBER:
ORDER ON MOTION TO VACATE CONVICTION OR SENTENCE <input type="checkbox"/> Pen. Code, § 1016.5 <input type="checkbox"/> Pen. Code, § 1473.7(a)(1) <input type="checkbox"/> Pen. Code, § 1473.7(a)(2) <input type="checkbox"/> Pen. Code, § 1473.7(a)(3)	FOR COURT USE ONLY DATE: TIME: DEPARTMENT:

1. **FOR APPOINTMENT OF COUNSEL**

- a. The court **grants** the request for appointment of counsel.
- b. The court **denies** the request for appointment of counsel because the Moving Party has not shown (choose all that apply)
 - a prima facie case indigency.

2. **FOR PENAL CODE SECTION 1016.5 RELIEF**

- a. **The court grants** the Moving Party's request to vacate the judgment and to permit the Moving Party to withdraw the plea of guilty or nolo contendere and enter a plea of not guilty.
- b. **The court denies** the Moving Party's request to vacate the judgment and to permit the Moving Party to withdraw the plea of guilty or nolo contendere and enter a plea of not guilty.

3. **FOR PENAL CODE SECTION 1473.7(a)(1) RELIEF**

a. **Request to Waive Personal Appearance (if applicable)**

- (1) The court finds good cause to **grant** the request that the court hold the hearing without the personal presence of the Moving Party.
- (2) The court **denies** the request that the court hold the hearing without the personal presence of the Moving Party.

b. **Timeliness**

- (1) The court **deems the motion timely** because the Moving Party did not receive, or acted with reasonable diligence after receiving, notice from immigration authorities.
- (2) The court exercises its discretion to **deem the motion timely.**
- (3) The court **deems the motion untimely and dismisses the motion** after a hearing (*People v. Alatorre* (2021) 70 Cal.App.5th 747).

c. **Vacatur of Conviction or Sentence**

- (1) The court **grants** the Moving Party's request to vacate the conviction or sentence on the basis that the conviction or sentence is legally invalid due to a prejudicial error damaging the Moving Party's ability to meaningfully understand, defend against, or knowingly accept the actual or potential adverse immigration consequences of a conviction or sentence.
 - The court permits the Moving Party to withdraw the plea of guilty or nolo contendere and enter a plea of not guilty.**
- (2) The court **denies** the Moving Party's request to vacate the conviction or sentence on the basis that the conviction or sentence is legally invalid due to a prejudicial error damaging the Moving Party's ability to meaningfully understand, defend against, or knowingly accept the actual or potential adverse immigration consequences of a conviction or sentence.

DEFENDANT:	CASE NUMBER:
------------	--------------

4. FOR PENAL CODE SECTION 1473.7(a)(2) RELIEF

a. Request to Waive Personal Appearance (if applicable)

- (1) The court finds good cause to **grant** the request that the court hold the hearing without the personal presence of the Moving Party.
- (2) The court **denies** the request that the court hold the hearing without the personal presence of the Moving Party.

b. Undue Delay

- (1) The court finds that the Moving Party **filed without undue delay** from the date the Moving Party discovered, or could have discovered through the exercise of due diligence, the evidence of actual innocence.
- (2) The court finds that the Moving Party **failed to file the motion without undue delay** from the date the Moving Party discovered, or could have discovered through the exercise of due diligence, the evidence of actual innocence, and **dismisses** the motion after a hearing.

c. Vacatur of Conviction or Sentence

- (1) The court **grants** the Moving Party's request to vacate the conviction or sentence based on newly discovered evidence of actual innocence.
 The court permits the Moving Party to withdraw the plea of guilty or nolo contendere and enter a plea of not guilty.
- (2) The court **denies** the Moving Party's request to vacate the conviction or sentence based on newly discovered evidence of actual innocence.
- (3) **The court's basis for the ruling:**

5. FOR PENAL CODE SECTION 1473.7(a)(3) RELIEF

a. Request to Waive Personal Appearance (if applicable)

- (1) The court finds good cause to **grant** the request that the court hold the hearing without the personal presence of the Moving Party.
- (2) The court **denies** the request that the court hold the hearing without the personal presence of the Moving Party.

b. Timeframes

- (1) The court finds that the motion **was filed in accordance with the timeframes** in Penal Code section 745(j).
- (2) The court finds that the motion **was filed prematurely under the timeframes** in Penal Code section 745(j) and dismisses the motion after a hearing.

c. Undue Delay

- (1) The court finds that the Moving Party filed **without undue delay** from the date the Moving Party discovered, or could have discovered through the exercise of due diligence, the evidence that provides a basis for relief under Penal Code section 745(a).
- (2) The court finds that the Moving Party **failed to file the motion without undue delay** from the date the Moving Party discovered, or could have discovered through the exercise of due diligence, the evidence that provides a basis for relief under Penal Code section 745(a), and **dismisses the motion** after a hearing.

d. Motion for Disclosure

- (1) The court grants the Moving Party's request for the following records or information relevant to a potential Penal Code section 745(a) violation:
- (2) The court denies the Moving Party's request for disclosure of records or information.

DEFENDANT:	CASE NUMBER:
------------	--------------

5. e. **Vacatur of Conviction or Sentence**

(1) The court finds the following violations of section 745(a) occurred (*check all that apply*):

- (a) The judge, an attorney, a law enforcement officer, an expert, or a juror in the case exhibited bias or animus toward the Moving Party because of the Moving Party's race, ethnicity, or national origin.
- (b) During in-court trial proceedings, the judge, an attorney, a law enforcement officer, an expert, or a juror used racially discriminatory language about the Moving Party's race, ethnicity, or national origin. (Racially discriminatory language does not include relaying language used by someone else that is relevant to the case, or giving a racially neutral and unbiased physical description of the suspect.)
- (c) The Moving Party was charged with or convicted of a more serious offense than defendants of other races, ethnicities, or national origin who have engaged in similar conduct and are similarly situated, **and** the prosecution more frequently sought or obtained convictions for more serious offenses against people who share the Moving Party's race, ethnicity, or national origin in the county where the convictions were sought or obtained.
- (d) The Moving Party received a longer or more severe sentence compared to similarly situated individuals convicted of the same offense **and**:
- (i) longer or more severe sentences were more frequently imposed for the same offense on people who share the Moving Party's race, ethnicity, or national origin than on others in the county; and/or:
- (ii) longer or more severe sentences were more frequently imposed for the same offense on defendants in cases with victims of one race, ethnicity, or national origin than in cases with victims of other races, ethnicities, or national origins in that county.

(2) The court **grants** the Moving Party's request to vacate the conviction and sentence based on a violation of Penal Code section 745(a) and finds the conviction and sentence legally invalid.

(a) Refer to the court minute order from (*date*): _____

OR (*check all that apply*):

- (b) The court orders the following new proceedings consistent with Penal Code section 745(a):
- (c) The court finds a violation of Penal Code section 745(a)(3) and modifies the judgment to the following lesser included or lesser related offense:
- (d) The court permits the Moving Party to withdraw the plea of guilty or nolo contendere and enter a plea of not guilty.
- (e) The court grants the following remedies:

DEFENDANT:	CASE NUMBER:
------------	--------------

5. e. (3) The court **grants** the Moving Party's request to vacate the sentence based on a violation of Penal Code section 745(a) and finds the sentence was legally invalid.

(a) Refer to the court minute order from *(date)*: _____

OR *(check all that apply)*:

(b) The court imposes the following new sentence:

(c) The court grants the following remedies:

(4) The court **denies** the Moving Party's request to vacate the conviction or sentence based on a violation of Penal Code section 745(a).

(5) The court's basis for the ruling:

Date:

(JUDICIAL OFFICER)

RULES COMMITTEE ACTION REQUEST FORM

Rules Committee Meeting Date: 12/7/2023

Rules Committee action requested [Choose from drop down menu below]:
Circulate for comment (September 1 cycle)

Title of proposal: Criminal Procedure: Appointment of Counsel for Claims Filed Under Penal Code Section 1473(f)

Proposed rules, forms, or standards (include amend/revise/adopt/approve):
Adopt new rule 4553.

Committee or other entity submitting the proposal:
Criminal Law Advisory Committee

Staff contact (name, phone and e-mail): Sarah Fleischer-Ihn, 415-865-7702, sarah.fleischer-ihn@jud.ca.gov

Identify project(s) on the committee's annual agenda that is the basis for this item:

Annual agenda approved by Rules Committee on (date): 10/26/23

Project description from annual agenda: Develop standards for appointment of private counsel in superior court for Racial Justice Act claims, as required under Penal Code section 1473.1 (SB 133 (Stats. 2023, ch. 34)).

Out of Cycle: *If requesting September 1 effective date or out of cycle, explain why:*
This proposal would implement a change in the law that is already in effect.

Additional Information for Rules Committee: (To facilitate Rules Committee's review of your proposal, please include any relevant information not contained in the attached summary.)

Additional Information for JC Staff (provide with reports to be submitted to JC):

- **Form Translations** (check all that apply)

This proposal:

- includes forms that have been translated.
- includes forms or content that are required by statute to be translated. Provide the code section that mandates translation: [Click or tap here to enter text.](#)
- includes forms that staff will request be translated.

- **Form Descriptions** (for any proposal with new or revised forms)

The forms in this proposal will require new or revised form descriptions on the JC forms webpage. (If this is checked, the form descriptions should be approved by a supervisor before submitting this RAR.).

- **Self-Help Website** (check if applicable)

This proposal may require changes or additions to self-help web content.



Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688

www.courts.ca.gov/policyadmin-invitationstocomment.htm

INVITATION TO COMMENT

W24-02

Title

Criminal Procedure: Appointment of Counsel for Claims Filed Under Penal Code Section 1473(f)

Action Requested

Review and submit comments by January 19, 2024

Proposed Effective Date

September 1, 2024

Proposed Rules, Forms, Standards, or Statutes

Adopt Cal. Rules of Court, rule 4.553

Contact

Sarah Fleischer-Ihn, 415-865-7702

sarah.fleischer-ihn@jud.ca.gov

Proposed by

Criminal Law Advisory Committee
Hon. Brian M. Hoffstadt, Chair

Executive Summary and Origin

The Criminal Law Advisory Committee proposes a rule of court to implement legislation requiring the Judicial Council to develop qualifications for the appointment of counsel in superior court habeas corpus proceedings under Penal Code section 1473(f).¹ Section 1473(f) is part of the Racial Justice Act, which prohibits the state from seeking or obtaining a conviction or sentence based on race, ethnicity, or national origin and allows petitioners to make claims for relief based on violations of this Act.

Background

The Racial Justice Act of 2020 (Assem. Bill 2542; Stats. 2020, ch. 317) enacted Penal Code section 745,² which prohibits the state from seeking or obtaining a conviction or sentence on the basis of race, ethnicity, or national origin. The bill allowed defendants to file motions in the trial court for claims under section 745 or, if judgment had been imposed, a petition for writ of habeas corpus or a motion to vacate a conviction or sentence under section 1473.7 (section 745(b)). The

¹ Effective January 1, 2024, subdivision (f) of section 1473 will be re-lettered as (e). (See Sen. Bill 97; Stats. 2023, ch. 381.)

² All further references are to the Penal Code unless otherwise specified.

This proposal has not been approved by the Judicial Council and is not intended to represent the views of the council, its Rules Committee, or its Legislation Committee. It is circulated for comment purposes only.

Act also added subdivision (f) to section 1473 specifically addressing habeas corpus petitions that raise claims under section 745.

On June 30, 2023, the Legislature enacted new section 1473.1,³ which took effect immediately. Section 1473.1 requires the Judicial Council to develop standards for appointment of private counsel in superior court for claims filed under section 1473(f) by individuals who are not sentenced to death. These standards are required to include a minimum of 10 hours of training on the California Racial Justice Act of 2020. Further, this training must meet the requirements for Minimum Continuing Legal Education credit approved by the State Bar of California. The statute notes that appointment standards for counsel where an individual has been sentenced to death shall be consistent with existing standards set forth in the California Rules of Court.

The Proposal

The committee is proposing new rule 4.553 to fulfill the requirements of section 1473.1. The proposed rule is modeled in part after two other rules in the California Rules of Court addressing counsel qualifications in criminal and related matters: rule 4.117, Qualifications for appointment of counsel in capital cases, and rule 8.652, Qualifications of counsel in death penalty–related habeas corpus proceedings. Like these rules, the proposed rule includes a purpose section defining the rule’s scope, attorney qualifications, alternative qualifications, and guidance around public defender appointments.

The committee consulted advocates that supported section 1473.1 about priority qualifications. From their perspective, it was important for appointed counsel to have experience in representing the individual in the underlying criminal case. They did not think prior experience in habeas proceedings was necessary. They also indicated that training in implicit bias, as part of or separate from the 10-hour Racial Justice Act training requirement, was important. The committee incorporated both priorities into the proposed rule, while adding alternative qualifications that appointed counsel have experience as counsel of record in at least two habeas corpus proceedings or criminal appeals. The committee also included training on habeas corpus procedure as part of the 10-hour Racial Justice Act training requirement.

The committee also proposes an advisory provision addressing Public Defender appointments because it is anticipated that a significant percentage of appointments for claims under section 1473(f) will be handled by agencies providing services to indigent defendants, such as the Public Defender. Subdivision (d) recommends that the Public Defender assign attorneys who meet the rule’s qualifications. While rules of court usually are mandatory, the committee thought an advisory provision was appropriate since section 1473.1’s only directs the council to promulgate standards for appointment of private counsel for claims under section 1473(f). However, the committee thought that if the rule did not address Public Defender appointments, there would be

³ Sen. Bill 133 (Stats. 2023, ch. 34).

no guidance around minimum qualifications for counsel in a significant percentage of appointments of counsel for claims under section 1473(f).

The committee proposes rule 4.553 do the following:

- Describe the purpose and scope of the rule (sub. (a));
- Include the following qualifications for appointed counsel (sub. (b)):
 - Active membership in the State Bar of California (par. (1));
 - Experience as one of the following (par. (2)):
 - Counsel of record for a petitioner in at least two habeas corpus proceedings filed in the Supreme Court, a Court of Appeal, or a superior court (subpar. (A));
 - Counsel of record in at least two criminal appeals filed in the Supreme Court, a Court of Appeal, or a federal appellate court (subpar. (B)); or
 - Have the experience required to represent the individual in the underlying class of criminal case (subpar. (C));
 - Familiarity with the practices and procedures of California criminal courts (par. (3));
 - Demonstrated proficiency in investigation, issue identification, legal research, analysis, writing, and advocacy (par. (4)); and
 - Have completed a minimum requirement of 10 hours of training on the California Racial Justice Act of 2020, including training on implicit bias and on habeas corpus procedure, approved for Minimum Continuing Legal Education by the State Bar of California (par. (5));
- Allow the court to appoint an attorney who does not meet all the qualifications if the attorney has completed the 10 hours of training on the California Racial Justice Act of 2020, including training on implicit bias and on habeas corpus procedure, and demonstrates the ability to provide competent representation (sub. (c)); and
- Provide guidance to public defender offices on assignment of qualified attorneys (sub. (d)).

The committee discussed whether the proposed qualifications in subdivision (b)(2)(a)–(c) of the rule could be too onerous. The committee agreed that it was important for appointed counsel to have some prior experience in habeas corpus proceedings, criminal appeals, or criminal case representation, and that a court could, if needed, rely on the alternative requirements to appoint counsel who did not meet all of the qualifications in subdivision (b).

Alternatives Considered

Section 1473.1 requires the Judicial Council to promulgate standards for appointment of counsel in superior court for claims filed under section 1473(f), so the committee did not consider the alternative of not proposing such standards.

Section 1473.1 contains an exception for death penalty cases, but it does not appear to prohibit developing qualifications related to the Racial Justice Act in these types of cases. However, given that qualifications for counsel in death penalty habeas proceedings are quite extensive and already difficult to meet, the committee decided not to develop qualifications related to the Racial Justice Act for counsel in death penalty–related habeas proceedings.

Fiscal and Operational Impacts

The fiscal and operational impacts of this proposal are attributable to the legislation that mandated it.

Request for Specific Comments

In addition to comments on the proposal as a whole, the advisory committee is interested in comments on the following:

- Does the proposal appropriately address the stated purpose?

The advisory committee also seeks comments from *courts* on the following cost and implementation matters:

- Would the proposal provide cost savings? If so, please quantify.
- What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?
- Would three months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?
- How well would this proposal work in courts of different sizes?

Attachments and Links

1. Cal. Rules of Court, rule 4.553, at pages 5–6
2. Link A: Penal Code section 1473.1,
https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=1473.1.&lawCode=PEN

Rule 4.553 of the California Rules of Court would be adopted, effective September 1, 2024, to read:

1 **Rule 4.553. Qualifications for appointed counsel for claims under section 1473(f) in**
2 **noncapital case**

3
4 **(a) Purpose**

5
6 This rule defines the minimum qualifications for appointment of counsel for a
7 petition for writ of habeas corpus claim filed under section 1473(f) in a noncapital
8 case in the superior court. These minimum qualifications are designed to promote
9 competent representation in habeas corpus proceedings related to the Racial Justice
10 Act of 2020 and to avoid unnecessary delay and expense by assisting the courts in
11 appointing qualified counsel. Nothing in this rule is intended to be used as a
12 standard by which to measure whether a person received effective assistance of
13 counsel. An attorney is not entitled to appointment simply because the attorney
14 meets the minimum requirements.

15
16 **(b) Qualifications**

17
18 To be eligible as appointed counsel, an attorney must:

- 19
20 (1) Be an active member of the State Bar of California.
21
22 (2) Have experience as one of the following:
23
24 (A) Counsel of record for a petitioner in at least two habeas corpus
25 proceedings filed in the Supreme Court, a Court of Appeal, a superior
26 court, or a federal court.
27
28 (B) Counsel of record in at least two criminal appeals filed in the Supreme
29 Court, a Court of Appeal, or a federal appellate court.
30
31 (C) Have the experience required to represent the individual in the
32 underlying class of criminal case.
33
34 (3) Be familiar with the practices and procedures of California criminal courts.
35
36 (4) Demonstrate proficiency in investigation, issue identification, legal research,
37 analysis, writing, and advocacy.
38
39 (5) Have completed a minimum requirement of 10 hours of training on the
40 California Racial Justice Act of 2020, including training on implicit bias and
41 on habeas corpus procedure, approved for Minimum Continuing Legal
42 Education by the State Bar of California.

Rule 4.553 of the California Rules of Court would be adopted, effective September 1, 2024, to read:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15

(c) Alternative requirements

The court may appoint an attorney who does not meet all the qualifications stated in (b)(1)–(4) if the attorney meets the qualifications of (b)(5) and demonstrates the ability to provide competent representation to the petitioner. If the court appoints counsel under this subdivision, it should state on the record the basis for finding counsel qualified.

(d) Public defender appointments

When the court appoints the Public Defender under section 987.2, the Public Defender should assign an attorney from that office or agency who meets the qualifications described in (b) or assign an attorney who the Public Defender determines would qualify under (c).

RULES COMMITTEE ACTION REQUEST FORM

Rules Committee Meeting Date: 12-7-23

Rules Committee action requested [Choose from drop down menu below]:

Submit to JC (without circulating for comment)

Title of proposal: Child Support: Revise Income Withholding for Support and Related Instructions

Proposed rules, forms, or standards (include amend/revise/adopt/approve):

Revise forms FL-195 and FL-196

Committee or other entity submitting the proposal:

The Family and Juvenile Law Advisory Committee

Staff contact (name, phone and e-mail): Anna Maves, (916) 263-28624, anna.maves@jud.ca.gov

Identify project(s) on the committee's annual agenda that is the basis for this item:

Annual agenda approved by Rules Committee on (date): 10-26-23

Project description from annual agenda: Revise FL-195 Income Withholding for Support and FL-196 Income Withholding for Support – Instructions to comply with changes made by the federal Office of Child Support Services (OCSS) who periodically updates the federal Income Withholding Form and Instructions. Each state child support agency and tribes that operate child support programs established in accordance with Title IV-D must use these forms without any changes.

Out of Cycle: *If requesting September 1 effective date or out of cycle, explain why:*

Federal and state law requires that all earning assignment orders be issued using mandatory federal forms. On October 5, 2023, OCSS issued revised Income Withholding for Support form and companion instructions which became effective immediately, but states are allowed until September 30, 2024, to implement the changes to the form. For California to be in compliance with federal and state law, FL-195 and FL-196 must be revised to reflect these changes. In order to avoid confusion caused by the prior expiration date being contained on the Judicial Council forms and to allow stakeholders an opportunity to make systems changes to incorporate the revised forms by the federal deadline, it is requested that the forms be revised immediately.

Additional Information for Rules Committee: (To facilitate Rules Committee's review of your proposal, please include any relevant information not contained in the attached summary.)

Additional Information for JC Staff (provide with reports to be submitted to JC):

- **Form Translations** (check all that apply)

This proposal:

- includes forms that have been translated.
- includes forms or content that are required by statute to be translated. Provide the code section that mandates translation: [Click or tap here to enter text.](#)
- includes forms that staff will request be translated.

- **Form Descriptions** (for any proposal with new or revised forms)

The forms in this proposal will require new or revised form descriptions on the JC forms webpage. (If this is checked, the form descriptions should be approved by a supervisor before submitting this RAR.)

- **Self-Help Website** (check if applicable)

This proposal may require changes or additions to self-help web content.



Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688

www.courts.ca.gov

REPORT TO THE JUDICIAL COUNCIL

Item No.:

For business meeting on January 19, 2024

Title

Child Support: Revise Income Withholding for Support and Related Instructions

Agenda Item Type

Action Required

Rules, Forms, Standards, or Statutes Affected

Revise forms FL-195 and FL-196

Effective Date

January 22, 2024

Recommended by

Family and Juvenile Law Advisory Committee

Hon. Stephanie E. Hulse, Cochair

Hon. Amy M. Pellman, Cochair

Date of Report

November 21, 2023

Contact

Anna L. Maves, 916-263-8624

anna.maves@jud.ca.gov

Executive Summary

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council approve revisions to *Income Withholding for Support* (form FL-195) and *Income Withholding for Support—Instructions* (form FL-196) as Family Code section 5208 and federal law require that all earning assignment orders for support be issued using the federal forms.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 22, 2024, approve revisions to *Income Withholding for Support* (form FL-195) and *Income Withholding for Support—Instructions* (form FL-196) to make them consistent with recent changes to the federal versions on the forms and to comply with Family Code section 5208 and federal law.

The revised forms are attached at pages 6–16.

Relevant Previous Council Action

Income Withholding for Support and *Income Withholding for Support—Instructions* were developed by the federal Office of Child Support Services (OCSS)¹ and were originally adopted by the Judicial Council on December 2, 1999. Effective January 1, 2003, the *Income Withholding for Support* form was renumbered as FL-195, and the instructions for form FL-195 were renumbered as form FL-196.

The federal Office of Management and Budget (OMB) has revised both forms over the years, with the Judicial Council revising forms FL-195 and FL-196 accordingly several times since they were originally adopted. Most recently, effective September 1, 2021, the Judicial Council revised forms FL-195 and FL-196 consistent with the changes made by the federal OMB on October 1, 2020, without circulating the forms for public comment.

Analysis/Rationale

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) (Pub.L. No. 104-193) instituted welfare reform, which included a requirement that OCSS develop a standardized form to collect child support payments in all title IV-D cases and in nontitle IV-D cases with orders initially issued in the state on or after January 1, 1994. Local child support agencies and the courts that are authorized under state law to issue Income Withholding Orders (IWOs) must use the OMB-approved IWO for all child support withheld by employers.

Family Code section 5208 was amended in 1999 to comply with this federal mandate and required that the federal form, *Order/Notice to Withhold Income for Child Support*,² be used as the IWO in any action in which child or family support is ordered.³ Under Family Code section 5208, the Judicial Council must adopt the federal form without any modifications. Significant amounts of federal funding for both welfare and child support programs are contingent on compliance with federal child support program regulations. Thus, it is important that state forms and procedures comply with these regulations.

However, California courts and the public are provided an opportunity to comment when the OCSS solicits comments for revisions to the form via the *Federal Register*. Specifically,

¹ Previously known as Office of Child Support Enforcement.

² In 2007, the federal form was renamed *Income Withholding for Support*.

³ PRWORA requires that states transmit orders and notices for income withholding to employers using uniform formats prescribed by the Secretary of Health and Human Services. (42 U.S.C. § 666(b)(6)(A)(ii).) A copy of title 42 of United States Code section 666(b) can be found at <https://www.law.cornell.edu/uscode/text/42/666>. Family Code section 5208 is available at https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=FAM§ionNum=5208.

comments for revisions to the *Income Withholding for Support* form were solicited via the *Federal Register* on July 12, 2023.⁴

OCSS reviewed the comments received by states and members of the public and incorporated comments into the revised form. The revised form was issued by OCSS on October 5, 2023, and became effective immediately, but states are allowed until September 30, 2024, to implement the changes to the form. In order to avoid confusion caused by the prior expiration date being contained on the Judicial Council forms and to allow stakeholders an opportunity to make systems changes to incorporate the revised forms by the federal deadline, it is recommended that the forms be revised immediately.

It is recommended that that forms FL-195 and FL-196 be revised consistent to the changes made to the federal forms. These key changes include:

- Moving the Paperwork Reduction Act language (form FL-195);
- Bolding reference to the tribal child support agency order instructions in the “Remittance Information” section (form FL-195 at section V);
- Updating the name of the Office of Child Support Enforcement to Office of Child Support Services throughout both forms.
- Editing instructions in the “Note to Employer/Income Withholder” section in form FL-196 at item 1f;
- Bolding references to the tribal child support agency order instructions in section “V. Remittance Information” (form 196); and
- Adding more details to the instructions under 1d in form FL-196 regarding the Office of Management and Budget expiration date.

In addition to the changes made by the OCSS, the Family and Juvenile Law Advisory Committee recommends that the remittance section on page 2 of form FL-195 continue to be prepopulated with the address of the California State Disbursement Unit (SDU). This addition to the form revisions was approved by the council effective on January 1, 2015, to ensure compliance with federal and state law requiring employers to send all earnings withheld pursuant to the terms of an earnings assignment order to the SDU for disbursement to the obligee, whether the local child support agency is providing services or not. No change is being recommended on this point.

The committee further recommends that forms FL-195 and FL-196 be adopted as optional forms. Federal law requires that notice given to the employer to withhold income shall be issued in a standard format. This format is available both on the federal *Income Withholding for Support*

⁴ The request for comment on the *Federal Register* is available at <https://www.govinfo.gov/content/pkg/FR-2023-07-12/pdf/2023-14662.pdf>.

form⁵ and instructions⁶ and on Judicial Council forms FL-195 and FL-196. As it would be appropriate for parties to use either the federal forms or the Judicial Council forms, the Judicial Council forms should be made optional for use.

The committee notes that the federal *Income Withholding for Support* continues to require that the employee's social security number be included on the form. The intention of this requirement is that employers can do their due diligence in making sure the IWO received is for the correct employee. It is acknowledged that there may be some concerns regarding confidentiality. However, because this is a mandatory federal form, it cannot be revised to remove this item or provide further instruction to the person completing the form and this item has been on the FL-195 for as long as it has been on the federal form. (See form FL-195 at item II.)

Nevertheless, rule 1.201(a)(1) of the California Rules of Court provides, "If an individual's social security number is required in a pleading or other paper filed in the public file, only the last four digits of that number may be used." Compliance with this rule by the person filling out the form will protect the obligor's confidential information, while still providing sufficient information for the employer and substantially adhering to the federal form.

Policy implications

These forms are mandated by federal law, and the recommended revisions do no more than reflect the changes mandated in the federal forms.

Comments

Forms FL-195 or FL-196 were not circulated for comment because these forms must be implemented as approved by the OMB without any local changes. For that reason, the revisions come within California Rules of Court, rule 10.22(d) as minor changes unlikely to create controversy, because directly implementing federal law, and so can be approved without being circulated for comment.

Alternatives considered

The committee has previously considered not recommending approving the federal Income Withholding Order for Support and instructions as Judicial Council forms because state child support agencies and tribes that operate child support programs established in accordance with Title IV-D must use the federal forms without revision. However, because these forms are widely used by California government agencies, attorneys, and self-represented parents to collect child support and because those support payments must be made to the SDU, the committee recommends continuing to approve these federal forms as Judicial Council forms to ensure that

⁵ The federal Income Withholding for Support is available at:
https://www.acf.hhs.gov/sites/default/files/documents/ocse/omb_0970_0154.pdf

⁶ The federal Income Withholding for Support – Instructions is available at:
https://www.acf.hhs.gov/sites/default/files/documents/ocse/omb_0970_0154_instructions.pdf

the forms are accessible and contain information about where employers must send support payments.

Fiscal and Operational Impacts

The committee is not aware of any implementation requirements, costs, or operational impacts affecting the local courts that will result from approval of the proposed forms other than standard reproduction costs and training court staff regarding changes to the revised forms as the changes to the forms make no change to the current process for issuing income withholding orders. The forms will be posted on the California Courts website. Courts will not incur costs beyond those that they may incur if they provide the forms to the public.

Attachments and Links

1. Forms FL-195 and FL-196, at pages 6–16

INCOME WITHHOLDING FOR SUPPORT

OMB 0970-0154
Expiration Date: 08/31/2026

I. Sender Information: (Completed by the Sender)

Date: _____

- INCOME WITHHOLDING ORDER/NOTICE FOR SUPPORT (IWO)
AMENDED IWO
ONE-TIME ORDER/NOTICE FOR LUMP SUM PAYMENT
TERMINATION OF IWO

Child Support Agency (CSA) Court Attorney Private Individual/Entity (Check One)

NOTE: This IWO must be regular on its face. Under certain circumstances you must reject this IWO and return it to the sender...

State/Tribe/Territory Remittance ID (include w/payment)
City/County/Dist./Tribe Order ID
Private Individual/Entity Case ID

II. Employer and Case Information: (Completed by the Sender)

Employer/Income Withholder's Name RE: Employee/Obligor's Name (Last, First, Middle)
Employer/Income Withholder's Address Employee/Obligor's Social Security Number
Employee/Obligor's Date of Birth
Custodial Party/Obligee's Name (Last, First, Middle)

Employer/Income Withholder's FEIN
Child(ren)'s Name(s) (Last, First, Middle) Child(ren)'s Birth Date(s)

III. Order Information: (Completed by the Sender)

This document is based on the support order from _____ (State/Tribe).
You are required by law to deduct these amounts from the employee/obligor's income until further notice.

\$ _____ Per _____ current child support
\$ _____ Per _____ past-due child support - Arrears greater than 12 weeks?
\$ _____ Per _____ current cash medical support
\$ _____ Per _____ past-due cash medical support
\$ _____ Per _____ current spousal support
\$ _____ Per _____ past-due spousal support
\$ _____ Per _____ other (must specify)

for a Total Amount to Withhold of \$ _____ per _____.

IV. Amounts to Withhold: (Completed by the Sender)

You do not have to vary your pay cycle to be in compliance with the Order Information. If your pay cycle does not match the ordered payment cycle, withhold one of the following amounts:

\$ _____ per weekly pay period \$ _____ per semimonthly pay period (twice a month)
\$ _____ per biweekly pay period (every two weeks) \$ _____ per monthly pay period
Lump Sum Payment: Do not stop any existing IWO unless you receive a termination order.

Document Tracking ID _____

Employer/Income Withholder's Name: _____ Employer/Income Withholder's FEIN: _____
Employee/Obligor's Name: _____ SSN: _____
Case ID: _____ Order ID: _____

V. Remittance Information: (Completed by the Sender except for the "Return to Sender" check box.)

If the employee/obligor's principal place of employment is _____ (State/Tribe), you must begin withholding no later than the first pay period that occurs _____ days after the date of _____ of the order/notice. Send payment within _____ business days of the pay date. If you cannot withhold the full amount of support for any or all orders for this employee/obligor, withhold _____ % of disposable income for all orders. If the employee/obligor's principal place of employment is not _____ (State/Tribe), obtain withholding limitations, time requirements, the appropriate method to allocate among multiple child support cases/orders, and any allowable employer fees from the jurisdiction of the employee/obligor's principal place of employment.

State-specific withholding limit information is available at www.acf.hhs.gov/css/resource/state-income-withholding-contacts-and-program-requirements. For tribe-specific contacts, payment addresses, and withholding limitations, please contact the tribe at www.acf.hhs.gov/sites/default/files/programs/css/tribal_agency_contacts_printable_pdf.pdf or www.bia.gov/tribalmap/DataDotGovSamples/tld_map.html.

You may not withhold more than the lesser of: 1) the amounts allowed by the Federal Consumer Credit Protection Act (CCPA) [15 USC §1673 (b)]; or 2) the amounts allowed by the law of the state of the employee/obligor's principal place of employment if the place of employment is in a state; or the tribal law of the employee/obligor's principal place of employment if the place of employment is under tribal jurisdiction. The CCPA is available at <https://www.dol.gov/agencies/whd/fact-sheets/30-cppa>. If the Order Information section does not indicate that the arrears are greater than 12 weeks, then the employer should calculate the CCPA limit using the lower percentage.

If there is more than one IWO against this employee/obligor and you are unable to fully honor all IWOs due to federal, state, or tribal withholding limits, you must honor all IWOs to the greatest extent possible, giving priority to current support before payment of any past-due support.

If the obligor is a nonemployee, obtain withholding limits from the **Supplemental Information** section in this IWO. This information is also available at www.acf.hhs.gov/css/resource/state-income-withholding-contacts-and-program-requirements.

Remit payment to	<u>California State Disbursement Unit</u>	(SDU/Tribal Order Payee)
at	<u>P.O. Box 989067, West Sacramento, CA 95798-9067</u>	(SDU/Tribal Payee Address)
Include the Remittance ID with the payment and if necessary this locator code of the SDU/ Tribal order payee on the payment.		
To set up electronic payments or to learn state requirements for checks, contact the State Disbursement Unit (SDU). Contacts and information are found at www.acf.hhs.gov/css/resource/sdu-eft-contacts-and-program-requirements .		

Return to Sender (Completed by Employer/Income Withholder). Payment must be directed to an SDU in accordance with sections 466(b)(5) and (6) of the Social Security Act or Tribal Payee (see Payments in Section VI). If payment is not directed to an SDU/Tribal Payee or this IWO is not regular on its face, you must check this box and return the IWO to the sender.

If Required by State or Tribal Law:
Signature of Judge/Issuing Official: _____
Print Name of Judge/Issuing Official: _____
Title of Judge/Issuing Official: _____
Date of Signature: _____

If the employee/obligor works in a state or for a tribe that is different from the state or tribe that issued this order, a copy of this IWO must be provided to the employee/obligor.

If checked, the employer/income withholder must provide a copy of this form to the employee/obligor.
Income Withholding for Support (IWO)

Employer/Income Withholder's Name: _____ Employer/Income Withholder's FEIN: _____
Employee/Obligor's Name: _____ SSN: _____
Case ID: _____ Order ID: _____

VI. Additional Information for Employers/Income Withholders: (Completed by the Sender)

Priority: Withholding for support has priority over any other legal process under state law against the same income (section 466(b)(7) of the Social Security Act). If a federal tax levy is in effect, please notify the sender.

Payments: You must send child support payments payable by income withholding to the appropriate SDU or to a tribal CSA within 7 business days, or fewer if required by state law, after the date the income would have been paid to the employee/obligor and include the date you withheld the support from his or her income. You may combine withheld amounts from more than one employee/obligor's income in a single payment as long as you separately identify each employee/obligor's portion of the payment. Child support payments may not be made through the federal Office of Child Support Services (OCSS) Child Support Portal.

Lump Sum Payments: You may be required to notify a state or tribal CSA of upcoming lump sum payments, such as bonuses, commissions, or severance pay, to this employee/obligor. Contact the sender to determine if you are required to report and/or withhold lump sum payments. Employers/income withholders may use the OCSS Child Support Portal (ocsp.acf.hhs.gov/csp/) to provide information about employees who are eligible to receive lump sum payments and to provide contacts, addresses, and other information about their companies. Child support payments may not be made through the federal OCSS Child Support Portal.

Liability: If you have any doubts about the validity of this IWO, contact the sender. If you fail to withhold income from the employee/obligor's income as the IWO directs, you are liable for both the accumulated amount you should have withheld and any penalties set by state or tribal law/procedure.

Anti-Discrimination: You are subject to a fine determined under state or tribal law for discharging an employee/obligor from employment, refusing to employ, or taking disciplinary action against an employee/obligor because of this IWO.

Supplemental Information:

Employer/Income Withholder's Name: _____ Employer/Income Withholder's FEIN: _____
Employee/Obligor's Name: _____ SSN: _____
Case ID: _____ Order ID: _____

VII. Notification of Employment Termination or Income Status: (Completed by the Employer/Income Withholder)

If this employee/obligor never worked for you or you are no longer withholding income for this employee/obligor, you must promptly notify the CSA and/or the sender by returning this form to the address listed in the **Contact Information** section below or by using the OCSS Child Support Portal (ocsp.acf.hhs.gov/csp/). Please report the new employer or income withholder, if known.

This person has never worked for this employer nor received periodic income.

This person no longer works for this employer nor receives periodic income.

Please provide the following information for the employee/obligor:

Termination date: _____ Last known telephone number: _____

Last known address: _____

Final payment date to SDU/Tribal Payee: _____ Final payment amount: _____

New employer's or income withholder's name: _____

New employer's or income withholder's address: _____

VIII. Contact Information: (Completed by the Sender)

To Employer/Income Withholder: If you have questions, contact _____ (sender name) by telephone: _____, by fax: _____, by email or website: _____.

Send termination/income status notice and other correspondence to: _____ (sender address).

To Employee/Obligor: If the employee/obligor has questions, contact _____ (sender name) by telephone: _____, by fax: _____, by email or website: _____.

IMPORTANT: The person completing this form is advised that the information may be shared with the employee/obligor.

Encryption Requirements:

When communicating this form through electronic transmission, precautions must be taken to ensure the security of the data. Child support agencies are encouraged to use the electronic applications provided by the federal Office of Child Support Services. Other electronic means, such as encrypted attachments to emails, may be used if the encryption method is compliant with Federal Information Processing Standard (FIPS) Publication 140-2 (FIPS PUB 140-2).

INCOME WITHHOLDING FOR SUPPORT - Instructions

The Income Withholding for Support (IWO) is the OMB-approved form used for income withholding in:

- Tribal, intrastate, and interstate cases enforced under Title IV-D of the Social Security Act
- All child support orders initially issued in the state on or after January 1, 1994
- All child support orders initially issued (or modified) in the state before January 1, 1994 if arrearages occur.

This form is the standard format prescribed by the Secretary in accordance with section 466(b)(6)(a)(ii) of the Social Security Act. **Except as noted, the following information is required and must be included.**

Please note:

- For the purpose of this IWO form and these instructions, “state” is defined as a state or territory.
- Dos and don’ts on using this form are found at www.acf.hhs.gov/css/resource/using-the-income-withholding-for-support-form-dos-and-donts.

I. Sender Information: (Completed by the sender) Check one box for fields 1a-1d.

1a. **Income Withholding Order/Notice for Support (IWO).** Check the box if this is an initial IWO.

1b. **Amended IWO.** Check the box to indicate that this form amends a previous IWO. Any changes to an IWO must be done through an amended IWO.

1c. **One-Time Order/Notice For Lump Sum Payment.** Check the box when this IWO is to attach a one-time collection of a lump sum payment after receiving notification from an employer/income withholder or other source. When this box is checked, enter the amount in field 14, Lump Sum Payment, in the **Amounts to Withhold** section. Additional IWOs must be issued to collect subsequent lump sum payments.

1d. **Termination of IWO.** Check the box to stop income withholding on a child support order. Complete all applicable identifying information to aid the employer/income withholder in terminating the correct IWO.

- The OMB expiration date is printed on the IWO form.
 - However, the IWO sent on a case does not expire on the OMB expiration date—once the IWO has been sent to the employer, then the IWO is in effect until it is terminated by the Issuing Agency.
 - The Issuing Agency must make any system updates to implement the currently approved IWO form as soon as possible. In the interim, OMB extended the expiration date of the previously approved form to allow child support agencies to issue an IWO until programing for the currently approved form is complete.

1e. **Date.** Date this form is completed and/or signed.

1f. **Child Support Agency (CSA), Court, Attorney, Private Individual/Entity (Check one box).** Check the appropriate box to indicate which entity is sending the IWO. If this IWO is **not** completed by a state or tribal CSA, the sender should contact the CSA (see www.acf.hhs.gov/programs/css/resource/state-income-withholding-contacts-and-program-requirements) to determine if the **CSA** needs a copy of this form to facilitate payment processing.

NOTE TO EMPLOYER/INCOME WITHHOLDER: This IWO must be regular on its face. The IWO must be rejected and returned to sender under the following circumstances:

- IWO instructs the employer/income withholder to send a payment to an entity other than a state disbursement unit (for example, payable to the custodial party, court, or attorney). Each state is required to operate a state disbursement unit (SDU), which is a centralized facility for collection and disbursement of child support payments. Exception: If this IWO is issued by a court, attorney, or private individual/entity and the initial child support order was entered before January 1, 1994 or the **order was issued by a tribal CSA, the employer/income withholder must follow the payment instructions on the form.**
- After processing an IWO, the payment is returned to the income withholder because the order information is not on the child support system and the SDU could not process the payment. The income withholder should return the payment to employee.

- Form does not contain all information necessary for the employer to comply with the withholding, such as missing Remittance Identifier, invalid case identifier, or missing sender contact information.
- Form is altered or contains invalid information, such as “step-down” provisions or other future events that an employer is not required to monitor.
- Amount to withhold is not a dollar amount.
- Sender has not used the OMB-approved form for the IWO.
- A copy of the underlying order is required and not included. If you receive this document from an attorney or private individual/entity, a copy of the underlying support order containing a provision authorizing income withholding must be attached.

1g. **State/Tribe/Territory.** Name of state or tribe sending this form. This must be a government entity of the state or a tribal organization authorized by a tribal government to operate a child support program. If you are a tribe submitting this form on behalf of another tribe, complete field 1i.

1h. **Remittance ID (include w/payment).** Identifier for the SDU/Tribal Payee designated in the Remittance Information section, field 22, that employers/income withholders must include when sending payments for this IWO. The Remittance ID is entered as the case identifier on the electronic funds transfer/electronic data interchange (EFT/EDI) record.

NOTE TO EMPLOYER/INCOME WITHHOLDER: The employer/income withholder must use the Remittance ID when remitting payments so the SDU or tribe can identify and apply the payment correctly. The Remittance ID is entered as the case identifier on the EFT/EDI record.

1i. **City/County/Dist./Tribe. *Optional*** field for the name of the city, county, or district sending this form. If entered, this must be a government entity of the state or the name of the tribe authorized by a tribal government to operate a child support program for which this form is being sent. If a tribe is submitting this form on behalf of another tribe, enter the name of that tribe.

1j. **Order ID. *Optional*** unique identifier associated with a specific child support obligation. It could be a court case number, docket number, or other identifier designated by the sender.

1k. **Private Individual/Entity.** Name of the private individual/entity or non-IV-D tribal CSE organization sending this form.

1l. **Case ID.** Unique identifier assigned to a state or tribal CSA case. In a state IV-D case as defined at 45 Code of Federal Regulations (CFR) 305.1, this is the identifier reported to the Federal Case Registry (FCR). One IWO must be issued for each IV-D case and must use the unique CSA Case ID. For tribes, this would be either the FCR identifier or other applicable identifier.

II. Employer and Case Information: (Completed by the Sender)

2a. **Employer/Income Withholder's Name.** Name of employer or income withholder.

2b. **Employer/Income Withholder's Address.** Employer/income withholder's mailing address including street/PO box, city, state, and zip code. (This may differ from the employee/obligor's work site.) If the employer/income withholder is a federal government agency, the IWO should be sent to the address listed under Federal Agency Income Withholding Contacts and Program Information at www.acf.hhs.gov/css/resource/federal-agency-iwo-and-medical-contact-information.

2c. **Employer/Income Withholder's FEIN.** Employer/income withholder's nine-digit Federal Employer Identification Number (if available).

3a. **Employee/Obligor's Name.** Employee/obligor's last name and first name. A middle name is *optional*.

3b. **Employee/Obligor's Social Security Number.** Employee/obligor's Social Security number or other taxpayer identification number.

3c. **Employee/Obligor's Date of Birth.** Employee/obligor's date of birth is *optional*.

3d. **Custodial Party/Obligee's Name.** Custodial party/obligee's last name and first name. A middle name is *optional*. Enter one custodial party/obligee's name on each IWO form. Multiple custodial parties/obligees are not to be entered on a single IWO. Issue one IWO per state IV-D case as defined at 45 CFR 305.1.

3e. **Child(ren)'s Name(s).** Child(ren)'s last name(s) and first name(s). A middle name(s) is *optional*. (Note: If there are more than six children for this IWO, list additional children's names and birth dates in the **Supplemental Information** section, field 33). Enter the child(ren) associated with the custodial party/obligee and employee/obligor only. Child(ren) of multiple custodial parties/obligees is not to be entered on an IWO.

3f. **Child(ren)'s Birth Date(s).** Date of birth for each child named.

3g. **Blank box.** Space for court stamps, bar codes, or other information.

III. Order Information: (Completed by the Sender)

The first field identifies which state or tribe issued the order. The other fields identify the dollar amounts for specific kinds of support (taken directly from the support order) and the total amount to withhold for specific time periods.

4. **State/Tribe.** Name of the state or tribe that issued the support order.

5a-b. **Current Child Support.** Dollar amount to be withheld **per** the time period (for example, week, month) specified in the underlying support order.

6a-b. **Past-due Child Support.** Dollar amount to be withheld **per** the time period (for example, week, month) specified in the underlying support order.

6c. **Arrears Greater Than 12 Weeks?** The appropriate box (Yes/No) must be checked indicating whether arrears are greater than 12 weeks.

7a-b. **Current Cash Medical Support.** Dollar amount to be withheld **per** the time period (for example, week, month) specified in the underlying support order.

8a-b. **Past-due Cash Medical Support.** Dollar amount to be withheld **per** the time period (for example, week, month) specified in the underlying support order.

9a-b. **Current Spousal Support.** (Alimony) Dollar amount to be withheld **per** the time period (for example, week, month) specified in the underlying support order.

10a-b. **Past-due Spousal Support.** (Alimony) Dollar amount to be withheld **per** the time period (for example, week, month) specified in the underlying order.

11a-c. **Other.** Miscellaneous obligations' dollar amount to be withheld **per** the time period (for example, week, month) specified in the underlying order. **Must specify** a description of the obligation (for example, court fees).

12a-b. **Total Amount to Withhold.** The total amount of the deductions **per** the corresponding time period. Fields 5a, 6a, 7a, 8a, 9a, 10a, and 11a should total the amount in 12a.

NOTE TO EMPLOYER/INCOME WITHHOLDER: An acceptable method of determining the amount to be paid on a weekly or biweekly basis is to multiply the monthly amount due by 12 and divide that result by the number of pay periods in a year. Additional information about this topic is available in [Action Transmittal 16-04](#), Correctly Withholding Child Support from Weekly and Biweekly Pay Cycles (<https://www.acf.hhs.gov/css/resource/correctly-withholding-child-support-from-weekly-and-biweekly-pay-cycles>)

IV. Amount to Withhold: (Completed by the Sender)

Fields 13a through 13d specify the dollar amount to be withheld for this IWO if the employer/income withholder's pay cycle does not correspond with field 12b.

13a. **Per Weekly Pay Period.** Total amount an employer/income withholder should withhold if the employee/obligor is paid weekly.

13b. **Per Semimonthly Pay Period.** Total amount an employer/income withholder should withhold if the employee/obligor is paid twice a month.

13c. **Per Biweekly Pay Period.** Total amount an employer/income withholder should withhold if the employee/obligor is paid every two weeks.

13d. **Per Monthly Pay Period.** Total amount an employer/income withholder should withhold if the employee/obligor is paid once a month.

14. **Lump Sum Payment.** Dollar amount withheld when the IWO is used to attach a lump sum payment. This field should be used when field 1c is checked.

15. **Document Tracking ID.** *Optional* unique identifier for this form assigned by the sender.

Please Note: Employer/Income Withholder's Name, FEIN, Employee/Obligor's Name and SSN, Case ID, and Order ID must appear in the header on page 2 and subsequent pages.

V. Remittance Information: (Completed by the Sender except for the "Return to Sender" check box, field 25. Fields 26-29 are completed only if required by state or tribal law.)

Payments are forwarded to the SDU in each state, unless the initial child support order was entered by a state before January 1, 1994, and never modified, accrued arrears, or was enforced by a child support agency or by a tribal CSA. **If the order was issued by a tribal CSA, the employer/income withholder must follow the remittance instructions on the form in the Supplemental Information Section.**

16. **State/Tribe.** Name of the state or tribe sending this document.

17. **Days.** Number of days after the effective date noted in field 18 in which withholding must begin, according to the state or tribal laws/procedures for the employee/obligor's principal place of employment.

18. **Date.** Implementation date of this IWO, expressed as date of "service," "receipt," or "mailing." Only one of the three choices is to be entered in the blank line.

19. **Business Days.** Number of business days within which an employer/income withholder must remit amounts withheld pursuant to the state or tribal laws/procedures of the principal place of employment.

20. **Percentage of Disposable Income.** The percentage of disposable income that may be withheld from the employee/obligor's paycheck. It is the sender's responsibility to determine the percentage an employer/income withholder is required to withhold. Senders must enter a specific percentage and not a range of percentages.

NOTE TO EMPLOYER/INCOME WITHHOLDER: The employer/income withholder may not withhold more than the lesser of: 1) the amounts allowed by the Federal Consumer Credit Protection Act [15 USC §1673(b)]; or 2) the amounts allowed by the jurisdiction of the employee/obligor's principal place of employment (i.e., the amounts allowed by state law if the employee/obligor's principal place of employment is in a state; or the amounts allowed by tribal law if the employee/obligor's principal place of employment is under tribal jurisdiction).

If permitted by the state or tribe, you may deduct a fee for administrative costs. The combined support amount and fee may not exceed the limit on the IWO.

State-specific withholding limitations, time requirements, and any allowable employer fees are available at www.acf.hhs.gov/css/resource/state-income-withholding-contacts-and-program-requirements.

For tribe-specific contacts, payment addresses, and withholding limitations, please contact the tribe at www.acf.hhs.gov/sites/default/files/programs/css/tribal_agency_contacts_printable_pdf.pdf or https://www.bia.gov/tribalmap/DataDotGovSamples/tld_map.html.

Depending on applicable state or tribal law, you may need to consider amounts paid for health care premiums to determine disposable income and apply appropriate withholding limits.

A federal government agency may withhold from a variety of incomes and forms of payment, including voluntary separation incentive payments (buy-out payments), incentive pay, and cash awards. For a more complete list, see 5 CFR 581.103.

21. **State/Tribe.** Name of the state or tribe sending this document.

NOTE TO SENDER: The Sender must designate the correct SDU. In certain cases, the Sender may be required to designate an SDU (field 22), corresponding SDU Address (field 23), and if required Locator Code (field 24) that is different than the Sender's SDU (see OCSE's AT-17-07: Interstate Child Support Payment Processing, <https://www.acf.hhs.gov/css/resource/interstate-child-support-payment-processing>). The Remittance ID in field 1h must correspond with the SFDU identified in field 22.

22. **SDU/Tribal Order Payee.** Name of SDU (or payee specified in the underlying tribal support order) to which payments must be sent.

23. **SDU/Tribal Payee Address.** Address of the SDU (or payee specified in the underlying tribal support order) to which payments must be sent.

24. **Locator Code.** *Optional* code of the SDU/Tribal Order payee state where payment is being remitted. Geographic Locator Codes are standard codes for states, counties, cities, and territories issued by the National Institute of Standards and Technology. These were formerly known as Federal Information Processing Standards (FIPS) codes.

25. **Return to Sender Checkbox.** The employer/income withholder should check this box and return the IWO to the sender if this IWO is not payable to an SDU or Tribal Payee or this IWO is not regular on its face as indicated on page 1 of these instructions.

26. **Signature of Judge/Issuing Official.** Signature of the official authorizing this IWO if required by state or tribal law.

27. **Print Name of Judge/Issuing Official.** Name of the official authorizing this IWO if required by state or tribal law.

28. **Title of Judge/Issuing Official.** Title of the official authorizing this IWO if required by state or tribal law.

29. **Date of Signature.** Date the judge/issuing official signs this IWO if required by state or tribal law.

30. **Copy of IWO checkbox.** Check this box for all intergovernmental IWOs. If checked, the employer/income withholder is required to provide a copy of the IWO to the employee/obligor.

VI. Additional Information for Employers/Income Withholders: (Completed by the Sender)

The following fields refer to federal, state, or tribal laws that apply to issuing an IWO to an employer/income withholder. State- or tribal-specific information may be included only in the fields below.

31. **Liability.** Additional information on the penalty and/or citation of the penalty for an employer/income withholder who fails to comply with the IWO. The state or tribal law/procedures of the employee/obligor's principal place of employment govern the penalty.

32. **Anti-discrimination.** Additional information on the penalty and/or citation of the penalty for an employer/income withholder who discharges, refuses to employ, or disciplines an employee/obligor as a result of the IWO. The state or tribal law/procedures of the employee/obligor's principal place of employment govern the penalty.

33. **Supplemental Information.** Any state-specific information needed, such as maximum withholding percentage for nonemployees/independent contractors, fees the employer/income withholder may charge the obligor for income withholding, or children's names and DOBs if there are more than six children on this IWO. Additional information must be consistent with the requirements of the form and the instructions.

VII. Notification of Employment Termination or Income Status: (Completed by the Employer/Income Withholder)

The employer must complete this section when the employee/obligor's employment is terminated, income withholding ceases, or if the employee/obligor has never worked for the employer. The employer/income withholder may report new payment sources such as workers' compensation, if known.

34a-b. Employment/Income Status Checkbox. Check the employment/income status of the employee/obligor.

35. Termination Date. If applicable, date employee/obligor was terminated.

36. Last Known Telephone Number. Last known (home/cell/other) telephone number of the employee/obligor.

37. Last Known Address. Last known home/mailling address of the employee/obligor.

38. Final Payment Date. Date employer sent final payment to SDU/Tribal Payee.

39. Final Payment Amount. Amount of final payment sent to SDU/Tribal Payee.

40. New Employer's or Income Withholder's Name. Name of employee's/obligor's new employer or income withholder (if known).

41. New Employer's or Income Withholder's Address. Address of employee's/obligor's new employer or income withholder (if known).

VIII. Contact Information: (Completed by the Sender)

42. Sender Contact for Employer/Income Withholder. Name of the person that the employer/income withholder can call for information regarding this IWO. If the sender is a victim of family or domestic violence, rather than including direct contact information, enter contact information for someone else who will communicate for you.

43. Sender Telephone Number. Telephone number of the contact person.

- 44. Sender Fax Number.** *Optional* fax number of the contact person.
- 45. Sender Email/Website.** *Optional* email or website of the contact person.
- 46. Sender Address (Termination/Income Status and Correspondence Address).** Address to which the employer should return the Employment Termination or Income Status notice. It is also the address that the employer should use to correspond with the issuing entity.
- 47. Sender Contact for Employee/Obligor.** Name of the contact person that the employee/obligor can call for information.
- 48. Sender Telephone Number.** Telephone number of the contact person.
- 49. Sender Fax Number.** *Optional* fax number of the contact person.
- 50. Sender Email/Website.** *Optional* email or website of the contact person.

Encryption Requirements:

You must take precautions to secure data when transmitting the IWO electronically. Child support agencies are encouraged to use the electronic applications provided by the federal Office of Child Support Services. Other electronic means, such as encrypted attachments to emails, may be used if the encryption method is compliant with Federal Information Processing Standard (FIPS) Publication 140-2 (FIPS PUB 140-2).

RULES COMMITTEE ACTION REQUEST FORM

Rules Committee Meeting Date: December 7, 2023

Rules Committee action requested [Choose from drop down menu below]:
Circulate for comment (September 1 cycle)

Title of proposal: Mental Health Law: CARE Act Rule Amendments and Form Revisions

Proposed rules, forms, or standards (include amend/revise/adopt/approve):

Amend Cal. Rules of Court, rules 7.2210, 7.2221, 7.2225, and 7.2230; revise forms CARE 050-INFO, CARE-060-INFO, CARE-100, CARE-101, CARE-105, CARE 106, and CARE-113

Committee or other entity submitting the proposal:

Probate and Mental Health Advisory Committee. The Family and Juvenile Law Advisory Committee joins the elements of the proposal that addresses communications between the CARE Act court and the juvenile court, if applicable.

Staff contact (name, phone and e-mail): Theresa Chiong, 415-865-4080, theresa.chiong@jud.ca.gov; Corby Sturges, 415-865-4507, corby.sturges@jud.ca.gov

Identify project(s) on the committee's annual agenda that is the basis for this item:

Annual agenda approved by Rules Committee on (date): October 26, 2023

Project description from annual agenda: CARE Act Rule Amendments and Form Revisions: The committee will develop a recommendation for amendments to the rules and revisions to the forms implementing the Community Assistance, Recovery, and Empowerment (CARE) Act (Welf. & Inst. Code, §§ 5970–5987) to conform to the law as amended by Senate Bill 35 (Stats. 2023, ch. 283) and to facilitate the act's implementation. Amendments are expected to address, among other issues, sharing private health information with the courts and specified agencies or providers and—to be developed in collaboration with the Family and Juvenile Law Advisory Committee—communication between a CARE Act court and a juvenile court when a person over the age of 18 who is subject to continuing juvenile court jurisdiction is also the subject of a CARE Act petition. The project is intended to assist litigants and courts in navigating the CARE Act process.

Family and Juvenile Law: As directed by the Judicial Council, review legislation identified by Governmental Affairs that may have an impact on family and juvenile law issues within the advisory committee's purview. The committee will review the legislation below, and any other identified legislation, and propose rules and forms as may be appropriate for the council's consideration and will take action only where necessary to allow courts to implement the legislation efficiently. SB 35 makes numerous changes to the Community Assistance, Recovery, and Empowerment (CARE) Act, including expanding the topics to be addressed by statewide rules of court to include communications between the CARE Act court and the juvenile court, if applicable.

Out of Cycle: *If requesting September 1 effective date or out of cycle, explain why:*

The CARE Act was amended by Senate Bill 35 (Stats. 2023, ch.) which took effect immediately as an urgency statute. Conforming rule amendments and form revisions are needed before January 1, 2025, to facilitate the implementation of the CARE Act by the second cohort of 50 California courts and counties by December 1, 2024.

Additional Information for Rules Committee: (To facilitate Rules Committee's review of your proposal, please include any relevant information not contained in the attached summary.)

Additional Information for JC Staff (provide with reports to be submitted to JC):

- **Form Translations** (check all that apply)

This proposal:

- includes forms that have been translated.
- includes forms or content that are required by statute to be translated. Provide the code section that mandates translation: [Click or tap here to enter text.](#)

includes forms that staff will request be translated.

- **Form Descriptions** (for any proposal with new or revised forms)
 - The forms in this proposal will require new or revised form descriptions on the JC forms webpage. (If this is checked, the form descriptions should be approved by a supervisor before submitting this RAR.).
- **Self-Help Website** (check if applicable)
 - This proposal may require changes or additions to self-help web content.



Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688

www.courts.ca.gov/policyadmin-invitationstocomment.htm

INVITATION TO COMMENT

W24-03

Title

Mental Health Law: CARE Act Rule
Amendments and Form Revisions

Action Requested

Review and submit comments by
January 19, 2024

Proposed Rules, Forms, Standards, or Statutes

Amend Cal. Rules of Court, rules 7.2210,
7.2221, 7.2225, and 7.2230; revise forms
CARE-050-INFO, CARE-060-INFO,
CARE-100, CARE-101, CARE-105,
CARE-106, and CARE-113

Proposed Effective Date

September 1, 2024

Contact

Theresa Chiong, 415-865-7985
Theresa.Chiong@jud.ca.gov

Proposed by

Probate and Mental Health Advisory
Committee
Hon. Jayne Chong-Soon Lee, Chair

Corby Sturges, 415-865-4507
Corby.Sturges@jud.ca.gov

Family and Juvenile Law Advisory
Committee

Hon. Stephanie E. Hulse, Cochair
Hon. Amy M. Pellman, Cochair

Executive Summary and Origin

The Probate and Mental Health Advisory Committee proposes amending four rules of court and revising seven forms to implement Senate Bill 35 (Stats. 2023, ch. 283), which amended both substantive and procedural aspects of the Community Assistance, Recovery, and Empowerment (CARE) Act. In addition, the statute updated the Judicial Council mandate to adopt rules implementing the policies and provisions of the act to add a requirement that the rules include “communications between the CARE Act court and the juvenile court, if applicable,” and to remove the requirement that the rules include “the clerk’s review of the petition.” The Family and Juvenile Law Advisory Committee joins in proposing the amendment of rule 7.2210 and the revision of form CARE-100 to the extent those proposed changes address communications between the CARE Act court and the juvenile court.

This proposal has not been approved by the Judicial Council and is not intended to represent the views of the council, its Rules Committee, or its Legislation Committee. It is circulated for comment purposes only.

Background

The CARE Act took effect on January 1, 2023.¹ The act requires implementation by counties in two phases. The first cohort of 7 counties and their superior courts began implementation of the CARE Act on October 1, 2023.² The second cohort, comprising the remaining 51 counties in California, must begin implementation by December 1, 2024.³

The CARE Act is intended to provide “a path to care and wellness” for Californians living with untreated schizophrenia spectrum and other psychotic disorders that lead to “risks to their health and safety and increased homelessness, incarceration, hospitalization, conservatorship, and premature death.”⁴ To achieve this end, the act authorizes specified adults to petition a superior court for a determination that the person for whom the petition is filed (the respondent) is eligible to participate in the CARE Act process and, if so, for an order beginning the CARE Act process for the respondent.⁵

SB 35 was enacted to fill gaps, clarify ambiguities, and correct inaccurate cross-references in the CARE Act. The bill’s amendments to the act included:

- Authorizing subordinate judicial officers to preside over the proceedings;⁶
- Clarifying that the respondent has a right to an interpreter in court;⁷
- Prohibiting filing fees for court filings;⁸
- Clarifying the persons who may file a petition and the rights of original petitioners;⁹
- Allowing the respondent to petition the court for an order sealing case records and creating a presumption in favor of sealing if such a petition is filed.¹⁰

¹ The CARE Act was enacted as section 7 of Senate Bill 1338 (Stats. 2022, ch. 319, § 7) and is codified at Welfare and Institutions Code sections 5970–5987. All further unspecified statutory references are to the Welfare and Institutions Code.

² § 5970.5(a). The counties in the first cohort are Glenn, Orange, Riverside, San Diego, San Francisco, Stanislaus, and Tuolumne.

³ § 5970.5(b). Los Angeles County will begin implementing the act on December 1, 2023.

⁴ Sen. Bill 1338, § 1(a).

⁵ §§ 5972, 5974, 5975, and 5977.

⁶ § 5975.2.

⁷ § 5976(j).

⁸ § 5975.3.

⁹ §§ 5974 and 5977(b)(6).

¹⁰ § 5976.5.

SB 35 also adds a mandate for the rules adopted to implement the policies and provisions of the CARE Act to include “communications between the CARE Act court and the juvenile court, if applicable.” (§ 5977.4(c).)

SB 35 was signed on September 30, 2023, and took effect immediately as an urgency statute.

The Proposal

To implement the requirements and procedures enacted by SB 35, the Probate and Mental Health Advisory Committee, joined by the Family and Juvenile Law Advisory Committee to the extent the proposal affects the juvenile court, proposes that the Judicial Council, effective September 1, 2024,¹¹ take the following actions.

Amend rule 7.2210

Rule 7.2210 would be amended with the addition of subdivisions (c), (d), (e), and (f). Subdivision (c) would delineate the procedures pertaining to the respondent’s ability to file a motion under section 5976.5(e) to seal records in CARE Act proceedings. The rule would include procedures relating to notice requirements, the time frame within which an opposition to such a request must be filed, and for identifying and maintaining sealed records. Such a rule is required because rules 2.550–2.551 do not, by their terms, apply to records that are required to be kept confidential by law, as CARE Act records are,¹² and rule 3.1103 exempts causes of actions arising under the Welfare and Institutions Code from the “law and motion” rules.

Subdivision (d) of the rule would implement the mandate, added by SB 35 to 5977.4(c), to include in the rules of court provisions regarding “communications between the CARE Act court and the juvenile court, if applicable.” The rule would require the CARE Act court, upon learning a respondent is within a juvenile court’s dependency, delinquency, or transition jurisdiction, to notify the juvenile court that a CARE Act petition has been filed on behalf of that respondent¹³. The rule would also include provisions clarifying that the CARE Act court is not precluded by statute from exercising concurrent jurisdiction with the juvenile court over a respondent who is within juvenile court dependency, delinquency, or transition jurisdiction.

Subdivision (e) would include provisions regarding notification of respondent’s attorney in certain proceedings in which respondent is a party of the CARE Act proceedings. The rule would require the CARE Act court, upon learning that a respondent has been referred from a

¹¹ The Family and Juvenile Law Advisory Committee joins specifically in proposing the amendment of rule 7.2210 to add subdivisions (d) and (e) and the revision of form CARE-100 to add item 7b.

¹² § 5977.4(a). Those rules also do not apply because they address situations in which the party filing the documents is the one making the motion to seal them, while in CARE Act cases that is not typically the situation.

¹³ A detailed discussion explaining the committees’ rationale for the rules pertaining specifically to communications involving respondents who are also within a juvenile court’s dependency, delinquency, or transition jurisdiction is provided in the “Alternatives Considered” section.

proceeding described in section 5978¹⁴ or is within a juvenile court's dependency, delinquency, or transition jurisdiction, to order the county agency to notify the respondent's attorney in that case that a CARE Act petition has been filed on behalf of the respondent and provide that attorney with the contact information, if known, of the respondent's CARE Act attorney.

Subdivision (f) would specify that the notification requirements in subdivisions (d) and (e) do not authorize communication of confidential information other than required in those subdivisions between the courts or between the county agency and parties, absent an express waiver by the respondent. This subdivision reinforces the high degree of confidentiality in CARE Act proceedings, even as subdivisions (d) and (e) allow for limited notification.

Rule 7.2210 would also include two advisory committee comments. The first comment would clarify that the phrase "within a juvenile court's dependency, delinquency, or transition jurisdiction," as used in subdivisions (d) and (e), refers only to a respondent whom a juvenile court had found to be described by Welfare and Institutions Code section 300, 450, 601, or 602 and who is, at the time the CARE Act petition is filed, within a juvenile court's jurisdiction based on one of those descriptions. The comment would emphasize that the phrase does not refer to any other party to a juvenile court proceeding. The second comment would explain that subdivision (d)(2) describes existing law and does not create new law. Specifically, the comment would state that neither the Juvenile Court Law nor the CARE Act precludes concurrent jurisdiction or confers exclusive jurisdiction on either court over matters relating to persons who meet the statutory jurisdictional criteria of both.

Amend rule 7.2221

SB 35 removed the statutory mandate directing the Judicial Council to adopt rules that included the clerk's review of the petition. Rule 7.2221 would be amended to remove the language that implemented that mandate.

Amend rule 7.2225

Rule 7.2225 would be amended to reflect the revised language in section 5978(a) and (b) clarifying the identity of the person required to serve as the petitioner in CARE Act proceedings initiated upon referral from other court proceedings.

Amend rule 7.2230

Rule 7.2230(a) would be amended to simplify the language of the rule.¹⁵

¹⁴ Section 5978 allows a court in which a person faces proceedings for assisted outpatient treatment, conservatorship under the Lanterman-Petris-Short Act, or competency to stand trial under section 1370.01 of the Penal Code to refer the person for commencement of CARE Act proceedings on their behalf.

¹⁵ Rule 7.2230(a) was adopted to implement the mandate requiring a rule regarding "the process by which counsel will be appointed." § 5977.4(c). The council concluded that it would be impracticable to establish a single, uniform statewide appointment process because the size and experience of local bars, the existence of qualified legal services projects that have agreed to accept appointments, the structure of local public defender services, and other circumstances vary widely among courts and counties.

Revise Information for Petitioners—About the CARE Act (form CARE-050-INFO)

Form CARE-050-INFO would be revised to incorporate changes from SB 35. The form is an information sheet that describes the CARE Act process and instructs petitioners how to properly fill out the petition form. It is primarily directed at self-represented petitioners. The form provides basic information about the CARE Act process, eligibility requirements for the petitioner and respondent, and step-by-step instructions on how to complete the *Petition to Commence CARE Act Proceedings* (form CARE-100).

Form CARE-050 would be revised to:

- Include the provision that there shall be no filing fees for CARE Act filings, reflecting the addition of section 5975.3;
- Replace the term “severe mental illness” with “serious mental disorder,” reflecting revised language in section 5972(b), which mirrors the language the statute refers to in section 5600.3(b)(2);
- Reflect the changes to who may file a petition, as amended in sections 5974(j) and (k) and 5978;
- Mirror item 7 in *Petition to Commence CARE Act Proceedings* (form CARE-100) providing instruction on information to include if the petition is being filed in response to a referral from another court proceeding, if the respondent is within a juvenile court’s dependency, delinquency, or transition jurisdiction, or if the respondent has a conservator; and
- Reflect the revision to section 5977(b)(6)(B) regarding the rights of the original petitioner described under section 5974(a) and (b), making their rights consistent with other petitioners, giving them the “right to be present and make a statement” at the initial hearing on the merits of the petition.

Additional revisions would be made to increase readability through the provision of plain language, where possible without losing legal accuracy.

Revise Information for Respondents—About the CARE Act (form CARE-060-INFO)

Form CARE-060-INFO is an information sheet for respondents and provides details about the CARE Act and CARE proceedings. The form explains the possible identities and rights of each party, the role of a supporter, the CARE Act eligibility criteria, and what happens in the initial stages of the court proceedings. This information is intended to help the respondent understand the CARE process and how the respondent may respond. Form CARE-060-INFO would include the following revisions:

- Inclusion of the respondent’s right to have an interpreter in all proceedings if necessary for the respondent to fully participate, reflecting the addition of section 5976(j);

- Item 8 would be revised to reflect the amendment of section 5977(b)(6)(B) revising the rights of the original petitioner described under section 5974(a) and (b), making their rights consistent with other petitioners, giving them the “right to be present and make a statement” at the initial hearing on the merits of the petition; and
- Item 11 would be added to include information about the respondent’s right to appeal under section 5976(i).

Additional revisions include technical, nonsubstantive conforming changes aimed at improving readability.

Revise *Petition to Commence CARE Act Proceedings* (form CARE-100)

Form CARE-100 is the mandatory petition form to initiate CARE Act proceedings. The form enables the petitioner to provide information regarding the petitioner and respondent’s eligibility and necessary information to begin the CARE Act process. The form would be revised to incorporate the clarifications described above as to who may file a petition, and to replace “severe mental illness” with “serious mental disorder” to reflect the change in section 5972(b).

Additionally, the form would be revised to require the provision of information, if known and if applicable, about a judicial proceeding from which the respondent has been referred, and whether the respondent is within a juvenile court’s dependency, delinquency, or transition jurisdiction or has a court-appointed conservator.

This revision corresponds to rule 7.2210(d), which requires the CARE Act court to notify the juvenile court that a CARE Act petition has been filed on behalf of a respondent within the juvenile court’s dependency, delinquency, or transition jurisdiction. It also corresponds to rule 7.2210(e), which requires the CARE Act court to order the county agency to notify the respondent’s attorney in a proceeding identified in section 5978 or a respondent within a juvenile court’s dependency, delinquency, or transition jurisdiction that a CARE Act petition has been filed on behalf of the respondent. Finally, the revision responds to the mandate in section 5977.4(c), directing the Judicial Council to adopt rules to implement provisions regarding communications between the CARE Act and juvenile court, if applicable. The revision to form CARE-100 to require such information increases the likelihood that the court and counsel would have that information.

Additional revisions include technical, nonsubstantive conforming changes.

Revise *Mental Health Declaration—CARE Act Proceedings* (form CARE-101)

Form CARE-101 is a mandatory form to be submitted by the petitioner. The form must be completed by a licensed behavioral health professional and fulfills the health affidavit requirement in section 5975(d)(1). Form CARE-101 would be revised to replace the term “severe mental illness” with “serious mental disorder,” reflecting the same revised language in section 5972(b), which mirrors the term the statute refers to in section 5600.3(b)(2).

Revise Order for CARE Act Report (form CARE-105)

Form CARE-105 is a mandatory form for the court to use to order a county agency to investigate and file a written report that includes all of the statutory requirements under section 5977(a)(3)(B). Form CARE-105 would be updated to state that the report must include the information, including protected health information, necessary to support the determinations, conclusions, and recommendations in the report, as required by the addition of section 5977(a)(3)(B)(iv).

Revise Notice of Order for CARE Act Report (form CARE-106)

Form CARE-106 is a mandatory form for use by county agencies to provide notice of *Order for CARE Act Report* (form CARE-105). Similar to form CARE-105, form CARE-106 would be updated to state that report must include the information, including protected health information, necessary to support the determinations, conclusions, and recommendations in the report, as required by the addition of section 5977(a)(3)(B)(iv).

Revise Notice of Respondent’s Rights—CARE Act Proceedings (form CARE-113)

Form CARE-113 is a form for mandatory use that informs the respondent of their rights in the CARE Act process. A copy of the form must be provided to the respondent along with any notice of hearing served on the respondent. Form CARE-113 would be updated to include the respondent’s right to have an interpreter in all proceedings if necessary for the respondent to fully participate, as authorized by the addition of section 5976(j). Additional revisions include minor technical, nonsubstantive conforming changes primarily aimed at improving readability.

Alternatives Considered

The committees did not consider taking no action because SB 35 added a requirement that the Judicial Council adopt rules to implement the policies and provisions in the CARE Act, including communications between the CARE Act court and juvenile court, if applicable. (§ 5977.4(c).) The legislation also made substantive and procedural changes to the CARE Act that require conforming changes to the rules and forms.

The committees initially considered proposing rules that provided for broader communications between CARE Act courts and juvenile courts. However, some members questioned the council’s authority to provide by rule for any communication unless an exception to the confidentiality requirements was expressly authorized by statute. Members also noted that direct communication between courts about pending matters is rare. Weighing the mandate in SB 35 that the Judicial Council adopt rules "including communications between the CARE Act court and juvenile court, if applicable" against with the statutory requirements of confidentiality in both types of proceedings and the absence of specific guidance or authority in the CARE Act, the committees chose to proceed cautiously when addressing communication about those proceedings.

The committee members declined to recommend a rule authorizing court-to-court communications about CARE Act respondents who are parents with children within a juvenile

court's jurisdiction. The members were concerned that even implicitly authorizing such communications would raise due process issues by potentially placing parental rights in jeopardy without sufficient notice and an opportunity to be heard. As a result, the committees' proposal addresses only communications about respondents who are themselves within a juvenile court's dependency, delinquency, or transition jurisdiction.

The committees considered developing a rule requiring the respondent's CARE Act attorney, upon learning that the respondent has been referred from a proceeding identified in section 5978 or that the respondent is within a juvenile court's dependency, delinquency, or transition jurisdiction, to notify the respondent's attorney in the other case that a CARE Act petition has been filed on the respondent's behalf. However, the committees decided a rule requiring the CARE Act court to order the county agency to notify the respondent's attorney in the related case would be more appropriate because the agency is also responsible for providing notice to other persons.

Regarding CARE Act cases in which a respondent is within concurrent juvenile and CARE Act court jurisdiction, the committees considered whether a proposed rule could include guidance as to which court's orders would take precedence in the event of a conflict. Some members of the Family and Juvenile Law Advisory Committee expressed a preference to provide such guidance, but the committees concluded that because the statute is silent on the matter, and the allocation of court jurisdiction and substantive rights falls within the Legislature's authority, the council cannot adopt a rule addressing that issue. Although some members suggested that the committees request specific comment on what legislation might provide a sufficient legal basis for the council to address the issue through rule making, this question was deemed inappropriate because it would solicit comments concerning legislation that may well be outside the scope of the council's authority.

Fiscal and Operational Impacts

The proposed changes to the rules and forms should not have a significant fiscal or operational impact on the courts. They are intended to provide updated guidance and information to the court and parties.

The trial courts will incur ongoing costs to print, copy, and provide the mandated forms. These costs, however, are expected to be minimal.

The courts will also experience some operational impacts to develop procedures for the CARE Act court to notify the juvenile court in CARE Act proceedings in which the respondent is within a juvenile court's dependency, delinquency, or transition jurisdiction. The additional work for court staff is expected to be minimal.

Request for Specific Comments

In addition to comments on the proposal as a whole, the advisory committee is interested in comments on the following:

- Does the proposal appropriately address the stated purpose?
- Does initial experience implementing the CARE Act suggest further changes to this proposal or, possibly in a future cycle, to other CARE Act rules and forms that would facilitate the statewide expansion of the CARE Act process?

The advisory committees also seek comments from *courts* on the following cost and implementation matters:

- Would the proposal provide cost savings? If so, please quantify.
- What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?
- Would three months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?
- How well would this proposal work in courts of different sizes?

Attachments and Links

1. Cal. Rules of Court, rules 7.2210, 7.2221, 7.2225, and 7.2230, at pages 10–13
2. Forms CARE-050-INFO, CARE-060-INFO, CARE-100, CARE-101, CARE-105, CARE-106 and CARE-113, at pages 14–37
3. Link A: SB 35 (showing amendments),
https://leginfo.legislature.ca.gov/faces/billCompareClient.xhtml?bill_id=202320240SB35&showamends=true
4. Link B: SB 1338,
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB1338

Rules 7.2210, 7.2221, 7.2225, and 7.2230 of the California Rules of Court would be amended, effective September 1, 2024, to read:

1 **Rule 7.2210. General provisions**

2
3 (a) * * *

4
5 (b) **Access to records (§ 5977.4(a))**

6
7 All documents filed and all evaluations, reports, and other documents submitted to
8 the court in CARE Act proceedings are confidential, notwithstanding disclosure of
9 their contents during a CARE Act hearing. No person other than the respondent, the
10 respondent's counsel, the county behavioral health director or the director's
11 designee, counsel for the director or the director's designee, and, with the
12 respondent's express consent given in writing or orally in court, the respondent's
13 supporter may inspect or copy the case records without a court order.

14
15 (c) **Sealing of records (§ 5976.5(e))**

16
17 (1) A motion to seal records under section 5976.5(e) must specify the records to
18 which it applies.

19
20 (2) The respondent must serve the motion to seal on the other parties not later
21 than the close of the next business day after the motion is filed.

22
23 (3) Any opposition to the motion must be filed within 10 court days of the date
24 of service in (2).

25
26 (4) The extensions of time in Code of Civil Procedure sections 1010.6 and 1013
27 apply to motions under section 5976.5(e).

28
29 (5) The court may grant the motion based on the papers or, if timely opposition is
30 filed, set a hearing on the motion, and provide at least five business days'
31 notice to all parties.

32
33 (6) Order

34
35 (A) If the court grants the motion and the sealed record is in paper format,
36 the clerk must place on the envelope or container of the record a label
37 prominently stating "SEALED BY ORDER OF THE COURT ON
38 (DATE)." If the sealed record is in electronic form, the clerk must file
39 the court's order, maintain the record ordered sealed in a secure
40 manner, and clearly identify the record as sealed by court order on a
41 specified date.
42

1 (B) The order must state whether any person other than the court is
2 authorized to inspect the sealed record.

3
4 (7) Rules 2.550 and 2.551 do not apply to motions to seal records under section
5 5976.5(e).

6
7 **(d) Respondent within juvenile court jurisdiction (§ 5977.4(c))**

8
9 (1) Notification of juvenile court

10
11 Upon learning that a respondent is within a juvenile court’s dependency,
12 delinquency, or transition jurisdiction, the CARE Act court must notify the
13 juvenile court that a CARE Act petition has been filed on behalf of that
14 respondent.

15
16 (2) Concurrent jurisdiction with juvenile court

17
18 The CARE Act court is not precluded by statute from exercising jurisdiction
19 over a respondent who is within a juvenile court’s dependency, delinquency,
20 or transition jurisdiction. The CARE Act court and the juvenile court may,
21 therefore, exercise concurrent jurisdiction over such a respondent.

22
23 **(e) Notification of respondent’s attorney in related proceedings (§ 5977.4(c))**

24
25 If the CARE Act court learns that the respondent has been referred from a
26 proceeding identified in section 5978 or that the respondent is within a juvenile
27 court’s dependency, delinquency, or transition jurisdiction, the court must order the
28 county agency to:

29
30 (1) Notify the respondent’s attorney, if any, in the related case that a CARE Act
31 petition has been filed on behalf of the respondent; and

32
33 (2) Provide the attorney with the contact information of the respondent’s CARE
34 Act attorney, if known.

35
36 **(f) No communication of further information (§ 5976.5)**

37
38 Subdivisions (d) and (e) do not authorize the communication of information other
39 than that identified in those subdivisions absent an express waiver by the
40 respondent.

Advisory Committee Comment

Subdivisions (d) and (e). As used in these subdivisions, the phrase “within a juvenile court’s dependency, delinquency, or transition jurisdiction” refers to a respondent whom a juvenile court has found to be described by Welfare and Institutions Code section 300, 450, 601, or 602 and who is currently within the juvenile court’s jurisdiction based on one of those descriptions. The term does not refer to any other party to a juvenile court proceeding.

Subdivision (d)(2). The subdivision is intended to describe the effect of existing law. Neither the Juvenile Court Law (Welf. & Inst. Code, §§ 200–987) nor the CARE Act precludes concurrent jurisdiction or, conversely, confers exclusive jurisdiction on either court over matters relating to mental health treatment of persons who meet the statutory jurisdictional criteria of both.

Rule 7.2221. Papers to be filed (§ 5975)

(a) — ~~Petition packet (§ 5975)~~

A petition to commence CARE Act proceedings must be made on *Petition to Commence CARE Act Proceedings* (form CARE-100). The petition must include either:

- (1) A completed *Mental Health Declaration—CARE Act Proceedings* (form CARE-101); or
- (2) The evidence described in section 5975(d)(2).

(b) ~~Acceptance of papers for filing~~

~~On receipt of a petition, the clerk must file the petition packet, assign a case number, and place the packet in a confidential file.~~

Rule 7.2225. ~~Petitioner~~ Persons who may file petition (§§ 5974, 5978)

(a) — ~~Persons who may file petition~~

~~A petition to commence proceedings under the CARE Act may be filed by any of the persons identified in section 5974 or, in the circumstances specified therein, section 5978.~~
Any person identified in section 5974 may file a petition to begin CARE Act proceedings. If a petition is based on a referral authorized by section 5978, only the person designated in that section may file the petition.

1 **(b) ~~Petitioner on referral under Penal Code section 1370.01~~**

2
3 ~~On referral by a court under Penal Code section 1370.01, an agency designated by~~
4 ~~the county will be the petitioner.~~

5
6
7 **Rule 7.2230. Counsel for respondent (§§ 5976(c), 5977(a)(3)(A), (a)(5)(C) & (b)(1))**

8
9 **(a) Appointment**

10
11 If the court finds that the petitioner has made a prima facie showing that the
12 respondent is or may be a person described by section 5972, the court must, ~~in~~
13 ~~accordance with procedures established by local rule:~~

- 14
15 (1) Appoint a qualified legal services project as counsel to represent the
16 respondent; or
17
18 (2) If no qualified legal services project has agreed to accept CARE Act
19 appointments from the court, appoint a public defender or an attorney acting
20 in that capacity to represent the respondent.

21
22 **(b)-(c) * * ***

This information sheet describes the CARE Act and how to fill out *Petition to Commence CARE Act Proceedings* (form CARE-100). A court self-help center may also be able to help you. Go to <https://selfhelp.courts.ca.gov/self-help/find-self-help> to find your court's self-help center. **Note:** There is no cost to file a CARE Act petition.

1 What is the CARE Act?

CARE stands for Community Assistance, Recovery, and Empowerment. The CARE Act allows specific people, called “petitioners,” to ask for court-ordered treatment, services, support, and a housing plan for people, called “respondents.” A respondent must be at least 18 years old, have a schizophrenia spectrum or other psychotic disorder, and meet several other requirements.

The CARE process uses evaluations and court hearings to figure out whether the respondent is eligible for services. A county behavioral health agency may contact the respondent as part of the process. If the respondent is eligible, a CARE agreement or plan for services may be created. If the court approves, it will order the CARE agreement or plan.

2 What is a CARE agreement or CARE plan?

A CARE agreement and a CARE plan are written documents that describe services to support the recovery and stability of the respondent. They must be approved by court order. Services may include clinical behavioral health care; counseling; specialized psychotherapy, programs, and treatments; stabilization medications; a housing plan; and other supports and services provided directly and indirectly by local government. The agreement or plan cannot give anyone the right to use force to medicate the respondent.

A CARE agreement is a voluntary agreement for services and treatment between the respondent and the county behavioral health agency after a court has found that the respondent is eligible for the CARE program. For the agreement to be valid, the court must approve it. The court can change the agreement before approving it.

A CARE plan is a set of community-based services and supports for the respondent that is ordered by the court if the respondent and the county cannot reach a CARE agreement.

3 Have you thought about ways to help other than CARE Act proceedings?

There may be other ways to help a person with a serious mental illness. If the person has private health insurance, contact their health plan/insurer. If you do not know if the person has private health insurance or if they do not have private insurance, contact your county's behavioral health agency or check its website. County behavioral health agencies offer many services. These include services like counseling, therapy, and medication and can also include programs like full-service partnerships, rehabilitative mental health services, peer support services, intensive case management, crisis services, residential care, substance use disorder treatment, assertive community treatment, and supportive housing. Counties are required to provide services to Medi-Cal beneficiaries who qualify for specialty mental health and substance use disorder services. They are also allowed to provide their services to people who do not receive Medi-Cal, depending on local funding and eligibility standards. These services do not require a court order.

A *full-service partnership* is a program for a person with a serious mental illness who would benefit from intensive services. A full-service partnership can help a person who is homeless, involved with the justice system, or uses crisis psychiatric care frequently. *Assertive community treatment* is a form of mental health care provided in a community setting to help a person become independent and live as part of the community as they recover.

Find out if the person has made an advance health care directive or psychiatric advance directive. These written documents name someone else to make health care decisions for a person when that person cannot. If the person has a directive, you can contact the person named in it to ask for their help. Think about looking into local social services and community-based programs, too.



4 How do I complete *Petition to Commence CARE Act Proceedings (form CARE-100)*?**Item 1: Who Can Be the Petitioner?**

The petitioner is the person who asks the court to start CARE Act proceedings for a person who needs help because of a serious mental disorder.

To be a petitioner, you **must** be 18 years of age or older **and** be one of the following:

- A person who lives with the respondent.
- The respondent's spouse or registered domestic partner, parent, sibling, child, or grandparent.
- A person who has authority to act as the respondent's parent.
- The director of a county behavioral health agency of the county where the respondent lives or is present, or the director's designee.
- A licensed behavioral health professional who is or has been supervising the treatment of or treating the respondent for a mental disorder within the last 30 days, or the professional's designee.
- The director of a public or charitable agency who is or has, within the last 30 days, been providing behavioral health services to the respondent or in whose institution the respondent resides, or the director's designee.
- The director of a hospital in which the respondent is or was recently hospitalized, or the director's designee.
- A California tribal court judge in whose court the respondent has appeared within the previous 30 days, or the judge's designee.
- The director of adult protective services of the county where the respondent lives or is present, or the director's designee.
- The director of a California Indian health services program or tribal behavioral health department that is or has, within the previous 30 days, been providing behavioral health services to the respondent, or the director's designee.
- A first responder who has encountered the respondent multiple times to arrest or involuntarily detain the respondent, engage the respondent in voluntary treatment, or make other efforts to get the respondent professional help.
- The public guardian or public conservator of the county where the respondent lives or is present, or the public officer's designee.
- A conservator or proposed conservator referred from a proceeding under the Lanterman-Petris-Short (LPS) Act.
- The respondent.

In item 1, enter your name and check the box next to the petitioner type or types that apply to you.

Item 2: Relationship to the Respondent

Enter the respondent's name in item 2a. Describe your relationship with the respondent in item 2b. If you are a petitioner from a hospital, a public or charitable agency, a licensed behavioral health professional who has been treating or supervising the respondent, or a first responder, state how many times you have interacted with the respondent, give the date of the most recent interaction, and describe the nature and outcome of each interaction in item 2c.

Item 3: Respondent's Address or Last Known Location

If you know where the respondent lives, enter the address in item 3. If you do not know the respondent's address, or if they do not have one, state that the address is unknown and give the respondent's last known location and any other information, such as a phone number or email address, that might help to locate the respondent.

Item 4: The Right Court and County

In item 4, show why the county where you are filing the petition is the right place to file. You can file a petition only in the county where the respondent lives, where the respondent is currently present, or where the respondent is facing a legal case. Check all options that apply. If the person does not live in the county, it helps to state where they live, if you know.



Item 5: Respondent Eligibility

You must state facts and provide information that support your claim that the respondent is eligible for the CARE Act process. All of the following requirements, which are listed in item 5a–5g on form CARE-100, must be met for a respondent to be eligible. Please note that the situations discussed below are only *examples* of circumstances that may qualify. The court decides whether each respondent is eligible based only on facts about that respondent.

Requirements	Explanations	Examples
The respondent must be 18 years old or older (item 5a) and must:		
<p>Have a diagnosis of a schizophrenia spectrum disorder or another psychotic disorder in the same class, as defined in the current <i>Diagnostic and Statistical Manual of Mental Disorders</i> (item 5b).</p>	<p>Only a person with a schizophrenia spectrum or other psychotic disorder is eligible for the CARE Act process. A person who does not have that diagnosis is not eligible even if they have a different serious mental disorder, such as bipolar disorder or major depression.</p> <p>Note: The psychotic disorder must not be based on a medical condition, including a physical health condition such as a traumatic brain injury, autism, dementia, or a neurological condition. A person with a current diagnosis of substance use disorder must also have a psychotic disorder and meet all the other criteria in item 5 to be eligible.</p>	<p>Schizophrenia, schizophreniform disorder, schizoaffective disorder, delusional disorder, schizotypal personality disorder, and other psychotic disorders.</p>
<p>Be currently experiencing a serious mental disorder that (item 5c):</p> <ul style="list-style-type: none"> • Is severe in degree and persistent in duration (item 5c(1)) • May cause behavior that interferes substantially with the person’s activities of daily living (item 5c(2)), and • May lead to an inability to maintain stable adjustment and independent functioning without treatment, support, and rehabilitation for a long or indefinite period (item 5c(3)). 	<p>Indicate any behaviors, such as delusions, hallucinations, or unusual and ongoing mood changes, that substantially interfere with the respondent’s ability to perform essential and routine tasks needed for work or self-care.</p> <p>Describe why you believe the respondent is unable to live independently, function in the community, and take care of their condition and social relationships without additional help.</p>	<p>If caused by a chronic, prolonged, or recurrent mental disorder:</p> <ul style="list-style-type: none"> • Difficulty with self-care (e.g., bathing, grooming, obtaining and eating food, dressing appropriately for the weather, securing health care, or following medical advice). • Difficulty maintaining a residence, using transportation, or managing money day to day. • Difficulty concentrating or completing tasks as scheduled. • Difficulty functioning socially, creating and maintaining relationships. • Recent history of inability to care for themselves (bathe, groom, get food and eat, use the restroom) daily without additional help.



Requirements	Explanations	Examples
<p>Not be clinically stabilized in ongoing voluntary treatment (item 5d).</p>	<p>Describe why you believe the respondent is not being adequately supported in a voluntary treatment program such that their condition and symptoms are stable.</p>	<ul style="list-style-type: none"> • Repeated and ongoing refusal to accept voluntary treatment without reason. • Temporary acceptance of voluntary treatment that is interrupted by failure or refusal to continue the treatment without reason. • Voluntary treatment is accepted, but that treatment is not effective to stabilize the respondent.
<p>At least one of the following must be true (item 5e):</p>		
<p>The respondent is unlikely to survive safely in the community without supervision and the respondent’s condition is substantially deteriorating (item 5e(1)).</p> <p>OR</p>	<p>Indicate recent instances where the respondent has needed supervision to survive in the community due to lack of reality orientation, confusion, or impaired insight.</p> <p>Describe how the respondent’s ability to think clearly, communicate, or participate in regular activities has worsened quickly.</p>	<ul style="list-style-type: none"> • Recent or frequent hospitalizations due to symptoms such as delusions, hallucinations, disorganization, impaired insight, impaired judgment. • Recent or frequent arrests due to a mental disorder.
<p>The respondent needs services and supports to prevent a relapse or deterioration that would likely result in grave disability or serious harm to the respondent or others (item 5e(2)).</p>	<p>Describe how the respondent would be unable to survive safely, would be gravely disabled, or would cause serious harm to others or themselves unless they received services and supports.</p> <ul style="list-style-type: none"> • <i>Grave disability</i> includes a person’s inability, due to a mental disorder, to provide for their basic personal needs for food, clothing, or shelter. • <i>Serious harm</i> includes injury causing extreme pain, high risk of death, or loss of physical or mental functions. 	<ul style="list-style-type: none"> • A person who has immediate access to safe housing but chooses, because of a mental disorder, to live in conditions that could lead to a danger to their health. • A person who recently attempted suicide because of their mental disorder and continues to express a desire to harm themselves. • Self-injuring behavior, such as walking into traffic or harming oneself unknowingly through behavior that puts them at risk for serious injury or death.



Requirements	Explanations	Examples
The respondent’s participation in a CARE plan or CARE agreement must:		
Be the least restrictive alternative necessary to ensure the respondent’s recovery and stability (item 5f), <i>and</i>	Explain how participation in a CARE plan or CARE agreement: <ul style="list-style-type: none"> • Would effectively meet the respondent’s treatment needs while placing as few limits as possible on the respondent’s rights and personal freedoms. • Is necessary because other less restrictive alternatives would not ensure the respondent’s recovery and stability; for example, because other less restrictive alternatives have not been successful. 	Less restrictive alternatives might include: <ul style="list-style-type: none"> • Voluntary full-service partnerships, which are collaborative relationships between the county and the individual, and when appropriate the individual’s family, through which the county plans for and provides the full spectrum of community services. • Supported decisionmaking, which is an individualized process of supporting and accommodating an adult with a disability to enable them to make life decisions without impeding their self-determination. • Assertive community treatment, which is a person-centered, recovery-based treatment option that employs low client-to-staff ratios.
Be likely to benefit the respondent (item 5g).	Explain how participating in a CARE plan could help the respondent stabilize and improve their current state and situation.	<ul style="list-style-type: none"> • The respondent’s prior improvement when participating in similar treatment programs. • Medical opinion that the patient would benefit from treatment.

Note: Include in the petition as much information as you have about each item listed above. You may also attach any documents you have that support one or more of those items.

Item 6: Required Documentation

You must attach supporting documentation to the petition. That documentation must include one of two things:

- a. A completed declaration by a licensed behavioral health professional on *Mental Health Declaration—CARE Act Proceedings* (form CARE-101); **OR**
- b. Evidence that the respondent was detained for a minimum of two intensive treatments, the most recent one within the last 60 days.

For example, this evidence could include copies of certification for intensive treatment, a declaration from a witness to the intensive treatment, or other documents showing that the respondent was detained twice for up to 14 days of intensive treatment. Evidence should include the dates of the last treatment period.

Note: For purposes of the CARE Act, “intensive treatment” only includes involuntary treatment authorized by Welfare and Institutions Code section 5250. It does *not* refer to treatment authorized by any other statute, including but not limited to 72-hour holds under Welfare and Institutions Code section 5150 or treatments under Welfare and Institutions Code sections 5260 and 5270.15.



Item 7: Other proceedings

If the respondent has another court case, information about that case could be helpful to your CARE Act petition.

Complete item 7 if you know any of the requested information.

- If you are filing a petition in response to a referral from another court proceeding, fill out item 7a. Give the name of the referring court and the case number, department, and type of case, if you know. If you have a copy of the referral order, label it “Attachment 7a” and attach it to the petition.
- If the respondent is within a juvenile court’s jurisdiction as a dependent, ward, or nonminor dependent, fill out item 7b. Give the court name, the case number, and contact information for the respondent’s juvenile court attorney.
- If the respondent has a conservator, fill out item 7c. Give the court name, the case number, and contact information for the respondent’s conservatorship attorney.

Note: If you don’t know the information requested in part of item 7, leave that part blank. The petition will be processed even if you do not complete item 7.

Item 8: Tribal Enrollment or Services From an American Indian Health Care Provider

If you know that the respondent is a member of a federally recognized Indian tribe or is receiving services from California Indian health care provider, tribal court, or tribal organization, include that information in item 8.

Note: The petition will be processed even if you do not complete item 8.

Item 9: Helpful Information

In item 9, check any of the boxes that apply to the respondent and provide any requested information that you know.

Note: The petition will be processed even if you do not complete item 9.

Item 10: Attachments

In item 10, list the total number of pages attached to the petition.

Signature: You must write the date, print your name, and *sign the petition under penalty of perjury*. That means that if you have stated anything that you know is **not true** on the form, you may be criminally liable. If you have an attorney helping you, they will sign as well.

5 Is service of process required?

No. To begin CARE Act proceedings, you do not need to provide anyone with a copy of the petition except the court.

6 What will happen after I file the petition?

After you file a petition, the court will review it and any supporting documents filed with it. The court will **decide** if the documents show that the respondent meets or might meet the CARE eligibility requirements. Then the court will **either**:

- Dismiss the petition** if it finds (1) that the petition does not show that the respondent meets or may meet the CARE Act eligibility requirements **or** (2) that the respondent is voluntarily working with the county agency, their engagement is effective, and the respondent has enrolled or is likely to enroll in voluntary treatment through the county or another provider. **OR**
- Order a report** if it finds that the petition does show that the respondent meets or may meet the CARE Act eligibility requirements. The court will order a county agency to engage the respondent and file a written report with the court within 14 business days. The **county will notify** you and the respondent that the court ordered the report.

Note: The procedures are different if the county behavioral health agency is the petitioner.



7 The initial appearance

If the court finds that the county agency's report supports the petition's showing that the respondent meets or may meet the CARE Act eligibility requirements and the county's engagement with the respondent was not effective, the court will set an *initial appearance*. The court will also order the county to give notice of the initial appearance to you, as well as to the respondent, the respondent's appointed counsel, and the county behavioral health agency.

You, the petitioner, must be present at the initial appearance, or the court may dismiss the petition. You will receive a notice in the mail of the date, time, and place of the initial appearance.

Note: At the initial appearance, the director of the county behavioral health agency, or the director's designee, will replace you as the petitioner.

8 Do petitioners have any rights?

You have the right to go to the hearing on the merits and make a statement. If you live with the respondent, are the respondent's spouse or domestic partner, parent, sibling, child, or grandparent, or are someone who has authority to act as the respondent's parent, then the court may choose to give you ongoing rights to receive notice. And if the respondent agrees, the court may also allow you to participate in the rest of the CARE Act proceedings.

If you are a petitioner not listed above, the court cannot give you other ongoing rights.

If the petition is dismissed and later the respondent's situation changes, you may file a new petition with the court.

9 What is a vexatious litigant?

A *vexatious litigant* is a person whom a court has found to have used the court process to harm or annoy other people by repeatedly suing them or filing other papers against them without a good reason.

A CARE Act court may find that a person is a vexatious litigant if that person files more than one CARE Act petition that is not true or is intended to disturb, harm, or annoy the respondent. Once declared a vexatious litigant, a person may be placed on a vexatious litigants list kept by the Judicial Council. The court may enter an order that prevents a vexatious litigant from filing any new litigation, including other types of cases (not just CARE Act petitions), without first getting permission from the trial court presiding judge. If such an order is issued, the court may fine a person who does not follow the order or send them to jail for contempt of court.

10 What if I don't speak English?

When you file your papers, ask the clerk if a court interpreter is available. You can also use *Request for Interpreter (Civil)* (form [INT-300](#)) or a local court form or website to request an interpreter. For more information about court interpreters, go to <https://selfhelp.courts.ca.gov/request-interpreter>.

11 What if I have a disability?

If you have a disability and need an accommodation while you are at court, you can use *Disability Accommodation Request* (form [MC-410](#)) to make your request. You can also ask the ADA Coordinator in your court for help. For more information, see *How to Request a Disability Accommodation for Court* (form [MC-410-INFO](#)) or go to <https://selfhelp.courts.ca.gov/jcc-form/MC-410>.

This information sheet provides information about the CARE Act and CARE Act proceedings.

1 Why am I being given these documents?

Someone has filed a petition with a court to start a CARE Act case for you. In the case, you are called the *respondent*.

The CARE Act applies only to specific people. The petition asks a court to decide if you are one of them.

The court has found that you might be. It is asking for more information to help it decide if you are.

Important information for you:

- You have been appointed an attorney, free of charge.
- Your court-appointed attorney will try to contact you about this case using the last known address or location on file for you.
- You may also contact your attorney at any time. Your attorney's contact information is listed in item 5 of *Order for Care Act Report* (form CARE-105) and item 4 of *Notice of Initial Appearance—CARE Act Proceedings* (form CARE-110). You should have received one of those forms when you got this form.
- You should make sure that your attorney knows how to get in touch with you. Give them your contact information and let them know if it changes.
- You may also choose an attorney to represent you instead of the appointed attorney. If you choose your own attorney, you are responsible for their fees.
- You have the right to an interpreter, free of charge, at every CARE Act court hearing.

2 What is the CARE Act?

CARE stands for Community Assistance, Recovery, and Empowerment. The CARE process is a way to get court-ordered treatment, services, support, and a housing plan for adults with schizophrenia spectrum disorders or other similar psychotic disorders.

The CARE process uses outreach, meetings, and court hearings. The court will decide if you meet the eligibility requirements. One or more county agencies will be part of the process. If you are eligible, they will work with you to identify services and supports you might need.

If you are eligible for CARE, the court will ask you to work with the county behavioral health agency to make a CARE agreement for services and supports. If you do not reach an agreement with the county agency, the court will order a clinical evaluation of your mental health. After reviewing the evaluation, the court will decide if you are still eligible. If you are, the court will order you and the county agency to develop a CARE plan.

3 What is CARE eligibility?

To be eligible for the CARE process, you need to be at least 18 years old and have a schizophrenia spectrum disorder or another psychotic disorder. That disorder, or another mental disorder if you have one, must be serious. That means it has lasted for a long time, it can make you do things that interfere with your life, and it can make it impossible for you to live on your own for very long without treatment, support, and rehabilitation.

You also cannot be stabilized in a voluntary treatment program. In addition, either it must be unlikely that you will survive safely in the community without somebody watching over you and your condition is getting a lot worse, or you must need services and supports to keep your symptoms from coming back or getting bad enough that you would probably become severely disabled or would seriously hurt yourself or somebody else. Finally, it must be likely that going through the CARE process will help you and that nothing less restrictive than the CARE process will make sure that you recover and stabilize.

4 What is a CARE agreement or CARE plan?

A CARE agreement and CARE plan are written documents that contain services designed to support you. They must be approved by court order. They may include clinical behavioral health care; counseling; specialized psychotherapy, programs, and treatment; stabilization medications; a housing plan; and other supports and services, provided directly or indirectly by local government. These documents cannot give anyone the right to use force to medicate you.



4

A CARE agreement is a voluntary agreement between you and the county behavioral health agency. If you are eligible for the CARE program, the court will order you and the county agency to try to reach a CARE agreement. The court can modify the agreement before approving it.

If you cannot reach a CARE agreement, the court may ask you to work with the county to create a CARE plan. A CARE plan is an individualized range of community-based supports and services. It can include the same services and supports as a CARE agreement. You and the county agency will propose one or more CARE plans to the court. The court will order the final CARE plan.

5 Who is the petitioner?

The petitioner is the person who is asking the court to start CARE Act proceedings for you.

6 Who is the respondent?

The respondent is you, the person the court is being asked to start CARE Act proceedings for.

7 What happens after the petition has been filed?

The court reviews the petition and decides if you might be eligible for the CARE process. If it thinks you might be, the court may order a county agency to try to contact you, talk with you, and file a written report. The county agency must file the report with the court within 14 business days, unless the court gives it more time. The county will send notice to you and the petitioner if the court orders a report.

What happens if the county agency contacts me?

The county agency will ask you about your mental and physical health. It will also ask how your mental health affects your your life and what services and treatment you think would be helpful. It will ask if you are willing to work with the county to get connected to those services and treatment options.

What will the report include?

The county agency will file a report even if it is not able to contact you. The report will include:

- The agency's opinion about whether you meet, or are likely to meet, the CARE eligibility requirements. These include your mental health diagnosis and current condition, whether you need additional services, and whether there are other services that would help you but be less restrictive than a CARE agreement or plan.
- The county's efforts to get you to participate voluntarily in services and whether the county thinks you can participate voluntarily in services.

What happens after the court receives the report?

After the court receives the report, it will either:

- **Dismiss the proceedings:** If the court finds, based on the petition and the county's report, that you are not eligible for the CARE process or that you are working willingly and effectively with the county agency and have enrolled or are likely to enroll in behavioral health treatment, the court will dismiss the case; or
- **Set an initial appearance (court hearing):** If the court finds that the county's report shows that you may be eligible for the CARE process and the county's contacts with you were not able to connect you with voluntary services and treatment, the court will set an initial appearance.

Note: The court has appointed an attorney for you. The attorney will contact you at the beginning of the CARE Act process. If the court sets an initial appearance, the county will give you notice of the date, time, and place of the hearing along with additional information.



8 What happens at the initial appearance and the hearing on the merits?

At the initial appearance:

- You may replace your court-appointed attorney with an attorney that you choose.
Note: If you choose your own attorney, you are responsible for their fees, if any.
- You have the right to appear in person. You can choose to give up your right to attend personally, and your attorney can appear on your behalf.
- If you do not tell the court, through your attorney, that you are choosing not to attend and you do not appear, the court may have a hearing without you. To do that, the court needs to find that reasonable attempts to encourage you to appear have failed and that having a hearing without you would be in your best interests.
- The petitioner must be present at the initial appearance, or the court may dismiss the petition.
- A representative from the county behavioral health agency will be present.
- If the original petitioner is not the director of a county behavioral health agency, the court will replace the original petitioner with the director of the county behavioral health agency or their designee, who will then take over as the petitioner.
- If you are enrolled in a federally recognized Indian tribe or receiving services from an Indian health care provider, a tribal court, or a tribal organization, the law allows a representative from the program, the tribe, or the tribal court to be present if you consent. The county must give notice of the initial appearance to the tribal representative.
- The court will set a hearing on the merits of the petition.
- The hearing on the merits of the petition may happen at the same time as the initial appearance but only if you (the respondent), the petitioner, and the court all agree.

At the hearing on the merits:

The court will decide if you meet the CARE Act requirements. The court will consider the petition, the report from the county agency, and all evidence properly presented to it, including evidence that you provide.

- **If the court finds that you do not meet the CARE Act requirements:** The court will dismiss the petition. The original petitioner may be able to file a new petition if something changes unless the court finds that the original petition was not filed in good faith.
- **If the court finds that the petitioner has shown that you do meet the CARE Act requirements:** The court will order the county behavioral health agency to work with you, your attorney, and your supporter, if you have one, to connect you with behavioral health treatment. You all will also need to decide if you and the behavioral health agency can reach a CARE agreement. The court will set a case management hearing.

Note: If you are enrolled in a federally recognized Indian tribe and you want a tribal representative to attend the case management hearing, you should let the tribe know the date, time, and place of the hearing.

9 What rights do petitioners have?

The original petitioner has the right to go to the hearing on the merits and make a statement. If the original petitioner lives with you; is your spouse, parent, sibling, child, or grandparent; or is someone who has authority to act as your parent, the court may give them ongoing rights to receive notice. In addition, if you agree, the court may allow that person to participate in your CARE Act process.

If the original petitioner is not someone listed above, the court will not give them additional rights.



10 What rights do respondents have?

You have the right to be informed of what is happening in your case. You have the right to participate in your case. You have the right to an attorney at all stages of the process. You have the right to an interpreter if you need one. You have the right to keep confidential all CARE evaluations, reports, documents, and filings. You also have other rights that are described in *Notice of Respondent's Rights* (form CARE-113). You will get a copy of that form when you get notice of any court hearing in the CARE Act process.

11 What if I disagree with a court order?

You have the right to ask a higher court to review a court order in the CARE process. This is called an *appeal*. Talk with your attorney if you think you want to appeal a court order. To get more information, read *Information on Appeal Procedures for Unlimited Civil Cases* (form APP-001-INFO).

12 What is a "supporter"?

You have the right to choose a person to support you throughout the CARE Act process. The CARE Act calls that person a *supporter*. The supporter helps you understand, communicate, make decisions, and express your preferences. Your supporter can go to any meetings, appointments, or court hearings that you want them to during the process. It's up to you.

Your supporter must:

- Respect your values and beliefs and support your preferences as well as they can.
- Communicate with you to help you understand and make informed decisions.

Your supporter must not:

- Act independently from you.
- Make decisions for you or on your behalf unless necessary to keep someone from immediately getting hurt.
- Sign documents for you.

You have a right to have a supporter throughout the CARE Act process.

13 What if I don't speak English?

You have the right to an interpreter at all CARE Act court hearings. When your court-appointed attorney contacts you, make sure to let them know that you do not speak English and will need an interpreter for court hearings. When you go to court, tell the judge you need an interpreter if you or your attorney haven't already asked for one. You can also use *Request for Interpreter (Civil)* (form INT-300) or a local court form or website to request an interpreter. For more information about court interpreters, go to <https://selfhelp.courts.ca.gov/request-interpreter>.

14 What if I have a disability?

If you have a disability and need an accommodation while you are at court, you can use *Disability Accommodation Request* (form MC-410) to make your request.

You can also ask the ADA Coordinator in your court for help. For more information, see *How to Request a Disability Accommodation for Court* (form MC-410-INFO) or go to <https://selfhelp.courts.ca.gov/jcc-form/MC-410>.

ATTORNEY OR PETITIONER WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	STATE BAR NUMBER: STATE: ZIP CODE: FAX NO.:	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
CARE ACT PROCEEDINGS FOR (name): RESPONDENT		
PETITION TO COMMENCE CARE ACT PROCEEDINGS		CASE NUMBER:

For information on completing this form, see *Information for Petitioners—About the CARE Act* ([form CARE-050-INFO](#)).

1. Petitioner (name):
 is 18 years of age or older and (check all that apply):
- | | |
|--|---|
| <ul style="list-style-type: none"> a. <input type="checkbox"/> A person who lives with respondent. b. <input type="checkbox"/> A spouse or registered domestic partner, parent, sibling, child, or grandparent of respondent. c. <input type="checkbox"/> A person who stands in the place of a parent to respondent. d. <input type="checkbox"/> The director* of the county behavioral health agency of the county named above. e. <input type="checkbox"/> A licensed behavioral health professional* who is or has been, within the past 30 days, treating or supervising the treatment of respondent. f. <input type="checkbox"/> The director* of a hospital in which respondent is hospitalized. g. <input type="checkbox"/> The director* of a public or charitable organization, agency, or home <ul style="list-style-type: none"> (1) <input type="checkbox"/> who is or has been, within the past 30 days, providing behavioral health services to respondent; or (2) <input type="checkbox"/> in whose institution respondent resides. h. <input type="checkbox"/> Respondent. | <ul style="list-style-type: none"> i. <input type="checkbox"/> A first responder—including a peace officer, firefighter, paramedic, emergency medical technician, mobile crisis response worker, or homeless outreach worker—who has had repeated interactions with respondent. j. <input type="checkbox"/> The public guardian* or public conservator* of the county named above. k. <input type="checkbox"/> A conservator or proposed conservator referred from a proceeding under Welfare and Institutions Code section 5350. l. <input type="checkbox"/> The director* of adult protective services of the county named above. m. <input type="checkbox"/> The director* of a California Indian health services program or tribal behavioral health department that has, within the past 30 days, provided or is currently providing behavioral health services to respondent. n. <input type="checkbox"/> A California tribal court judge* before whom respondent has appeared within the past 30 days. |
|--|---|
- * This person may designate someone else to file the petition on their behalf. If the petitioner is a designee, check this category and put the designee's name in item 1, above.
2. a. Petitioner asks the court to find that respondent (name):
 is eligible to participate in the CARE Act process and to commence CARE Act proceedings for respondent.
- b. Petitioner's relationship to respondent (specify and describe relationship):

CONFIDENTIAL

CARE-100

CARE ACT PROCEEDINGS FOR (name):	CASE NUMBER:
RESPONDENT	

2. c. Petitioner's interactions with respondent (if petitioner is specified in 1e, 1f, 1g, or 1i, specify the number of interactions with respondent and the date of the most recent interaction, and describe the nature and outcome of each interaction):

If you need additional space, please include on a separate piece of paper and label as Attachment 2c.

3. Respondent lives or was last found at (give respondent's residential address, if known and one exists; otherwise, state that the address is unknown and provide the last known location and any additional contact information, such as a phone number, including whether the number can receive texts, or an email address):

If you need additional space, please include on a separate piece of paper and label as Attachment 3.

4. Respondent (check all that apply):

- a. Is a resident of the county named above.
- b. Is currently located in the county named above.
- c. Is a defendant or respondent in a criminal or civil proceeding pending in the superior court of the county named above.
- d. Is a resident of (specify county if known and different from the county named above):

5. Respondent meets each of the following requirements and is eligible to participate in the CARE Act process and receive services and support under a CARE agreement or CARE plan (provide information below to support each requirement):

- a. Respondent is 18 years of age or older. Date of birth (if known):
Age in years (if exact age not known, give approximate age):
- b. Respondent has a diagnosis of a schizophrenia spectrum disorder or another psychotic disorder in the same class, as defined in the current *Diagnostic and Statistical Manual of Mental Disorders*. Diagnosis and additional information are provided
 on *Mental Health Declaration—CARE Act Proceedings* (form CARE-101), attached as Attachment 6a.
 on separate documents, attached and labeled as Attachment 5b.
 below.

CARE ACT PROCEEDINGS FOR (name):	CASE NUMBER:
RESPONDENT	

5. c. Respondent is currently experiencing a **serious mental disorder**, as defined in Welfare and Institutions Code section 5600.3(b)(2), in that the **disorder**:
- (1) Is severe in degree and persistent in duration;
 - (2) May cause behavior that interferes substantially with respondent's primary activities of daily living; **and**
 - (3) May result in respondent's inability to maintain stable adjustment and independent functioning without treatment, support, and rehabilitation for a long or indefinite period.

Supporting information regarding the severity, duration, and risks of respondent's disorder is provided

- on *Mental Health Declaration—CARE Act Proceedings* (form CARE-101), attached as Attachment 6a.
- on separate documents, attached and labeled as Attachment 5c.
- below.

- d. Respondent is not currently stabilized in ongoing voluntary treatment. Respondent's current stability and treatment are described
- on *Mental Health Declaration—CARE Act Proceedings* (form CARE-101), attached as Attachment 6a.
 - on separate documents, attached and labeled as Attachment 5d.
 - below.

CARE ACT PROCEEDINGS FOR (name):	CASE NUMBER:
RESPONDENT	

5. e. At least one of these is true (complete (1) or (2) or both):

- (1) Respondent is unlikely to survive safely in the community without supervision **and** respondent's condition is substantially deteriorating. Reasons that respondent is unlikely to survive safely in the community, the type of supervision respondent would need to survive safely, and the extent to which respondent's physical or mental condition has recently grown worse are described
 - on *Mental Health Declaration—CARE Act Proceedings* (form CARE-101), attached as Attachment 6a.
 - on separate documents, attached and labeled Attachment 5e(1).
 - below.

- (2) Respondent needs services and supports to prevent a relapse or deterioration that would be likely to lead to grave disability or serious harm to respondent or others. The services and supports needed by respondent and the reasons respondent would become gravely disabled or present a risk of harm to self or others are described
 - on *Mental Health Declaration—CARE Act Proceedings* (form CARE-101), attached as Attachment 6a.
 - on separate documents, attached and labeled Attachment 5e(2).
 - below.

- f. Participation in a CARE plan or CARE agreement would be the least restrictive alternative necessary to ensure respondent's recovery and stability. A description of available alternative treatment plans and an explanation why no alternative treatment plan that would be less restrictive of respondent's liberty could ensure respondent's recovery and stability are provided
 - on *Mental Health Declaration—CARE Act Proceedings* (form CARE-101), attached as Attachment 6a.
 - on separate documents, attached and labeled Attachment 5f.
 - below.

CARE ACT PROCEEDINGS FOR (name):	CASE NUMBER:
RESPONDENT	

5. g. Respondent is likely to benefit from participation in a CARE plan or CARE agreement. Reasons in support of this assertion are provided
- on *Mental Health Declaration—CARE Act Proceedings* (form CARE-101), attached as Attachment 6a.
 - on separate documents, attached and labeled Attachment 5g.
 - below.

6. Required Documentation

The evidence described below is attached in support of this petition. (Attach the documents listed in a or b, or both, and check the box next to the description of each document or set of documents attached).

- a. A completed *Mental Health Declaration—CARE Act Proceeding* (form CARE-101), the declaration of a licensed behavioral health professional stating that, no more than 60 days before this petition was filed, the professional or a person designated by them
- (1) examined respondent and determined that respondent met the diagnostic criteria for eligibility to participate in the CARE Act proceedings; or
 - (2) made multiple attempts to examine respondent but was not successful in obtaining respondent's cooperation and has reasons, explained with specificity, to believe that respondent meets the diagnostic criteria for eligibility to participate in CARE Act proceedings.

Attach *Mental Health Declaration—CARE Act Proceedings* (form CARE-101) and label it Attachment 6a.

- b. Evidence that respondent was detained for at least two periods of intensive treatment, the most recent period within the past 60 days. *Examples of evidence:* a copy of the certification of intensive treatment, a declaration from a witness to the intensive treatment, or other documentation indicating involuntary detention and certification for up to 14 days of intensive treatment. (Attach all supporting documents and label each, in order, Attachment 6b1, 6b2, 6b3, etc.)

Note: For purposes of the CARE Act, "intensive treatment" refers to involuntary treatment authorized by Welfare and Institutions Code section 5250. It does **not** refer to treatment authorized by any other statutes, including but not limited to Welfare and Institutions Code sections 5150, 5260, and 5270.15.

7. Other Court Proceedings (you may leave a field blank if you don't know the information requested or it does not apply)

- a. This petition is in response to respondent's referral from another court proceeding.
- (1) Court, department, and judicial officer:
 - (2) Case number:
 - (3) Type of proceeding from which respondent was referred:
 - (A) Mental competence proceeding arising from a misdemeanor prosecution (Penal Code, § 1370.01)
 - (B) Assisted outpatient treatment (Welf. & Inst. Code, §§ 5346–5348)
 - (C) Lanterman-Petris-Short Act conservatorship (Welf. & Inst. Code, §§ 5350–5372)
 - (4) The referral order is attached and labeled as Attachment 7a (optional).
 - (5) Respondent's attorney in referring proceeding (name):
 (mailing address):
 (telephone number): (email address):

CONFIDENTIAL

CARE-100

CARE ACT PROCEEDINGS FOR (name): <p style="text-align: right;">RESPONDENT</p>	CASE NUMBER:
--	--------------

7. b. Respondent is within a juvenile court's dependency, delinquency, or transition jurisdiction.
- (1) Court: (2) Case number:
- (3) Respondent's attorney in juvenile court proceeding (name):
(mailing address):
(telephone number): (email address):

- c. Respondent has a court-appointed conservator.
- (1) Court: (2) Case number:
- (3) Respondent's attorney in conservatorship proceeding (name):
(mailing address):
(telephone number): (email address):

Other information (you may leave a field blank if you don't know the information requested or it does not apply)

8. Tribal affiliation
- a. Respondent is an enrolled member of a federally recognized Indian tribe.
Tribe's name and mailing address:
- b. Respondent is receiving services from a California Indian health services program, a California tribal behavioral health department, or a California tribal court.
Name and mailing address of program, department, or court:
9. Check any of the following statements that is true and give the requested information if you know it:
- a. Respondent needs interpreter services or an accommodation for a disability (if you know, describe respondent's needs):
- b. Respondent is served by a Regional Center (if you know, give the center name and the services provided to respondent):
- c. Respondent is a current or former member of the state or federal armed services or reserves (branch name if you know it):

10. Number of pages attached: _____

Date:

(TYPE OR PRINT NAME OF ATTORNEY)  _____
(SIGNATURE OF ATTORNEY)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME OF PETITIONER)  _____
(SIGNATURE OF PETITIONER)

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: TELEPHONE NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	STATE BAR NUMBER: STATE: ZIP CODE: FAX NO.:	FOR COURT USE ONLY CASE NUMBER:
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
CARE ACT PROCEEDINGS FOR (name): RESPONDENT		
MENTAL HEALTH DECLARATION—CARE ACT PROCEEDINGS		CASE NUMBER:

TO LICENSED BEHAVIORAL HEALTH PROFESSIONAL
 This form will be used to help the court determine whether respondent meets the diagnostic criteria for CARE Act proceedings.

GENERAL INFORMATION

1. Declarant's name:

2. Office address, telephone number, and email address:

3. **License status (complete either a or b):**
 - a. I am a licensed behavioral health professional and conducting the examination described on this form is within the scope of my license. I have a valid California license as a (check one):
 - (1) physician.
 - (2) psychologist.
 - (3) clinical social worker.
 - (4) marriage and family therapist.
 - (5) professional clinical counselor.

 - b. I have been granted a waiver of licensure by the State Department of Health Care Services under Welfare and Institutions Code section 5751.2 because (check one):
 - (1) I am employed as a psychologist clinical social worker continuing my employment in the same class as of January 1, 1979, in the same program or facility.
 - (2) I am registered with the licensing board of the State Department of Health Care Services for the purpose of acquiring the experience required for licensure and employed or under contract to provide mental health services as a (check one):
 - (a) clinical social worker.
 - (b) marriage and family therapist.
 - (c) professional clinical counselor.
 - (3) I am employed or under contract to provide mental health services as a psychologist who is gaining experience required for licensure.

CARE ACT PROCEEDINGS FOR (name):	CASE NUMBER:
RESPONDENT	

3. b. (4) I have been recruited for employment from outside this state, and my experience is sufficient to gain admission to a California licensing examination. I am employed or under contract to provide mental health services as a (check one):
- (a) psychologist.
 - (b) clinical social worker.
 - (c) marriage and family therapist.
 - (d) professional clinical counselor.

4. Respondent (name):
 is is not a patient under my continuing care and treatment.

EXAMINATION OR ATTEMPTS MADE AT EXAMINATION OF RESPONDENT

5. Complete one of the following: (both a and b must be within 60 days of the filling of the CARE Act petition)
- a. I examined the respondent on (date): (proceed to item 7).
 - b. On the following dates: I attempted to examine respondent but was unsuccessful due to respondent's lack of cooperation in submitting to an examination.
6. (Answer only if 5b is checked.) Explain in detail when, how many attempts, and the types of attempts that were made to examine respondent. Also explain respondent's response to those attempts and the outcome of each attempt.

7. Based on the following information, I have reason to believe respondent meets the diagnostic criteria for CARE Act proceedings (each of the following requirements **must** be met for respondent to qualify for CARE Act proceedings):
- a. Respondent has a diagnosis of a schizophrenia spectrum disorder or another psychotic disorder in the same class (indicate the specific disorder):

Note: Under Welfare and Institutions Code section 5972, a qualifying psychotic disorder must be primarily psychiatric in nature and not due to a medical condition such as a traumatic brain injury, autism, dementia, or a neurological condition. A person who has a current diagnosis of substance use disorder without also meeting the other statutory criteria, including a diagnosis of schizophrenia spectrum or other psychotic disorder, does not qualify.

- b. Respondent is experiencing a **serious mental disorder** that (all of the following must be completed):
 - (1) Is severe in degree and persistent in duration (explain in detail):

CARE ACT PROCEEDINGS FOR <i>(name)</i> :	CASE NUMBER:
RESPONDENT	

7. b. (2) May cause behavior that interferes substantially with the primary activities of daily living *(explain in detail)*:

(3) May result in an inability to maintain stable adjustment and independent functioning without treatment, support, and rehabilitation for a long or indefinite period *(explain in detail)*:

c. Respondent is not clinically stabilized in ongoing voluntary treatment *(explain in detail)*:

d. At least one of these is true *(complete one or both of the following)*:

(1) Respondent is unlikely to survive safely in the community without supervision **and** respondent's condition is substantially deteriorating *(explain in detail)*:

(2) Respondent needs services and supports to prevent a relapse or deterioration that would likely result in grave disability or serious harm to respondent or others *(explain in detail)*:

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	STATE BAR NUMBER:	<i>FOR COURT USE ONLY</i>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
CARE ACT PROCEEDINGS FOR (name): <div style="text-align: right;">RESPONDENT</div>		
NOTICE OF ORDER FOR CARE ACT REPORT		CASE NUMBER:

1. Petitioner (name):
2. Respondent (name):
3. The court has ordered (name of county agency):
 or its designee to engage the respondent and, no later than (date): , file with the court a written report that includes all of the following information:
 - a. The respondent's county of residence;
 - b. A determination whether the respondent meets, or is likely to meet, the criteria necessary to participate in the CARE Act process;
 - c. The outcome of efforts made to voluntarily engage the respondent;
 - d. Conclusions and recommendations about the respondent's ability to voluntarily engage in services; and
 - e. The information, including protected health information, necessary to support the determinations, conclusions, and recommendations in the report.
4. Attached to this notice, as required by California Rules of Court, rule 7.2235(a), are
 - a. a copy of *Order for CARE Act Report* (form CARE-105) issued by the court in this proceeding on (date): ,
 - b. a copy of the petition filed on form CARE-100 on (date): to begin these proceedings, and
 - c. *Information for Respondents—About the CARE Act* (form CARE-060-INFO).

Date:

(TYPE OR PRINT NAME OF COUNTY AGENCY REPRESENTATIVE)

▲

(SIGNATURE OF COUNTY AGENCY REPRESENTATIVE)

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: TELEPHONE NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	STATE BAR NUMBER: STATE: ZIP CODE: FAX NO.:	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
CARE ACT PROCEEDINGS FOR (name):		
RESPONDENT		
NOTICE OF RESPONDENT'S RIGHTS—CARE ACT PROCEEDINGS		CASE NUMBER:

Someone filed a petition to begin CARE Act proceedings for you. You have been appointed an attorney, free of charge. That attorney will contact you about this case. You may also choose an attorney to represent you instead of the appointed attorney. If you choose your own attorney, you will be responsible for their fees. A person who, like you, is the subject of a CARE Act petition is called the respondent.

THE CARE ACT RESPONDENT'S RIGHTS

Every respondent has all of the following rights.

During the CARE Act proceedings, you have a right to:

- Be informed of the proceedings;
- Receive notice of each hearing;
- Be present and personally participate at each hearing;
- Be represented by an attorney at all stages of the proceedings, regardless of ability to pay;
- Receive a copy of the petition;
- Receive a copy of the court-ordered evaluation and court-ordered report;
- Have a supporter be present with you and assist you;
- Have an interpreter assist you, if necessary;
- Present evidence;
- Call witnesses;
- Cross-examine witnesses;
- Appeal decisions; and
- Keep confidential all evaluations, reports, documents, and filings submitted to the court for CARE Act proceedings.

CARE Act hearings are closed to the public unless the court orders otherwise (see below). However, you have a right to:

- Demand that the hearing be public and be held in a place the public can attend;
- Request any family member or friend, including a supporter, attend the hearing without giving up your right to keep the hearing closed to the rest of the public; and
- Be informed by the judge of these rights before each hearing begins.

Note: The court may allow a hearing to be public if the judicial officer finds that the public interest in an open hearing clearly outweighs your interest in privacy.

You have a right to a supporter throughout the CARE Act process.

A supporter can help you understand, communicate, make decisions, and express your preferences. You can have a supporter with you at hearings and meetings throughout the CARE Act process. For more information, see *Information for Respondents—About the CARE Act* (form [CARE-060-INFO](#)).

What if I don't speak English?

When your appointed attorney contacts you, let them know that you will need an interpreter at court hearings. Let the court know as early in the case as possible that you need an interpreter. If there is no interpreter when you get to court, ask the clerk for one. You can also use *Request for Interpreter—Civil* (form [INT-300](#)) or a local court form or website to request an interpreter. For more information about court interpreters, go to <https://selfhelp.courts.ca.gov/request-interpreter>.

What if I have a disability?

If you have a disability and need an accommodation while you are at court, you can use *Disability Accommodation Request* (form [MC-410](#)) to make your request. You can also ask the ADA Coordinator in your court for help. For more information, see *How to Request a Disability Accommodation for Court* (form [MC-410-INFO](#)).

RULES COMMITTEE ACTION REQUEST FORM

Rules Committee Meeting Date: 12/7/2023

Rules Committee action requested [Choose from drop down menu below]:
Submit to JC (without circulating for comment)

Title of proposal: Rules and Forms: Elections Code Reports

Proposed rules, forms, or standards (include amend/revise/adopt/approve):
Adopt Cal. Rules of Court, Title 10, Division 4, Chapter 15, Elections Code Reports

Committee or other entity submitting the proposal:
Jayne Lee, Chair, Probate and Mental Health Advisory Committee; Brian Hoffstadt, Chair, Criminal Law Advisory Committee

Staff contact (name, phone and e-mail): Corby Sturges, 415-865-4507, corby.sturges@jud.ca.gov; Sarah Fleischer-Ihn, 415-865-7702, sarah.fleischer-ihn@jud.ca.gov

Identify project(s) on the committee's annual agenda that is the basis for this item:
Annual agenda approved by Rules Committee on (date):
Project description from annual agenda:

Out of Cycle: *If requesting September 1 effective date or out of cycle, explain why:*
This proposal would add a new chapter for a rule that will be effective January 1, 2024. When the rule was recommended for adoption, a new chapter for the rule was inadvertently omitted from the recommendation, resulting in the placement of a rule in a chapter that is unrelated to the rule's subject matter.

Additional Information for Rules Committee: (To facilitate Rules Committee's review of your proposal, please include any relevant information not contained in the attached summary.)

Additional Information for JC Staff (provide with reports to be submitted to JC):

- **Form Translations** (check all that apply)
This proposal:
 - includes forms that have been translated.
 - includes forms or content that are required by statute to be translated. Provide the code section that mandates translation: [Click or tap here to enter text.](#)
 - includes forms that staff will request be translated.
- **Form Descriptions** (for any proposal with new or revised forms)
 - The forms in this proposal will require new or revised form descriptions on the JC forms webpage. (If this is checked, the form descriptions should be approved by a supervisor before submitting this RAR.)
- **Self-Help Website** (check if applicable)
 - This proposal may require changes or additions to self-help web content.



Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688

www.courts.ca.gov

REPORT TO THE JUDICIAL COUNCIL

Item No.: 24-

For business meeting on January 19, 2024

Title

Rules and Forms: Elections Code Reports

Agenda Item Type

Action Required

Rules, Forms, Standards, or Statutes Affected

Adopt Cal. Rules of Court, Title 10, Division 4, Chapter 15, Elections Code Reports

Effective Date

January 22, 2024

Recommended by

Hon. Jayne Chong-Soon Lee, Chair
Probate and Mental Health Advisory
Committee

Date of Report

November 21, 2023

Hon. Brian M. Hoffstadt, Chair
Criminal Law Advisory Committee

Contact

Corby Sturges, 415-865-4507
Corby.Sturges@jud.ca.gov
Sarah Fleischer-Ihn, 415-865-7702
Sarah.Fleischer-Ihn@jud.ca.gov

Executive Summary

The chairs of the Probate and Mental Health Advisory Committee and the Criminal Law Advisory Committee recommend adopting Chapter 15, Elections Code Reports, in Title 10, Division 4 of the California Rules of Court and placing rule 10.970 in the new chapter. The Judicial Council adopted rule 10.970, effective January 1, 2024, to implement Assembly Bill 2841, which added section 2211.5 to the Elections Code to require trial courts to report to the Secretary of State judicial determinations under Elections Code sections 2208–2211 disqualifying a person from voting or restoring a person’s right to register to vote. The legislation expressly required the Judicial Council to adopt rules and forms.

Recommendation

The chairs of the Probate and Mental Health Advisory Committee and the Criminal Law Advisory Committee recommend that the Judicial Council, effective January 22, 2024, adopt Chapter 15, Elections Code Reports, in Title 10, Division 4 of the California Rules of Court.

The text of the proposed new chapter is attached at page 4.

Relevant Previous Council Action

At its meeting on September 19, 2023, the Judicial Council adopted Cal. Rules of Court, rule 10.970, effective January 1, 2024, to implement Assembly Bill 2841. The proposed new chapter 15, Elections Code Reports, would comprise rule 10.970.

Analysis/Rationale

Effective January 1, 2023, and operative January 1, 2024, Assembly Bill 2841 (Stats. 2022, ch. 807) added section 2211.5 to the Elections Code to require the trial courts to report monthly to the Secretary of State judicial determinations under Elections Code sections 2208–2211 disqualifying a person from voting or restoring a person’s right to register to vote. Before AB 2841’s operative date, courts reported judicial determinations under Elections Code sections 2208–2211 on a case-by-case basis to both county elections officials and the Secretary of State.

To implement AB 2841, the Judicial Council adopted rule 10.970, effective January 1, 2024, to specify a process for the trial courts to use to submit to the Secretary of State the reports required by Elections Code section 2211.5.¹ Rule 10.970 was intended to fall under a new chapter of Division 4 of Title 10. However, the committees inadvertently did not include a recommendation for a new chapter in the proposal recommending adoption of rule 10.970. This omission resulted in the rule’s inclusion, by default, in Chapter 14, Management of Self-Help Centers. This proposal moves rule 10.970 into a new, appropriately named chapter to help courts locate the rule more easily.

Policy implications

There are no policy implications to this proposal.

Comments

This proposal was not circulated for public comment because the recommended change is a minor substantive change that is unlikely to create controversy and therefore within the Judicial Council’s authority to adopt without circulation. (See Cal. Rules of Court, rule 10.22(d)(2).)

Alternatives considered

No alternatives were considered.

Fiscal and Operational Impacts

No fiscal or operational impacts are anticipated.

¹ In addition to rule 10.970, the Judicial Council also adopted *Confidential Report of Findings and Orders Affecting Voting Rights* (form MC-600) for mandatory use to submit to the Secretary of State the reports required by Elections Code section 2211.5 and approved *Attachment to Confidential Report of Findings and Orders Affecting Voting Rights* (form MC-600A) for optional use to submit the information required by Elections Code section 2211.5(a)(1) and (b). (See Judicial Council of Cal., Advisory Com. Rep., *Trial Courts: Report of Determinations Affecting Voting Rights* (July 28, 2023), <https://jcc.legistar.com/View.ashx?M=F&ID=12246585&GUID=DFB8D067-91FB-4C8D-86F5-784E8029F6AF>.)

Attachments and Links

1. Cal. Rules of Court, Title 10, Division 4, Chapter 15, Elections Code Reports, at page 4

Chapter 15 is added to division 4 of title 10 of the California Rules of Court, to read:

1
2
3
4
5
6
7
8
9
10

Title 10. Judicial Administration Rules

Division 4. Trial Court Administration

Chapter 1.–Chapter 14. * * *

Chapter 15. Elections Code Reports

Rule 10.970 * * *

RULES COMMITTEE ACTION REQUEST FORM

Rules Committee Meeting Date: 12/07/23

Rules Committee action requested [Choose from drop down menu below]:

Submit to JC (without circulating for comment)

Title of proposal: Uniform Bail and Penalty Schedules: 2024 Edition for Traffic, Boating, Forestry, Fish and Game, Public Utilities, Parks and Recreation, and Business Licensing

Proposed rules, forms, or standards (include amend/revise/adopt/approve):

Adopt revised Uniform Bail and Penalty Schedules, 2024 Edition: Traffic, Boating, Forestry, Fish and Game, Public Utilities, Parks and Recreation, Business Licensing

Committee or other entity submitting the proposal:

Traffic Advisory Committee

Staff contact (name, phone and e-mail): Jamie Schechter, 415-865-5327, jamie.schechter@jud.ca.gov

Identify project(s) on the committee's annual agenda that is the basis for this item:

Annual agenda approved by Rules Committee on (date): 10/26/23

Project description from annual agenda: The Traffic Advisory Committee is required to revise and update the Uniform Bail and Penalty Schedules annually to conform with new laws, as required by Penal Code section 1269b and California Rule of Court 4.102

Out of Cycle: *If requesting September 1 effective date or out of cycle, explain why:*

Additional Information for Rules Committee: (To facilitate Rules Committee's review of your proposal, please include any relevant information not contained in the attached summary.)

Additional Information for JC Staff (provide with reports to be submitted to JC):

- **Form Translations** (check all that apply)

This proposal:

- includes forms that have been translated.
- includes forms or content that are required by statute to be translated. Provide the code section that mandates translation: [Click or tap here to enter text.](#)
- includes forms that staff will request be translated.

- **Form Descriptions** (for any proposal with new or revised forms)

The forms in this proposal will require new or revised form descriptions on the JC forms webpage. (If this is checked, the form descriptions should be approved by a supervisor before submitting this RAR.)

- **Self-Help Website** (check if applicable)

This proposal may require changes or additions to self-help web content.



Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688

www.courts.ca.gov

CIRCULATING ORDER MEMORANDUM TO THE JUDICIAL COUNCIL

Circulating Order Number: CO-23-03

Title

Uniform Bail and Penalty Schedules: 2024 Edition for Traffic, Boating, Forestry, Fish and Game, Public Utilities, Parks and Recreation, and Business Licensing

Rules, Forms, Standards, or Statutes Affected

Adopt revised *Uniform Bail and Penalty Schedules, 2024 Edition: Traffic, Boating, Forestry, Fish and Game, Public Utilities, Parks and Recreation, Business Licensing*

Recommended by

Traffic Advisory Committee
Hon. Lucy Armendariz, Chair

Action Requested

VOTING MEMBERS ONLY: Submit votes by responding to the transmittal email.

Please Respond By

December x, 2023, at noon

Date of Report

December x, 2023

Contact

Jamie Schechter

Jamie.Schechter@jud.ca.gov

California Rules of Court, rules 10.5(h) and 10.13(d), allow the Judicial Council to act on business between meetings, including urgent matters, by circulating order. This memorandum is not a Judicial Council meeting; circulating orders are conducted via electronic communications. Prior public notice of a proposed circulating order is not required.

Executive Summary

The Traffic Advisory Committee recommends the Judicial Council, effective January 1, 2024, adopt revisions to the *Uniform Bail and Penalty Schedules, 2024 Edition: Traffic, Boating, Forestry, Fish and Game, Public Utilities, Parks and Recreation, Business Licensing* (Uniform Bail and Penalty Schedules or UBPS). Vehicle Code section 40310 mandates that the Judicial Council annually adopt a uniform traffic penalty schedule for all nonparking Vehicle Code infractions. Additionally, Penal Code section 1269b and rule 4.102 of the California Rules of Court require all trial courts annually to revise and adopt a countywide schedule of penalties for all felony, misdemeanor, and infraction offenses, except Vehicle Code infractions. Rule 4.102 additionally provides that, when revising and adopting the schedules, counties “give consideration to the (UBPS) approved by the Judicial Council.” The schedules in the proposed

UBPS for infractions and misdemeanors under boating, forestry, fish and game, public utilities, parks and recreation, and business licensing laws are advisory. These schedules are intended to provide guidance and uniformity to the trial courts for their schedules for misdemeanors and infractions (other than Vehicle Code infractions).

Recommendation

The Traffic Advisory Committee recommends the Judicial Council, effective January 1, 2024, adopt revisions to the *Uniform Bail and Penalty Schedules, 2024 Edition: Traffic, Boating, Forestry, Fish and Game, Public Utilities, Parks and Recreation, Business Licensing*.

The Traffic Advisory Committee recommends that the Judicial Council approve the following changes for the 2024 Uniform Bail and Penalty Schedules prepared by the committee.

Proposed revisions to conform to the 2024 schedules include:

1. Preface:
 - Elimination of references to the EMAT penalty and recalculation of sample calculations.
2. Additions, modifications, or deletions of Vehicle Code infraction offenses in the Traffic Infraction Fixed Penalty Schedule:
 - 4456(a), Reporting Vehicle Sale to the DMV;
 - 5201.1(a), Sale of Prohibited Product or Device to Obscure License Plate;
 - 5201.1(b), Operation of Vehicle With Prohibited Product or Device to Obstruct or Impair Reading or Recognition of License Plate by Electronic or Remote Emission Sensing Device;
 - 5201.1(c), Erasing, Painting Over, or Altering Reflective Coating of License Plate;
 - 5204(a)(1), Current Month and Year Tab Not Properly Attached;
 - 11500(a)(1), Conducting Business as Automobile Dismantler Without Valid Permit/License;
 - 21655.1(a), Driving in Restricted Use Designated Transit-Only Traffic Lane;
 - 22352(a)(1), Operating Vehicle in Excess of 15 MPH at Railroad Crossing;
 - 22352(a)(2), Operating Vehicle in Excess of 15 MPH at Freeway Intersection With No Clear Field of Vision;
 - 22352(a)(3), Operating Vehicle in Excess of 15 MPH on Any Alley;
 - 22352(b)(1), Operating Vehicle in Excess of 25 MPH in Business District;
 - 22352(b)(2), Operating Vehicle in Excess of 25 MPH by School;
 - 22352(b)(3), Operating Vehicle in Excess of 25 MPH by Senior Center;
 - 22411, Operating a Motorized Scooter at a Speed in Excess of 15 Miles per Hour
 - 24007(d), Not Providing a Purchaser With a Valid Vehicle Safety Systems Certificate of Compliance;
 - 24008, Modification of Vehicle Road Clearance Restricted;
 - 24020(a), Dealer Selling New or Used Vehicle Without Catalytic Converter Permanently Marked;

- 34500.7(a), Failure to Comply With Rules/Regulations—Other Safety/Maintenance Items;
 - 34500.7(b), Failure to Comply With Rules/Regulations—Daily Vehicle Inspection Reports;
 - 42005, Failure to Attend Court-Ordered TVS;
 - Footnotes.
3. Addition or Modification of Vehicle Code misdemeanors in the Traffic Misdemeanor Bail and Penalty Schedule:
 - 10753(a), Removing, Altering, or Obfuscating Marking that Has Been Added to a Catalytic Converter;
 - 10753(b), Knowingly Possessing Three or More Catalytic Converters that Have the Markings Altered, Removed, or Obfuscated;
 - 11500(a)(1), Conducting Business as Automobile Dismantler Without Valid Permit/License;
 - 11713(u), Advertise Prior Use in an Inaccurate Manner;
 - 11713(v), Offering a Subscription for Hardware Already Installed;
 - Footnote.
 4. Modification to the Boating Bail and Penalty Schedule:
 - 9853(c)(3), Operating a Recreational Vessel in Nonmarine Waters Without a Valid State-Issued Quagga and Zebra Mussel Infestation Prevention Sticker.
 5. Addition or modification of the Fish and Game Bail and Penalty Schedule:
 - 4304(a), Waste of Deer;
 - 4304(a), Waste of Trophy Deer;
 - 4304(b), Waste of Game;
 - 4304(b), Waste of Trophy Elk, Antelope, or Big Horn Sheep;
 - 4304(b), Waste of Trophy Turkey;
 - 5508, Fish of Indeterminate Size;
 - 5652, Littering Within 150 Feet of Water;
 - Title 14 CCR sections 106–182.1, Violation of Commercial Fishing Regulations;
 - Footnotes.
 6. Addition or modification of the Business Licensing Schedule:
 - 25658(c), Furnishing an Alcoholic Beverage to a Minor (Great Bodily Injury or Death);
 - Footnote.

Relevant Previous Council Action

At its December 2, 2022 meeting, the Judicial Council adopted revised Uniform Bail and Penalty Schedules for 2023. A similar set of Uniform Bail and Penalty Schedules has been adopted by the council each year for decades.

Analysis/Rationale

Vehicle Code section 40310 requires that the Judicial Council annually adopt, for Vehicle Code infractions, a uniform traffic penalty schedule that conforms to new legislation. The council’s adoption of the traffic infraction fixed penalty schedule of the proposed UBPS is mandatory pursuant to Vehicle Code section 40310, and most courts must implement it—although some may exceed it—under Penal Code section 1463.28.

Penal Code section 1269b and rule 4.102 of the California Rules of Court provide that trial courts must annually revise and adopt a countywide schedule of bail and penalties for all felony, misdemeanor, and infraction offenses except Vehicle Code infractions. Rule 4.102 additionally requires that, when revising and adopting the schedules, counties “give consideration to the (UBPS) approved by the Judicial Council.” The sections in the schedules in the proposed UBPS for infractions and misdemeanors under boating, forestry, fish and game, public utilities, parks and recreation, and business licensing laws are advisory. These schedules are intended to provide guidance and uniformity to the trial courts for their schedules for misdemeanors and infractions.

The proposed revisions to the UBPS are based on statutory changes enacted in the past year, requests from justice system partners, and technical changes. Throughout the year, justice system partners submit requests for changes to the UBPS. The Traffic Advisory Committee considers all of the requests during the annual UBPS revision and recommends changes to the UBPS if appropriate. Those comments are summarized in the Comment section.

Many of the recommended changes are based on enacted legislation. In 2023, the Governor’s deadline to sign or veto legislation was October 13, 2023. The Traffic Advisory Committee completed a draft UBPS on November 2, 2023, which circulated for public comment from November 2, 2023, until November 16, 2023. The Traffic Advisory Committee reviewed the comments and completed a final, recommended 2024 UBPS on November 29, 2023. Because the Judicial Council does not have a scheduled meeting in December, and as a result of the Governor’s signing deadline, revisions to the UBPS require approval via circulating order. On December 7, 2023, the Rules Committee reviewed the proposal in this circulating order memorandum under California Rules of Court, rule 10.13(d) and approved its circulation to the council.

The substantive changes are summarized below:

- Changes to the Preface include the elimination of references to the EMAT imposition penalty on page iv and recalculation of sample calculations on page x. Existing law stops the collection and distribution of EMAT funds on December 31, 2023.
- For the Traffic Infraction Fixed Penalty Schedule, most sections were added or modified based on new legislation. The revision to Vehicle Code section 5201.1 was based on a request from a court. The addition of Vehicle Code section 22411 was based on a request from a representative from the legislative branch. The addition of section 22352, which

had been deleted from the 2023 UBPS, was made based on a request from two different courts. There was also a minor technical change to Vehicle Code section 4456(a).

- All changes relating to Vehicle Code misdemeanors in the Traffic Misdemeanor Bail and Penalty Schedule were based on new legislation, with the exception of Vehicle Code section 11713(u), which was existing law. The committee decided to recommend adding Vehicle Code section 11713(v), which was based on new legislation. And because several other subdivisions of Vehicle Code section 11713 were already listed in the UBPS, the committee decided to add Vehicle Code section 11713(u) as well.
- All additions to the Boating Bail and Penalty Schedule were based on new legislation.
- All changes to the Fish and Game Bail and Penalty Schedule were based on new legislation and a request from a state agency.
- For the Business Licensing Schedule, the change was based on new legislation.

Policy implications

After adoption of the 2023 UBPS, the committee received an informal comment questioning whether all correctable violations are listed in the UBPS as correctable and specifically whether Vehicle Code section 5201.1(c) could be considered correctable, because it is not currently listed as a correctable offense. The committee became aware this year that at least some courts have denied offenses as being correctable based on them not being listed as correctable in the UBPS.

The Legislature has determined which offenses are potentially correctable under Vehicle Code section 40303.5, while Vehicle Code section 40610 provides law enforcement with several factors to determine whether the offense they want to cite is not in fact correctable.

Vehicle Code section 40303.5 provides:

An arresting officer shall permit a person arrested for any of the following offenses to execute a notice containing a promise to correct the violation in accordance with the provisions of Section 40610 unless the arresting officer finds that any of the disqualifying conditions specified in subdivision (b) of Section 40610 exist:

- (a) A registration infraction set forth in Division 3 (commencing with Section 4000).
- (b) A driver's license infraction set forth in Division 6 (commencing with Section 12500), and subdivision (a) of Section 12951, relating to possession of a driver's license.
- (c) Section 21201, relating to bicycle equipment.
- (d) Subdivision (a) of Section 21212.

(e) An infraction involving equipment set forth in Division 12 (commencing with Section 24000), Division 13 (commencing with Section 29000), Division 14.8 (commencing with Section 34500), Division 16 (commencing with Section 36000), Division 16.5 (commencing with Section 38000), and Division 16.7 (commencing with Section 39000).

Vehicle Code section 40610(b) allows an officer to decide that an offense is noncorrectable if there is “(1) Evidence of fraud or persistent neglect. (2) The violation presents an immediate safety hazard. (3) The violator does not agree to, or cannot, promptly correct the violation...”

As explained more thoroughly below, case law supports the position that, when the Legislature states that an infraction within a specified division is correctable under Vehicle Code section 40303.5, any infraction within that division is potentially correctable, and it is up to the officer to decide whether a given infraction is correctable. The committee believes that as long as an offense is listed in a correctable division, and has not been excluded by another statute, it is potentially correctable, and up to the officer to decide.

Department of California Highway Patrol v. Superior Court (2008) 158 Cal.App.4th 726 discusses whether certain equipment violations that are listed in the enumerated divisions can be automatically noncorrectable. Rejecting the California Highway Patrol’s claim that a motorcycle helmet violation was per se noncorrectable, the court held that “the phrase ‘any infraction’ indicates that the Legislature did not intend to restrict the type of equipment infractions in the enumerated divisions that could be potentially correctable; rather, that phrase means exactly what it says: Any—and thus every—equipment infraction in the enumerated divisions is potentially correctable—i.e., the subject of a ‘fix-it’ ticket.” (*Id.* at p. 736.)

By way of example, the court explained that “if an officer stops a pilot car driver for not displaying red flags, and the officer decides that under the circumstances further enforcement action is appropriate—e.g., because the driver does not have red flags or the driver has red flags but refuses to display them—the officer can find that the infraction presents an immediate safety hazard and issue a regular citation. This would be the case with similar infractions involving headsets, earplugs, and radar jamming devices. On the other hand, where a motorcyclist’s helmet had a broken chinstrap, an officer could find no immediate safety hazard and issue a ‘fix-it’ ticket.” (*Id.* at pp. 738–739.) Indeed, “law enforcement officers bear the primary responsibility for enforcing equipment regulations. The statutory procedure reflects a legislative intent to give them the authority and duty to evaluate the circumstances surrounding an equipment violation and make the initial determination concerning whether a potentially correctable infraction should be treated as such.” (*Id.* at p. 739.) In sum, this case stands for the proposition that when the Legislature states an infraction, it means any infraction, and the committee does not believe it is in a position to substitute different reasoning.

While it seems that logically Vehicle Code section 5201.1 would not be a correctable offense, it is listed in one of the enumerated correctable divisions of Vehicle Code section 40303.5(a) (registration infraction under Division 3, commencing with 4000). Based on the case cited above,

and unless the Legislature provides clarification on what offenses should be correctable, the committee believes that Vehicle Code section 5201.1 should be considered potentially correctable. That being the case, an officer may still determine that a violator cannot promptly correct the violation and may cite it as noncorrectable. The committee also believes that not all offenses that are potentially correctable are listed in the UBPS as correctable. The committee will undertake a more thorough review of the UBPS to determine how correctability should be addressed and whether all potentially correctable offenses should be identified.

Comments

Informal Comments for 2024 UBPS Development

The committee received several stakeholder requests for the 2024 UBPS in the year following the adoption of the 2023 UBPS. The committee considered all these informal comments when recommending a 2024 UBPS to circulate for public comment.

The committee received two questions about why Vehicle Code section 22352 was removed from the 2023 UBPS. One of the commenters noted that the Department of Motor Vehicles considers it a reportable violation in the Abstract Reporting Manual. The other commenter noted that their district attorney's office believed it was a citable offense. The committee received a third comment about Vehicle Code section 22352. That commenter agreed with the removal from the 2023 UBPS in the infraction schedule but noted that it had been improperly left in the appendix. Based on the comments, the committee decided to put Vehicle Code section 22352 back into the UBPS.

As discussed above, the committee received a comment from a court employee about whether all correctable sections are identified in the UBPS, and specifically whether Vehicle Code section 5201.1(c) was a correctable offense. The committee noted that not all offenses that are potentially correctable are listed as correctable in the UBPS. The committee decided that Vehicle Code section 5201.1(c) is potentially correctable, and in looking at section 5201.1(c), the committee decided that all subdivisions of section 5201.1 should be included as correctable in the UBPS. The committee also hopes to look at the best way to indicate correctable offenses in the UBPS going forward, potentially identifying correctable offenses or providing better information that not all potentially correctable offenses are listed.

The committee received a comment from a representative from the Legislature wondering if there was a reason why Vehicle Code section 22411 was not included in the UBPS. The committee determined there was no reason that the offense was not included and added it to the infraction schedule.

The committee received a comment from a state agency recommending several changes to the Fish and Game Code schedule based on new legislation. The committee agreed with these suggestions and made several changes to the Fish and Game Code schedule.

Comment Period

The draft UBPS circulated for public comment from November 2, 2023, until November 16, 2023. The proposal received three comments. None of the comments indicated a position. The committee considered all the public comments. The comment chart with the committee's responses is attached.

One commenter (author of comment #1 on the attached chart) disagreed that Vehicle Code sections 5201.1(a) and (c) are correctable. As discussed above, the committee believes that Vehicle Code sections 5201.1(a) and (c) are potentially correctable. It would be up to the officer to determine whether the offense could reasonably be corrected. Based on legislation and case law, the committee does not feel comfortable substituting different reasoning. Therefore, the committee does not recommend making this change without legislative or case law direction.

The author of comment #1 also disagreed with adding Vehicle Code section 22352 back into the UBPS, and pointed out that Vehicle Code section 22352 should be completely removed from the UBPS (it remains in the appendix). The 2023 UBPS that circulated for public comment had deleted Vehicle Code section 22352 from the proposed infraction schedule. The basis for that proposed deletion of Vehicle Code section 22352 was a justice system partner's request to remove it. However, one of the public comments on the 2023 circulated UBPS disagreed with the proposed deletion of Vehicle Code section 22352. The committee re-examined the issue in light of that comment, but determined that violations of Vehicle Code section 22352 were more appropriately cited under other sections, and recommended the section remain excluded from the infractions schedule. The final version of the 2023 UBPS adopted by the council deleted Vehicle Code section 22352. After the 2023 UBPS was adopted, as stated above, the committee received two requests from stakeholders about the elimination of Vehicle Code section 22352 from the UBPS. Based on the stakeholder's requests, following more consideration, the committee decided to place Vehicle Code section 22352 back in the UBPS that circulated for public comment this year. The committee agrees that violations of Vehicle Code section 22352 are more appropriately cited under other statutes. However, the committee does not believe that the charge is per se non-citable. As the UBPS is a document meant to assist courts, and the Department of Motor Vehicles' Abstract Reporting Manual includes Vehicle Code section 22352 as a reportable violation, the committee believes Vehicle Code section 22352 should be included in the UBPS and is recommending that it be put back in. Individual judicial officers may still determine whether or not Vehicle Code section 22352 is an appropriately charged offense.

One commenter (author of comment #2) requested that a Fish and Game Code section be included in the UBPS. Because that would involve a substantive change, the committee believes that public comment should be sought before adding it to the UBPS. The committee will consider this suggestion for the 2025 UBPS.

The final commenter (author of comment #3) requested reducing the base fines of Fish and Game Code sections 12012(a) and 12013(a) to the statutory minimum of \$5,000. The committee considered the suggestion to reduce the recommended base fine for Fish and Game Code section 12012(a) to the statutory minimum for the 2023 UBPS. The committee declined to reduce the recommended base fine for this offense in 2022, noting (in 2022) that sections in the schedules in

the UBPS for infractions and misdemeanors under boating, forestry, fish and game, public utilities, parks and recreation, and business licensing laws are advisory. These schedules are intended to provide guidance and uniformity to the trial courts for their schedules for misdemeanors and infractions.

While courts should consider the recommendations of the UBPS for violations other than Vehicle Code infractions, the Fish and Game schedule provides recommendations for courts to adopt their own schedules. A court is not required to follow the recommendation for this schedule. Because both of these suggestions, if accepted, would involve a substantive change, the committee believes that public comment should be sought. The committee will reconsider lowering the recommended base for Fish and Game Code section 12012(a) and consider lowering the recommended base fine for Fish and Game Code section 12013(a) for the 2025 Uniform Bail and Penalty Schedules.

Alternatives considered

No alternatives were considered. Annual revision of the schedules is required by statute and by rule 4.102 of the California Rules of Court. The schedules must be updated to reflect new law to enable courts to collect the proper amounts in fines, penalties, and fees for violations that occur after December 31, 2023.

Fiscal and Operational Impacts

Courts will need to reprogram court case management systems, update reminder notices, and provide training for court staff and judicial officers regarding new fines, penalties, and fees for criminal cases.

Attachments and Links

1. Chart of comments, at pages 10–16
2. Attachment A: *Uniform Bail and Penalty Schedules, 2024 Edition: Traffic, Boating, Forestry, Fish and Game, Public Utilities, Parks and Recreation, Business Licensing*

Uniform Bail and Penalty Schedules: 2024 Edition (Rules Adopt Revised Uniform Bail and Penalty Schedules, 2024 Edition)

All comments are verbatim unless indicated by an asterisk (*).

	Commenter	Position	Comment	Committee Response
1.	Douglas R. Gray, Los Angeles, CA	N/I	<ul style="list-style-type: none"> VC 5201.1(a) should not be made correctable. It is not an mechanical requirement violation. It is the act of selling an illegal item and so does not qualify for correction under VC 40610. 	<p>The committee appreciates this feedback.</p> <hr/> <p>Vehicle Code section 40303.5 states, “An arresting officer shall permit a person arrested for any of the following offenses to execute a notice containing a promise to correct the violation in accordance with the provisions of Section 40610 unless the arresting officer finds that any of the disqualifying conditions specified in subdivision (b) of Section 40610 exist:</p> <p>(a) A registration infraction set forth in Division 3 (commencing with Section 4000).</p> <p>(b) A driver’s license infraction set forth in Division 6 (commencing with Section 12500), and subdivision (a) of Section 12951, relating to possession of a driver’s license.</p> <p>(c) Section 21201, relating to bicycle equipment.</p> <p>(d) Subdivision (a) of Section 21212.</p> <p>(e) An infraction involving equipment set forth in Division 12 (commencing with Section 24000), Division 13 (commencing with Section 29000), Division 14.8 (commencing with Section 34500), Division 16 (commencing with Section 36000), Division 16.5 (commencing with Section 38000), and Division 16.7 (commencing with Section 39000).” (Emphasis added.).</p> <p>Vehicle Code section 40610(b) allows an officer to decide an offense is non-correctable if there is “(1) Evidence of fraud or persistent neglect. (2) The violation presents an immediate safety hazard. (3) The violator does not agree to, or cannot, promptly correct the violation...”</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated.

Uniform Bail and Penalty Schedules: 2024 Edition (Rules Adopt Revised Uniform Bail and Penalty Schedules, 2024 Edition)

All comments are verbatim unless indicated by an asterisk (*).

	Commenter	Position	Comment	Committee Response
				<p>While it seems that Vehicle Code section 5201.1 logically may not be a correctable offense, it is listed in one of the enumerated divisions of Vehicle Code section 40305.5 as potentially correctable. <i>Department of California Highway Patrol v. Superior Court</i>, (2008) 158 Cal. App. 4th 726, specifically discusses whether certain equipment violations that are listed in the enumerated divisions can be automatically non-correctable. This case discussed whether a helmet violation can be per se non-correctable. The court held that that “the phrase ‘any infraction’ indicates that the Legislature did not intend to restrict the type of equipment infractions in the enumerated divisions that could be potentially correctable; rather, that phrase means exactly what it says: Any—and thus every—equipment infraction in the enumerated divisions is potentially correctable—i.e., the subject of a ‘fix-it’ ticket.” (<i>Id.</i> at 736.)</p> <p>The court further held that, “[c]learly, law enforcement officers bear the primary responsibility for enforcing equipment regulations. The statutory procedure reflects a legislative intent to give them the authority and duty to evaluate the circumstances surrounding an equipment violation and make the initial determination concerning whether a potentially correctable infraction should be treated as such.” (<i>Id.</i> at 739.)</p> <p>The court explained “for example, if an officer stops a pilot car driver for not displaying red flags, and the officer decides that under the circumstances further enforcement action is</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated.

Uniform Bail and Penalty Schedules: 2024 Edition (Rules Adopt Revised Uniform Bail and Penalty Schedules, 2024 Edition)

All comments are verbatim unless indicated by an asterisk (*).

	Commenter	Position	Comment	Committee Response
				<p>appropriate—e.g., because the driver does not have red flags or the driver has red flags but refuses to display them—the officer can find that the infraction presents an immediate safety hazard and issue a regular citation. This would be the case with similar infractions involving headsets, earplugs, and radar jamming devices. On the other hand, where a motorcyclist's helmet had a broken chinstrap, an officer could find no immediate safety hazard and issue a ‘fix-it’ ticket.” (<i>Id.</i> at 738-739.)</p> <p>While it seems that logically Vehicle Code section 5201.1 may not be a correctable offense, it is listed in one of the enumerated correctable divisions of Vehicle Code section 40303.5(a) (registration infraction under Division 3, commencing with 4000). Based on the case cited above, and unless the legislature provides clarification on what offenses should be correctable, the committee believes Vehicle Code section 5201.1 should be potentially correctable. For example, an officer could determine a violator cannot promptly correct the violation and cite it as non-correctable.</p> <p>Therefore, the committee does not recommend making this change.</p>
			<ul style="list-style-type: none"> VC 5201.1(c) should not be made correctable. It is not an mechanical requirement violation. It is the act of actively taking the illegal action of deliberately altering the license plate itself 	<p>Please see the discussion above. The committee does not recommend making this change.</p>

Uniform Bail and Penalty Schedules: 2024 Edition (Rules Adopt Revised Uniform Bail and Penalty Schedules, 2024 Edition)

All comments are verbatim unless indicated by an asterisk (*).

	Commenter	Position	Comment	Committee Response
			<p>and does not qualify for correction under VC 40610.</p> <ul style="list-style-type: none"> • VC 22352(a) (1-3), (b)(1-3): Are not chargeable sections. None of these sections define any form of violation. Rather, they define what the prima facie speed limits are in specific areas. VC 22352, prior to any of the subsections states, “The prima facie limits are as follows and shall be applicable unless changed as authorized in this code and, if so changed, only when signs have been erected giving notice thereof.” There is nothing in VC22352 defining anything as being unlawful. The violation of the prima facie speed limits being unlawful is specifically provided for in VC 22351(b) (see below). This clearly verifies the legislature’s intent that 22352 is not a charging section, as the violation of prime facie limits is expressly defined in 22351(b) (see below). References to 22352 also need to be removed from pages 63(Enhanced penalties for highway construction zones) and 72 (Enhances penalties for safety enhancement zones). <ul style="list-style-type: none"> ○ 22351(b): The speed of any vehicle upon a highway in excess of the prima facie speed limits in Section 22352 [highlighting in original] or established as 	<p>After removing Vehicle Code section 22352 (the prima facie speed limits) from the 2023 UBPS, Vehicle Code section 22352 was put back into the draft 2024 UBPS based on two stakeholder requests from courts. The committee agrees that violations of Vehicle Code section 22352 are more appropriately cited under other statutes. However, the committee does not believe that the charge is per se non-citable. As the UBPS is a document meant to assist courts, and the Department of Motor Vehicles’ Abstract Reporting Manuel includes Vehicle Code section 22352 as a reportable violation, the committee believes Vehicle Code section 22352 should be included in the UBPS. The committee does not recommend making this change.</p>

SP23-09

Uniform Bail and Penalty Schedules: 2024 Edition (Rules Adopt Revised Uniform Bail and Penalty Schedules, 2024 Edition)

All comments are verbatim unless indicated by an asterisk (*).

	Commenter	Position	Comment	Committee Response
			<p>authorized in this code is prima facie unlawful unless the defendant establishes by competent evidence that the speed in excess of said limits did not constitute a violation of the basic speed law at the time, place and under the conditions then existing.</p>	
2.	<p>Superior Court of Marin County by Cathi Larson, Executive Services Associate</p>	N/I	<p>The Marin Court would like to propose to add section 1.14 of the California Code of Regulations Title 14 to the Fish and Game Bail and Penalty Schedule for the next round of changes.</p> <p>Based on Fish and Game Code 12000(b) (4).</p>	<p>The committee appreciates this feedback. Because this recommendation would be a substantive change to the proposal, the committee believes public comment should be sought before it is considered for adoption. The committee will consider this suggestion for the 2025 Uniform Bail and Penalty Schedules.</p>
3.	<p>Superior Court of Orange County By Christine Townsend, Program Coordinator Specialist</p>	N/I	<p>We have a comment on the following: Page 94:</p> <ul style="list-style-type: none"> • FG 12012(a) - Misd • FG 12013(a) – Misd <p>The JCUBS lists bail at \$10,000, however per Westlaw, the statutes read as follows:</p> <p style="text-align: center;">Effective: January 1, 2016</p> <p style="text-align: center;">West's Ann.Cal.Fish & G.Code § 12012 § 12012. Illegal taking, possession, etc. for profit or personal gain <u>Currentness</u></p> <p>(a) A person who illegally takes, possesses, imports, exports, sells, purchases, barter, trades, or exchanges a bird, fish,</p>	<p>The committee appreciates this feedback. The committee considered the suggestion to reduce the recommended base fine for Fish and Game Code section 12012(a) to the statutory minimum for the 2023 UBPS. The committee declined to reduce the recommended base fine for this offense. The committee noted while developing the 2023 UBPS that sections in the schedules in the UBPS for infractions and misdemeanors under boating, forestry, fish and game, public utilities, parks and recreation, and business licensing laws are advisory. These schedules are intended to provide guidance and uniformity to the trial courts for their schedules for misdemeanors and infractions. While courts should consider the recommendations of the UBPS</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated.

Uniform Bail and Penalty Schedules: 2024 Edition (Rules Adopt Revised Uniform Bail and Penalty Schedules, 2024 Edition)

All comments are verbatim unless indicated by an asterisk (*).

	Commenter	Position	Comment	Committee Response
			<p>mammal, reptile, amphibian, or part of any of those animals, for profit or personal gain, is guilty of a misdemeanor punishable by a fine of not less than five thousand dollars (\$5,000) [highlighting in original] nor more than forty thousand dollars (\$40,000), or imprisonment in the county jail for not more than one year, or by both that fine and imprisonment.</p> <p>(b) If a person is convicted of a second or subsequent violation of subdivision (a), that person shall be punished by a fine of not less than ten thousand dollars (\$10,000) nor more than fifty thousand dollars (\$50,000), or imprisonment in the county jail for not more than one year, or by both that fine and imprisonment.</p> <p style="text-align: center;">Effective: January 1, 2011</p> <p style="text-align: center;">West's Ann.Cal.Fish & G.Code § 12013 § 12013. Taking or possession of more than three times limit; subsequent violations; intentional or malicious maiming, mutilation or torture; exceptions <u>Currentness</u></p> <p>(a) Any person who illegally takes or possesses in the field more than three times the daily bag limit, or who illegally possesses more than three times the legal possession limit, of fish, reptiles, birds, amphibians, or mammals is guilty of a misdemeanor and shall be subject to a fine of not less than five thousand dollars (\$5,000), [highlighting in original] nor more than forty thousand dollars (\$40,000), or imprisonment</p>	<p>for violations other than Vehicle Code infractions, this schedule only provides recommendations for courts to adopt their own schedules. This request would also involve a substantive change to the proposal where public comment should be sought. The committee declines to make this change but will consider this suggestion for the 2025 Uniform Bail and Penalty Schedules.</p> <p>Because the recommendation to reduce the base fine for Fish and Game Code section 12103(a) would be a substantive change to the proposal, the committee believes public comment should be sought before it is considered for adoption. The committee will consider this suggestion for the 2025 Uniform Bail and Penalty Schedules.</p>

SP23-09

Uniform Bail and Penalty Schedules: 2024 Edition (Rules Adopt Revised Uniform Bail and Penalty Schedules, 2024 Edition)

All comments are verbatim unless indicated by an asterisk (*).

	Commenter	Position	Comment	Committee Response
			<p>in a county jail for not more than one year, or by both that fine and imprisonment.</p> <p>(b) If a person is convicted of a second or subsequent violation of subdivision (a), that person shall be punished by a fine of not less than ten thousand dollars (\$10,000), nor more than fifty thousand dollars (\$50,000), or imprisonment in a county jail for not more than one year, or by both that fine and imprisonment. (\$50,000), or imprisonment in a county jail for not more than one year, or by both that fine and imprisonment.</p> <p>Should the bail on these violations be \$5,000?</p> <p>Thank you for your consideration.</p>	

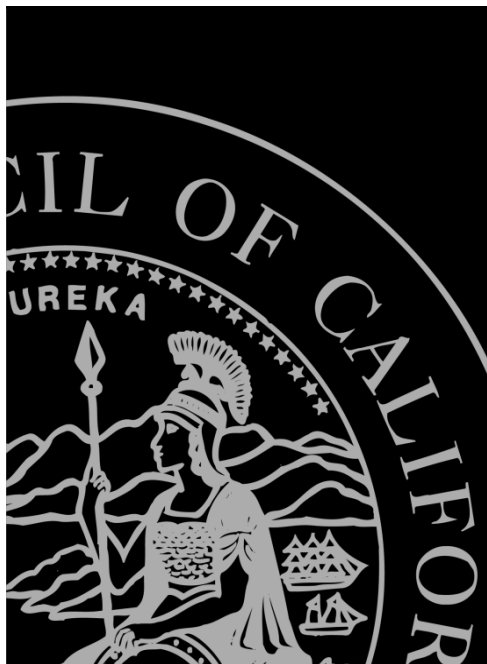
Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated.



Pages With Changes

a
iv
x
2-5
10
12-13
15-17
30
34-35
37-38
44-45
53
82
91-93
96-97
99-101
103
105-110
113-114
130
133





Uniform Bail and Penalty Schedules

202~~3~~4 EDITION

(Cal. Rules of Court, rule 4.102)

TRAFFIC
BOATING
FORESTRY
FISH AND GAME
PUBLIC UTILITIES
PARKS AND RECREATION
BUSINESS LICENSING



JUDICIAL COUNCIL
OF CALIFORNIA

JUDICIAL COUNCIL OF CALIFORNIA
455 Golden Gate Avenue
San Francisco, California 94102-3688

Rule 4.102. UNIFORM BAIL AND PENALTY SCHEDULES

**TRAFFIC, BOATING, FORESTRY, FISH AND GAME,
PUBLIC UTILITIES, PARKS AND RECREATION, BUSINESS LICENSING**

The Judicial Council of California has established the policy of promulgating uniform bail and penalty schedules for certain offenses in order to achieve a standard of uniformity in the handling of these offenses.

In general, bail is used to ensure the presence of the defendant before the court. Under Vehicle Code sections 40512 and 13103, bail may also be forfeited and such forfeiture may be ordered without the necessity of any further court proceedings and treated as a conviction for specified Vehicle Code offenses. A penalty in the form of a monetary sum is a fine imposed as all or a portion of a sentence imposed.

To achieve substantial uniformity of bail and penalties throughout the state in traffic, boating, fish and game, forestry, public utilities, parks and recreation, and business licensing cases, the trial court judges, in performing their duty under Penal Code section 1269b to annually revise and adopt a schedule of bail and penalties for all misdemeanor and infraction offenses except Vehicle Code infractions, must give consideration to the Uniform Bail and Penalty Schedules approved by the Judicial Council. The Uniform Bail and Penalty Schedule for infraction violations of the Vehicle Code will be established by the Judicial Council in accordance with Vehicle Code section 40310. Judges must give consideration to requiring additional bail for aggravating or enhancing factors.

After a court adopts a countywide bail and penalty schedule, under Penal Code section 1269b, the court must, as soon as practicable, mail a copy of the schedule to the Judicial Council with a report stating how the revised schedule differs from the council's uniform traffic bail and penalty schedule, uniform boating bail and penalty schedule, uniform fish and game bail and penalty schedule, uniform forestry bail and penalty schedule, uniform public utilities bail and penalty schedule, uniform parks and recreation bail and penalty schedule, or uniform business licensing bail and penalty schedule.

The purpose of this uniform bail and penalty schedule is to:

1. Show the standard amount for bail, which for Vehicle Code offenses may also be the amount utilized for a bail forfeiture instead of further proceedings; and
2. Serve as a guideline for the imposition of a fine as all or a portion of the penalty for a first conviction of a listed offense where a fine is used as all or a portion of the penalty for such offense. The amounts shown for the misdemeanors on the boating, fish and game, forestry, public utilities, parks and recreation, and business licensing bail and penalty schedules have been set with this dual purpose in mind.

Unless otherwise shown, the maximum penalties for the listed offenses are six months in the county jail or a fine of \$1,000, or both. The penalty amounts are intended to be used to provide standard fine amounts for a first offense conviction of a violation shown where a fine is used as all or a portion of the sentence imposed.

The bail amounts in the Uniform Bail and Penalty Schedules are calculated by using the maximum county and emergency medical services penalty amount authorized by Government Code sections 76000 and 76000.5. When a court adopts a countywide bail schedule under Penal Code section 1269b for infraction offenses, the local schedule should be adjusted to reflect the specific penalty assessments that apply to a particular county under Government Code sections 76000 and 76000.5. If a court does not have night or weekend sessions for traffic cases, the countywide bail schedule should omit the \$1 fee under Vehicle Code section 42006. The Safety Enhancement–Double Fine Zone schedule applies only to specific counties as expressly authorized by statute.

Note: Courts may obtain copies of the Uniform Bail and Penalty Schedules by contacting:

Judicial Council of California
Criminal Justice Services
455 Golden Gate Avenue
San Francisco, California 94102-3688
E-mail: TrafficAC@jud.ca.gov
www.courts.ca.gov/7532.htm

CONTENTS

PREFACE	iii
I. SECTION AND OFFENSE	iii
II. BASE BAIL	iii
III. ADDITIONAL PENALTIES AND SURCHARGE	iii
IV. TOTAL BAIL	iv
V. BAIL CATEGORIES.....	viii
VI. POINT COUNT	viii
VII. PRIOR CONVICTIONS	viii
VIII. TRAFFIC VIOLATOR SCHOOL	ix
<i>Sample Calculation of Bail, Traffic Violator School Fee, and Court Operations Assessment for Multiple Offenses</i>	x
IX. LATE CHARGE	x
<i>Sample Calculation of Late Penalty</i>	xi
X. OFFENSES ELIGIBLE FOR CORRECTION	xi
XI. EVIDENCE OF FINANCIAL RESPONSIBILITY	xii
XII. PARKING VIOLATIONS	xii
TRAFFIC INFRACTION FIXED PENALTY SCHEDULE	1
OVERWEIGHT CHART (PER VC 42030).....	40
WEIGHT CHART (PER VC 42030.1)	41
SPEED CHART	42
TRAFFIC MISDEMEANOR BAIL AND PENALTY SCHEDULE	43
APPENDIX OF ENHANCED PENALTY AMOUNTS PER VEHICLE CODE SECTION 42009	62
VIOLATIONS COMMITTED IN HIGHWAY CONSTRUCTION OR MAINTENANCE AREA	62
ENHANCED PENALTY SPEED CHART AMOUNTS PER VEHICLE CODE SECTION 42009	72
APPENDIX OF ENHANCED PENALTY AMOUNTS PER VEHICLE CODE SECTION 42010	73
VIOLATIONS COMMITTED IN SAFETY ENHANCEMENT–DOUBLE FINE ZONES	73
ENHANCED PENALTY SPEED CHART AMOUNTS PER VEHICLE CODE SECTION 42010	81
BOATING BAIL AND PENALTY SCHEDULE	82
FORESTRY BAIL AND PENALTY SCHEDULE	90
FISH AND GAME BAIL AND PENALTY SCHEDULE	93
PUBLIC UTILITIES BAIL AND PENALTY SCHEDULE	120

PARKS AND RECREATION BAIL AND PENALTY SCHEDULE	122
SPEED CHART	134
BUSINESS LICENSING BAIL AND PENALTY SCHEDULE	135

PREFACE

I. Section and Offense

- A. Historically, only those offenses most often filed in municipal courts were included in the Uniform Bail and Penalty Schedules. Penal Code section 1269b and Vehicle Code section 40310 require the Judicial Council to establish a schedule for infractions of the Vehicle Code. The Judicial Council approved the first Traffic Infraction Bail and Penalty Schedule in November 1992.
- B. The letter “M” designates a misdemeanor: a crime punishable, at the discretion of the court, by imprisonment in a county jail for a period of no longer than 6 months or by a fine not exceeding \$1,000 or by both (Penal Code section 19).
- C. The letter “I” designates an infraction: a violation of a law not punishable by imprisonment but by a fine generally not exceeding \$100 for violations of the Vehicle Code (Vehicle Code section 42001) or \$250 for violations of other codes (Penal Code section 19.8(b))

II. Base Bail

The “Base Bail” indicated is the amount from which the “additional penalties” required by Penal Code section 1464; Government Code sections 70372, 76000, 76104.6, and 76104.7; the surcharge required by Penal Code section 1465.7; and the penalty authorized by Government Code section 76000.5 are calculated.

III. Additional Penalties and Surcharge

- A. An “additional penalty” of between \$22 and \$27 (\$10 state penalty required by Penal Code section 1464; state court construction penalty of \$5 required by Government Code section 70372(a); a county and state DNA Identification Fund penalty of \$5 required by Government Code sections 76104.6 and 76104.7 (amended effective June 27, 2012); and a county penalty of up to \$7 required by Government Code section 76000(e)) shall be levied upon every \$10, or part of \$10, of every fine, penalty, or forfeiture imposed and collected by the courts for criminal offenses. The “additional penalty” may increase by \$2 for every \$10, or part of \$10, of the base fine if the county board of supervisors elects to levy an emergency medical services (EMS) penalty assessment under Government Code section 76000.5.
- B. Government Code section 70372(a) requires imposition of a state court construction penalty on every fine, penalty, or forfeiture collected by the courts for criminal offenses, including, but not limited to, all offenses, except parking offenses, as defined in Penal Code section 1463, involving violations of the Fish and Game Code and Vehicle Code or local ordinances adopted pursuant to the Vehicle Code. Section 70372 specifies a state court construction penalty of \$5 for every \$10, or part of \$10, of the criminal fine, penalty, or forfeiture.

- C. Penal Code section 1464(b) provides that in the case of multiple offenses, the amount of “additional penalties” is to be determined by the total base bail or fine for all the offenses cited, and if the fine or base bail is suspended in whole or part, the “additional penalties” shall be reduced in proportion to the amount of suspension.
- D. Penal Code section 1465.7(a) requires imposition on criminal offenses of a state surcharge equal to 20 percent of the base fine used to calculate the state penalty assessment as specified in Penal Code section 1464(a). Penal Code section 1465.7(b) requires that the surcharge be imposed in addition to the state penalty assessment pursuant to Penal Code section 1464 and not be included in the base fine used to calculate the state penalty assessment as specified in section 1464. For the limited purpose of calculating the fee to attend traffic violator school under Vehicle Code section 42007, Penal Code section 1465.7(g) provides that the surcharge is excluded from the “Total Bail” amount used to determine the fee but is collected and distributed according to section 1465.7. The surcharge is part of the “Total Bail” in other circumstances, such as when a defendant requests a trial by written declaration or when a court permits payment of the “Total Bail” in installments.
- E. In counties with bonded indebtedness for court facilities, the county penalty assessment amount under Government Code section 76000(e) is \$7 for every \$10 or part of \$10 of the base fine. In counties without bonded indebtedness for court facilities, if the county penalty assessment amount listed in Government Code section 76000(e) is less than \$7, the penalty for every \$10, or part of \$10, of the base fine is equal to the amount listed in Government Code section 76000(e) plus the amount obtained from multiplying the difference between \$7 and the amount listed in Government Code section 76000(e) by the ratio of the square footage of court facilities transferred from the county to the state to the total court facility square footage in the county.

~~F. Under Government Code section 76000.10(c)(1), a penalty of \$4 for emergency medical air transportation (EMAT) services assessed before December 31, 2022 shall continue to be collected, administered, and distributed pursuant to this section until exhausted or until December 31, 2023, whichever occurs first.~~

IV. Total Bail

- A. Effective January 1, 1989, the Judicial Council adopted a “Total Bail” concept in an effort to obtain statewide consistency in the “bail” policies of the courts. The indicated “Total Bail” is for the first offense, and it must be followed to the extent required by Penal Code section 1269b.
- B. Except as otherwise required by statute, trial courts have discretion to suspend the minimum sentence, including fines and penalties. For traffic cases, Vehicle Code section 42003 permits a judge or referee to consider a defendant’s ability to pay. Vehicle Code section 42007 permits a judicial officer to reduce the fee to attend traffic violator school upon a showing that the defendant is unable to pay the full amount. Vehicle Code sections 42003 and 40510.5 permit installment payments of judgments in traffic cases, and Vehicle Code section 42007 permits installment payments of the fee to attend traffic violator school.

- C. Except for the following exceptions, counties must adhere to the Judicial Council’s Traffic Infraction Bail and Penalty Schedule for infraction violations of the Vehicle Code (Penal Code section 1269b and Vehicle Code section 40310).

Penal Code section 1463.28 provides that 30 counties may exceed the “Total Bail” amounts of the Traffic Infraction Bail and Penalty Schedule. Those counties are

- | | | |
|-----------------|-----------------|-----------------|
| 1. Alpine | 11. Lassen | 21. San Joaquin |
| 2. Amador | 12. Los Angeles | 22. Santa Clara |
| 3. Butte | 13. Madera | 23. Sierra |
| 4. Calaveras | 14. Mariposa | 24. Stanislaus |
| 5. Contra Costa | 15. Mendocino | 25. Sutter |
| 6. Del Norte | 16. Modoc | 26. Trinity |
| 7. Fresno | 17. Mono | 27. Tulare |
| 8. Humboldt | 18. Plumas | 28. Tuolumne |
| 9. Kings | 19. San Benito | 29. Yolo |
| 10. Lake | 20. San Diego | 30. Yuba |

Additional exceptions result from two pieces of legislation that became operative on January 1, 1994:

1. Vehicle Code section 42001 allows local public entities that employ peace officers, universities, and state colleges to set a fine schedule for bicycle violations occurring in their jurisdictions that would supersede the Judicial Council penalty schedule.
2. Vehicle Code section 42009 requires that for any specified offense committed within a highway construction or maintenance area during hours when work is being performed, the fine shall be double in the case of misdemeanors and in the case of infractions shall be one category higher than otherwise provided in the Traffic Infraction Fixed Penalty Schedule. An appendix with the specified offenses listed and the enhanced amounts follows the Traffic portion of the bail and penalty schedules, starting on page 61.
3. Streets and Highways Code section 97 provides for increased fines for a safety enhancement—double fine zone on the segment of Route 12 between the Route 80 junction in Solano County and the Route 5 junction in San Joaquin County.

Under section 97, the base fine for any specified offense committed in the safety enhancement–double fine zone shall be double in the case of misdemeanors and in the case of infractions shall be one category higher than otherwise provided in the Uniform Bail and Penalty Schedules. Any additional penalty, forfeiture, or assessment imposed by any other statute shall be based on the amount of the base fine before enhancement or doubling and shall not be based on the amount of the enhanced fine.

The “Categories” indicated in the Traffic Infraction Bail and Penalty Schedule under Vehicle Code sections 40310, 42009(a), and 42010 will be shown as “1a” and “1b,” “2a” and “2b,” “3a” and “3b,” and “4a” and “4b,” with the “b” subcategory referring to the violation when it is committed in a highway construction zone or safety enhancement–double fine zone.

- D. The “Total Bail” amounts within the Uniform Boating, Forestry, Fish and Game, Public Utilities, Parks and Recreation, and Business Licensing Bail Schedules are suggested amounts, and their adoption by courts is not compulsory.
- E. The “Total Bail” amount indicated includes the base bail and those “additional penalties” required by Penal Code section 1464 and Government Code sections 70372, 76000, 76104.6, and 76104.7, and the 20 percent surcharge on the base bail required by Penal Code section 1465.7, except as provided in Vehicle Code section 42007. When authorized by the county board of supervisors, the “Total Bail” for a countywide bail schedule adopted under Penal Code section 1269b may also include an additional \$2 penalty under Government Code section 76000.5 for every \$10, or part of \$10, of the base fine. Assessments adopted by a court—such as under Vehicle Code section 40508.6—shall be collected in addition to the “Total Bail.” The court operations assessment imposed per convicted offense under Penal Code section 1465.8; assessment for night court under Vehicle Code section 42006; traffic assistance program (TAP) fee under Vehicle Code section 11205.2; and criminal conviction assessment under Government Code section 70373 are collected as part of the “Total Bail,” but are not subject to the special distribution for the “Total Bail” in traffic violator school cases under Vehicle Code section 42007. Effective January 1, 2014, Penal Code section 1202.4(b)(1) requires a minimum \$150 restitution fine as an assessment in addition to the “Total Bail” in every case where there is a misdemeanor conviction. Other mandatory assessments may also be applicable, especially in DUI cases.

Fish and Game Code section 12021 authorized a \$15 penalty to be collected in addition to the fine and penalties normally collected for violations of the Fish and Game Code, to be deposited in the Fish and Game Preservation Fund and disbursed as specified. The \$15 additional penalty does not apply to violations punishable pursuant to Fish and Game Code section 12002.1(b) or 12002.2(b) or to any regulation relating to the wearing or display of a fishing license.

- F. “Total Bail” shall not exceed statutory limits. Vehicle Code section 40310 specifies that the “fine” amount of the total bail shall not exceed the limitations specified by Vehicle Code sections 42001 and 42001.5.
- G. Rule 4.105 of the California Rules of Court provides that with certain exceptions deposit of bail is not required to appear for arraignment or trial for an infraction case. Deposit may be required: by statute, such as trial by written declaration; if a person does not sign a promise to appear as ordered by the court; or a judicial officer states a reason for a deposit to schedule a trial.

In cases where a court appearance is required by a court, the amounts set forth in the Uniform Bail and Penalty Schedules do not necessarily indicate the appropriate total penalties; rather, they ensure that, in most cases, when bail is posted, sufficient funds will be available to meet the defendant’s obligations. Upon conviction, however, “additional penalties” are added to any fine. It is incumbent upon the judge who hears each case to determine the proper total penalty (fine and “additional penalties”) based on the particular facts presented.

With the exception of juveniles under age 18, there shall be no mandatory court appearance for any infraction of the California Vehicle Code punishable by fine only. A court may require a mandatory appearance for an infraction violation of the Vehicle Code when a statutory driver’s license restriction, suspension, or revocation is authorized; community service or proof of payment or correction is mandatory; or a violation requires specific action under the Vehicle Code in addition to a fine. This paragraph does not apply to violations of local ordinances based on Vehicle Code sections.

- H. The “Total Bail” for an offense *not specifically listed* in the Uniform Traffic Infraction Bail and Penalty Schedule is the amount set for the general category of that offense unless a California code or regulation specifies otherwise. The court operations assessment and criminal conviction assessment are collected in addition to the “Total Bail.” The suggested minimum “Total Bail” for an offense *not specifically listed* in the Uniform Traffic Misdemeanor Bail and Penalty Schedule, unless a California code or regulation specifies otherwise, is:

	Base	+	Additional Penalties*&	Surcharge	+	Fees	=	Total Bail*/Fees (*See sections II–IV)
Misdemeanor	\$ 75	+	\$247		+	\$70	=	\$392
Infraction	\$ 35	+	\$123		+	\$75	=	\$233

The suggested minimum “Total Bail” for an offense *not specifically listed* in the Uniform Public Utilities Bail and Penalty Schedule, unless a California code or regulation specifies otherwise, is:

Misdemeanor	\$185	+	\$588		+	\$70	=	\$843
-------------	-------	---	-------	--	---	------	---	-------

The suggested minimum “Total Bail” for an offense *not specifically listed* in the Uniform Boating, Business Licensing, Fish and Game, Forestry, or Parks and Recreation Bail and Penalty Schedules, unless a California code or regulation specifies otherwise, is:

Misdemeanor	\$100	+	\$310		+	\$70	=	\$480
Infraction	\$ 35	+	\$123		+	\$75	=	\$233

V. **Bail Categories**

Assembly Bill 1344 (Stats. 1992, ch. 696), effective September 15, 1992, amended Vehicle Code section 40310 to classify Vehicle Code offenses into four or fewer penalty categories, according to the severity of the offenses. The Judicial Council has approved the following categories of bail/fine after considering suggestions from its Traffic Advisory Committee and the recommendations made by the National Center for State Courts:

		Base Fine	+	Additional Penalties* & Surcharge	+	Fees	=	Total Bail*/Fees (*See secs. II–IV)
Category 1	Bicyclist, motorized scooter, pedestrian, pocket bike, vehicle registration	\$ 25	+	\$ 92	+	\$ 75	=	\$ 192
Category 2	Driver’s license, operation of vehicle, and size and load offenses	\$ 35	+	\$ 123	+	\$ 75	=	\$ 233
Category 3	Substance abuse infractions, VC 2818, VC 20004, VC 21706.5, and VC 27375	\$ 70	+	\$ 217	+	\$ 75	=	\$ 362
Category 4	Miscellaneous offenses for which the penalties or the fee for dismissal with proof of correction are specifically set by the Vehicle Code, speeding offenses (refer to Speed Chart), and infractions pursuant to PC 19.8							

If a citation does not indicate that an offense is eligible for correction under Vehicle Code 40522, a court may presume that the offense is cited as noncorrectable. (See also *California Highway Patrol v. Superior Court* (2008) 158 Cal.App.4th 726, 740.) Vehicle Code section 14610.5(a) may be charged as either an infraction or a misdemeanor (Vehicle Code section 14610.5(b)). Penal Code section 19.8 lists the following offenses that are an infraction with a fine of up to \$250: Vehicle Code sections 5201.1, 12500(a), 14601.1, 23109(c), 27150.1, 40508, and 42005. If one of these offenses is charged as an infraction, the appropriate penalty is listed in the Traffic Infraction Bail and Penalty Schedule. If the offense is charged as a misdemeanor, the recommended penalty is listed in the Traffic Misdemeanor Bail and Penalty Schedule.

VI. **Point Count**

Vehicle Code sections 12810, 12810.2, 12810.3, and 12810.4 determine the amount of point count. The Department of Motor Vehicles establishes conviction point count based on statutory guidance and definition. Vehicle Code section 12810.5 defines a “negligent operator” based on point count. The Department of Motor Vehicles may take an administrative sanction against a person’s driving privilege based on “points” (Vehicle Code section 12810.5).

VII. **Prior Convictions**

A. The base fine for one Vehicle Code moving violation that is assessed “points” on a current arrest or citation may 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.

While Vehicle Code section 42001 references maximum fines within a one-year time frame, the Judicial Council has interpreted section 42001 to not preclude a court from considering “prior” convictions for a longer period of time. The period of 36 months was adopted by the Judicial Council (effective January 1, 1989) to correspond to and reinforce Vehicle Code sections 12810 and 12810.5. These sections define the “point system” used by the Department of Motor Vehicles as prima facie evidence of the negligent operation of a motor vehicle.

Vehicle Code sections 15306 and 15308 specify penalties for commercial drivers in terms of subsequent offenses occurring within three years.

- B. In the case of an owner responsibility citation, the “prior” must relate to the particular vehicle for which the new offense is charged.
- C. Vehicle Code section 42004 provides that the court, in determining a penalty to be imposed pursuant to the Vehicle Code, may use a written report from the Department of Motor Vehicles that contains information showing prior convictions.
- D. With the exception of parking, pedestrian, and bicycle offenses on a current citation, Vehicle Code section 40508.6 authorizes courts to establish an administrative assessment, not to exceed \$10, for the purpose of recording and maintaining a record of a defendant’s prior convictions, that is payable at the time of payment of a fine or when bail is forfeited for any subsequent violation.

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.

Sample Calculation of Bail, Traffic Violator School Fee, and Court Operations Assessment for Multiple Offenses

1. Violation of Vehicle Code sections 21453(b), 27360.5(a), 24252(a)(1), and 26707.
2. No prior convictions are charged.
3. “Additional penalties” of between \$22 and \$29 as set out in section III for every \$10 of base fine or part thereof, plus the surcharge on the base fine per offense:

“Total Bail” Without Traffic School or Proof		Traffic Violator School and Correction Total With Proof
VC 21453(b)	= \$ 35	(VC 21453(b)) = \$ 0
VC 27360.5(a)	= \$ 100	(VC 27360.5(a)) = \$ 41 100
VC 24252(a)(1), VC 26707	= \$ 50	TVS fee Total base fine = \$ 49100
Total base fine	= \$ 185	TVS/DMV admin. fee Penalties (\$29 x 10) = \$ 3 290
Penalties and surcharge (\$29 x 19)	= \$ 58851	Correction fee (2 x \$25) Surcharge = \$ 520
Surcharge	= \$ 37	TOTAL BAIL = \$ 410
TOTAL BAIL	= \$ 773	Court operations (2 x \$40) = \$ 80
		(TAP fee, VC 11205.2) Conviction assessment (2 x \$35) = \$ 70
Court operations	= \$ 160	Night court assessment = \$ 1
Conviction assessment	= \$ 140	Conviction assessment (2 x \$35) TVS fee = \$ 7049
Night court assessment	= \$ 1	TVS/DMV admin. fee = \$ 3
		Correction fee (2 x \$25) = \$ 50
TOTAL	= \$ 1,0734	TOTAL = \$ 663

4. If the defendant is ordered to attend traffic violator school under VC 41501 for VC 21453(b) and VC 27360.5(a), per VC 42007 the defendant is charged for the greater/more severe of the qualifying offenses: VC 27360.5(a) at \$486 (\$100 + \$290 + \$20 + \$75 + \$1) plus the \$49 and \$3 DMV TVS fee per VC 42007.1 (total of \$538).
5. The charges of VC 21453(b) and VC 27360.5(a) are continued under VC 41501. The charges of VC 24252(a)(1) and VC 26707 are continued pending proof of correction, required under VC 40522 for dismissal.
6. The defendant presents to the court timely evidence that he or she has completed traffic violator school. The VC 21453(b) and VC 27360.5(a) violations are reported under VC 41501. If the defendant submits to the court timely evidence under VC 40616 that the violations of VC 24252(a)(1) and VC 26707 have been corrected, the VC 24252(a)(1) and VC 26707 violations are dismissed under VC 40522, and a \$50 “transaction fee” is charged under VC 40611. A court operations assessment of \$40 is collected and distributed as required by Penal Code section 1465.8 for reporting of VC 21453(b) for completion of traffic violator school, and a criminal conviction assessment of \$35 is collected under Government Code section 70373 for VC 21453(b).
7. The case is closed, with the court collecting \$663 (\$411 + \$49 + 3 + \$50 + \$80 + \$70) plus any fee under VC 11205.2 and deduction of \$1 if the court does not impose a night or weekend court assessment under VC 42006.

IX. Late Charge

Vehicle Code section 40310 requires the imposition of a late charge of 50 percent on any traffic penalties not paid within 20 days.

The 20 days shall be counted from the mailing of a notice that the penalty has been assessed. The initial penalty consists of the base fine; a fine enhancement for prior convictions (if any); the state, county, and court facility construction additional penalties; and the emergency medical services penalty, if authorized (Penal Code section 1464 and Government Code sections 70372, 76000, 76000.5, 76104.6, and 76104.7).

Sample Calculation of Late Penalty

1. Base fine	\$	25
2. Enhancement for one prior conviction	+ \$	10
Enhanced base fine	\$	35
3. Additional penalties (PC 1464 and GC 70372, 76000, 76000.5, 76104.6, and 76104.7) (\$29* X 4) (*See section III)	+ \$	116
Initial Penalty	\$	151
4. Night court assessment (VC 42006)	+ \$	1
5. Administrative assessment for maintaining a record of priors (VC 40508.6)	+ \$	10
6. Surcharge on base fine (PC 1465.7)	+ \$	7
7. Court operations assessment (PC 1465.8)	+ \$	40
8. Conviction assessment (GC 70373(a)(1))	+ \$	35
Total Due	\$	244
9. Late charge (VC 40310) [50% of initial penalty]	+ \$	75.50
Total Due	\$	319.50

X. Offenses Eligible for Correction

Under Vehicle Code section 40522, an officer arresting for violations specified in Vehicle Code section 40303.5 is required to specify the offense charged and note in a form approved by the Judicial Council that the charge shall be dismissed upon proof of correction. Certain offenses specified in Vehicle Code section 40303.5 are designated in the following schedule as potentially eligible for correction. The offenses designated in the schedule as potentially eligible for correction and those offenses specified by Vehicle Code section 40303.5 that are not contained in the schedule may be eligible for dismissal with proof of correction if the citing officer determines that none of the disqualifying conditions of Vehicle Code section 40610(b) exist. (See *California Highway Patrol v. Superior Court* (2008) 158 Cal.App.4th 726 [riding a motorcycle without wearing any helmet presents an “immediate safety hazard” when an officer makes that determination and issues a noncorrectable citation].) Those disqualifying conditions are present if an officer finds any of the following:

1. Evidence of fraud or persistent neglect;
2. The violation presents an immediate safety hazard;
3. The violator does not agree to, or cannot, promptly correct the violation.
4. The violation cited is of subdivision (a) of Section 27151 for a motorcycle.

If a citation does not indicate that an offense is eligible for correction, a court may presume that the offense is cited as noncorrectable. (See also *California Highway Patrol v. Superior Court, supra*, 158 Cal.App.4th at p. 740.) A court retains the discretion, however, to find an offense correctable--even when an officer has not noted it as correctable--where the offense meets the requirements of VC 40610 and 40303.5 and none of the disqualifying conditions are present. (See *California Highway Patrol v. Superior Court, supra*, 158 Cal.App.4th at p. 746-747.) Upon proof of correction of an alleged violation of section 12500 or 12951 or any violation cited pursuant to section 40610, Vehicle Code section 40611 authorizes courts to collect a \$25 transaction fee for each violation. No bail amount shall be collected.

In cases alleging violation of Vehicle Code section 4000(a), or alleging that a vehicle is not registered as required by the Vehicle Code, Vehicle Code section 40152 requires that proof of registration or proof of payment of the appropriate registration fees, or proof that the vehicle has been reduced to junk, be produced in court before the offense can be adjudicated as a dismissal.

XI. Evidence of Financial Responsibility

Pursuant to Vehicle Code section 16028(e), upon submission of evidence of financial responsibility, in a form consistent with Vehicle Code section 16020, showing that the driver was in compliance with that section at the time the notice to appear for violating Vehicle Code section 16028 was issued, further proceedings for the violation shall be dismissed and no bail amount shall be collected. Vehicle Code section 40611 authorizes courts to collect a \$25 transaction fee for each violation that is dismissed pursuant to section 16028(e).

XII. Parking Violations

Assembly Bill 408 (Stats. 1992, ch. 1244), effective January 1, 1993, revised and recast the procedures for processing and adjudicating parking law violations as administrative offenses subject to a civil penalty. The bill required courts to transfer the processing of parking offenses to issuing agencies not later than January 1, 1994. Consequently, parking violations that cannot be cited as infractions have been removed from the Uniform Bail and Penalty Schedules. Vehicle Code section 463 defines “park” or “parking” as the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in the loading or unloading of merchandise or passengers. Under Vehicle Code section 40225(a), equipment violations entered on a notice of parking violation are subject to a civil penalty established according to Vehicle Code section 40225(c). The Traffic Infraction Fixed Penalty Schedule includes Vehicle Code sections that may be cited for a stopping violation on a notice to appear that is signed by the driver. Under Vehicle Code section 42001.13, a violation of disabled parking provisions in Vehicle Code section 22507.8 may be cited as an infraction on a notice to appear. Under Vehicle Code section 42001.5, a violation of Vehicle Code sections 22500(i), 22500(l), and 22522 may be cited as an infraction on a notice to appear. Under Vehicle Code section 42001.6, a violation of Vehicle Code section 22511.1 may be cited as an infraction on a notice to appear. Government Code section 70373 requires a conviction assessment of \$35 for infractions. Government Code section 70372(b) imposes an assessment of \$4.50 on each parking offense. Government Code section 76000.3 imposes a \$3 penalty on every fine imposed for a parking 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* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points		
			1	10/10	7		5/10	5	20%	2	40	35	1	0					
28		¹ Failure to Give Notice of Vehicle Repossession	300	300	210		150	150	60	60	1230	40	35	1	0	1306	4a	0	
1680	(a)	Selling or Offering to Sell an Appointment with the DMV	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0	
1808.1	(a)	Employer's Failure to Obtain, Review, Sign, and Maintain Copy of Report of DMV Record of Driver	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0	
1808.1	(c)	Employer's Failure to Participate in DMV Pull-Notice System	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0	
1808.1	(d)	Employer's Failure to Notify DMV to Discontinue Enrollment in Pull-Notice System Upon Termination of Driver's Employment	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0	
1808.1	(e)	Failure of Specified Drivers to Enroll in DMV Pull-Notice System	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0	
1808.1	(j)(1)	Employer's Failure to Obtain Copy of Report of Current DMV Record of Casual Driver	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0	
1808.1	(n)	Failure to Present on Request a Report of DMV Record of Driver of Taxicab	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0	
2402.6	(a-c,e)	Violation of Regulations or Standards for Operation of Vehicles Using Compressed or Liquefied Gas	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0	
2504		Violation of CHP Licensing Regulations	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0	
2510	(b)(1)	Operation of Private Emergency Vehicle or Armored Car Without CHP Inspection	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0	
2807	(b)	Operation of School Bus Without CHP Certificate of Compliance	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0	
2807.1	(b)	Operation of Vehicles Transporting Pupils Without CHP Certificate of Compliance	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0	
2807.2		Failure to Retain Record of Inspection on File for Review by CHP Upon Request	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0	
2807.3		Operation of Youth Bus Without Display of Appropriate Certificate Verifying Inspection	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0	
2810.1	(b)	Unlawfully Transporting Household Goods/Failure to Submit to Inspection	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0	
2813.5		Use or Issuance of Unauthorized Inspection Stickers	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0	
2814		Failure to Stop and Submit to Roadside Passenger Vehicle Inspection	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0	
2814.1	(b)	Failure to Stop and Submit to Vehicle Inspection Checkpoint for Exhaust Violations	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0	
2814.2	(a)	Failure to Stop and Submit to Sobriety Checkpoint Inspection	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0	
2815		² Failure to Obey School Crossing Guard	50	50	35		25	25	10	10	205	40	35	1	0	281	4a	1	
2816		Unlawful to Load/Unload Children Unless Traffic Is Controlled	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0	
2817		Failure to Obey Peace Officer-Funeral Procession	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1	
2818		Traversing Electronic Beacon/Flare/Cone Pattern Set by Public Safety Personnel	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	1	
4000	(a)(1)	A	³ No Evidence of Current Registration	50	50	35		25	25	10	10	205	40	35	1	0	281	1a	0
4000	(a)(1)	B	No Evidence of Current Registration	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
4000	(b)	A	³ Vehicle on Highway Registered in Violation of Pollution Control Regulations	50	50	35		25	25	10	10	205	40	35	1	0	281	1a	0
4000	(b)	B	Vehicle on Highway Registered in Violation of Pollution Control Regulations	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
4000.4	(a)	A	Unregistered California-Based Vehicle	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
4000.4	(a)	B	Unregistered California-Based Vehicle	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
4000.6	(a)	A	Failure to Submit Application or Declare Accurate Combined Gross Vehicle Weight Pursuant to VC 9400.1	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
4000.6	(a)	B	Failure to Submit Application or Declare Accurate Combined Gross Vehicle Weight Pursuant to VC 9400.1	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
4000.6	(d)		Commercial Vehicle With Gross Vehicle Weight Over 10,000 Pounds, 1,001-1,500 Pounds in Excess of Declared Gross Vehicle Weight	250	250	175		125	125	50	50	1025	40	35	1	0	1101	4a	0
4000.6	(d)		Commercial Vehicle With Gross Vehicle Weight Over 10,000 Pounds, 1,501-2,000 Pounds in Excess of Declared Gross Vehicle Weight	300	300	210		150	150	60	60	1230	40	35	1	0	1306	4a	0

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	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points	
4000.6	(d)	Commercial Vehicle With Gross Vehicle Weight Over 10,000 Pounds, 10,001 Pounds and Over in Excess of Declared Gross Vehicle Weight	2000	10/10	7		5/10	5	20%	2	40	35	1	0	8276	4a	0	
4000.6	(d)	Commercial Vehicle With Gross Vehicle Weight Over 10,000 Pounds, 2,001–2,500 Pounds in Excess of Declared Gross Vehicle Weight	350	350	245		175	175	70	70	1435	40	35	1	0	1511	4a	0
4000.6	(d)	Commercial Vehicle With Gross Vehicle Weight Over 10,000 Pounds, 2,501–3,000 Pounds in Excess of Declared Gross Vehicle Weight	400	400	280		200	200	80	80	1640	40	35	1	0	1716	4a	0
4000.6	(d)	Commercial Vehicle With Gross Vehicle Weight Over 10,000 Pounds, 3,001–3,500 Pounds in Excess of Declared Gross Vehicle Weight	450	450	315		225	225	90	90	1845	40	35	1	0	1921	4a	0
4000.6	(d)	Commercial Vehicle With Gross Vehicle Weight Over 10,000 Pounds, 3,501–4,000 Pounds in Excess of Declared Gross Vehicle Weight	500	500	350		250	250	100	100	2050	40	35	1	0	2126	4a	0
4000.6	(d)	Commercial Vehicle With Gross Vehicle Weight Over 10,000 Pounds, 4,001–4,500 Pounds in Excess of Declared Gross Vehicle Weight	550	550	385		275	275	110	110	2255	40	35	1	0	2331	4a	0
4000.6	(d)	Commercial Vehicle With Gross Vehicle Weight Over 10,000 Pounds, 4,501–5,000 Pounds in Excess of Declared Gross Vehicle Weight	600	600	420		300	300	120	120	2460	40	35	1	0	2536	4a	0
4000.6	(d)	Commercial Vehicle With Gross Vehicle Weight Over 10,000 Pounds, 5,001–6,000 Pounds in Excess of Declared Gross Vehicle Weight	700	700	490		350	350	140	140	2870	40	35	1	0	2946	4a	0
4000.6	(d)	Commercial Vehicle With Gross Vehicle Weight Over 10,000 Pounds, 6,001–7,000 Pounds in Excess of Declared Gross Vehicle Weight	800	800	560		400	400	160	160	3280	40	35	1	0	3356	4a	0
4000.6	(d)	Commercial Vehicle With Gross Vehicle Weight Over 10,000 Pounds, 7,001–8,000 Pounds in Excess of Declared Gross Vehicle Weight	900	900	630		450	450	180	180	3690	40	35	1	0	3766	4a	0
4000.6	(d)	Commercial Vehicle With Gross Vehicle Weight Over 10,000 Pounds, 8,001–10,000 Pounds in Excess of Declared Gross Vehicle Weight	1000	1000	700		500	500	200	200	4100	40	35	1	0	4176		
4001	A	Failure to Register Exempt Vehicles and Display License Plate Bearing Distinguishing Marks Indicating Exemption	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
4001	B	Failure to Register Exempt Vehicles and Display License Plate Bearing Distinguishing Marks Indicating Exemption	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
4004	(a,b)	A Violation of Foreign Commercial Vehicle Temporary Registration or Trip Permit Requirements	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
4004	(a,b)	B Violation of Foreign Commercial Vehicle Temporary Registration or Trip Permit Requirements	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
4152.5	A	Failure to Apply for Registration–Foreign Vehicle	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
4152.5	B	Failure to Apply for Registration–Foreign Vehicle	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
4159	A	Notify DMV of Change of Address Within 10 Days	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
4159	B	Notify DMV of Change of Address Within 10 Days	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
4160	A	Change of Address on Registration Card	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
4160	B	Change of Address on Registration Card	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
4161	(a)	A Failure to Notify of Engine/Motor Change	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
4161	(a)	B Failure to Notify of Engine/Motor Change	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
4301	A	Surrender Evidence of Foreign Registration	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
4301	B	Surrender Evidence of Foreign Registration	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
4453.6		Failure to Furnish Name and Address to Officer Upon Request	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
4454	(a)	A Failure to Maintain Registration Card With Vehicle	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
4454	(a)	B Failure to Maintain Registration Card With Vehicle	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
4455	A	Failure to Display Temporary Permit–Foreign Commercial Vehicle	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
4455	B	Failure to Display Temporary Permit–Foreign Commercial Vehicle	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
4456	(a)	BA Reporting Vehicle Sale to the DMV	25	30	21		15	15	5	6	117	40	35	1	0	193	4a	0
4456	(a)	AB Reporting Vehicle Sale to the DMV	25	0	0		0	0	0	0	25	0	0	0	0	25	1a	0
4456	(b)(1)	A Reporting Auction Vehicle Sale to the DMV	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0

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* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points
			1	10/10	7		5/10	5	20%	2	40	35	1	0			
4456	(b)(1)	B Reporting Auction Vehicle Sale to the DMV	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
4457		A Failure to Replace Lost, Damaged Cards and/or Plates	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
4457		B Failure to Replace Lost, Damaged Cards and/or Plates	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
4458		A Both Plates Lost or Stolen	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
4458		B Both Plates Lost or Stolen	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
4459		A Failure to Replace Lost or Damaged Owner's Certificate	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
4459		B Failure to Replace Lost or Damaged Owner's Certificate	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
4461	(a)	⁴ Improper Use of Evidence of Registration	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
4462	(a)	A Failure to Present Evidence of Registration to Officer	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
4462	(a)	B Failure to Present Evidence of Registration to Officer	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
4462	(b)	A Registration Presented for Wrong Vehicle	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
4462	(b)	B Registration Presented for Wrong Vehicle	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
4463	(e) (1-4)	⁵ Unlawful Act With Clean Air Sticker	100	100	70		50	50	20	410	40	35	1	0	486	4a	0
4464		A Altered License Plates Displayed on Vehicle	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
4464		B Altered License Plates Displayed on Vehicle	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
5011		A Display of Special Construction Identification Plates	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
5011		B Display of Special Construction Identification Plates	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
5017	(a)	A Failure to Attach Identification Plate/Give Notice of Sale or Destruction of Vehicle or Equipment as Required	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
5017	(a)	B Failure to Attach Identification Plate/Give Notice of Sale or Destruction of Vehicle or Equipment as Required	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
5017	(b)	A Failure to Attach Permanent Identification Plate as Required	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
5017	(b)	B Failure to Attach Permanent Identification Plate as Required	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
5017	(c)	A Failure to Present Identification Certificate as Required	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
5017	(c)	B Failure to Present Identification Certificate as Required	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
5017	(d)	A Failure to Apply for Transfer of Ownership of Vehicle Within 10 Days of Sale	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
5017	(d)	B Failure to Apply for Transfer of Ownership of Vehicle Within 10 Days of Sale	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
5030		A Motorized Bicycle Required to Display Plates	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
5030		B Motorized Bicycle Required to Display Plates	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
5032		A Operation of Motorized Bicycle Without Applying for a License Plate Within 5 Days of Purchase	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
5032		B Operation of Motorized Bicycle Without Applying for a License Plate Within 5 Days of Purchase	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
5037	(a)	A Motorized Bicycle Without Assigned Plates (post-7/1/81)	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
5037	(a)	B Motorized Bicycle Without Assigned Plates (post-7/1/81)	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
5037	(b)	A Motorized Bicycle Without Assigned Plates (pre-7/1/81)	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
5037	(b)	B Motorized Bicycle Without Assigned Plates (pre-7/1/81)	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
5109		A Transfer or Retention of Environmental Plates	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
5109		B Transfer or Retention of Environmental Plates	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
5200	(a)	A Two License Plates—Display Specified	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
5200	(a)	B Two License Plates—Display Specified	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
5200	(b)	A One License Plate—Display Specified	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
5200	(b)	B One License Plate—Display Specified	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
5201	(a)(1-6)	A Plates Improperly Positioned	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
5201	(a)(1-6)	B Plates Improperly Positioned	25	0	0		0	0	0	25	0	0	0	0	25	4a	0

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* Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points	
			1	10/10	7		5/10	5	20%	2		40	35	1	0			
5201	(b)	A	Replace and Destroy Temporary License Plates Upon Receipt of Permanent License Plates	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
5201	(b)	B	Replace and Destroy Temporary License Plates Upon Receipt of Permanent License Plates	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
5201	(c)	A	Illegal License Plate Covering	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
5201	(c)	B	Illegal License Plate Covering	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
5201	(d)	A	Reading or Recognition of License Plate by an Electronic Device or Remote Emission Sensing Device Illegally Obstructed or Impaired	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
5201	(d)	B	Reading or Recognition of License Plate by an Electronic Device or Remote Emission Sensing Device Illegally Obstructed or Impaired	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
5201.1	(a)	A	⁶ Sale of Prohibited Product or Device to Obscure License Plate	250	250	175	125	125	50	50	1025	40	35	1	0	1101	4a	0
5201.1	(a)	B	⁶ Sale of Prohibited Product or Device to Obscure License Plate	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
5201.1	(b)	A	⁶ Operation of Vehicle With Prohibited Product or Device to Obstruct or Impair Reading or Recognition of License Plate by Electronic or Remote Emission Sensing Device	250	250	175	125	125	50	50	1025	40	35	1	0	1101	4a	0
5201.1	(b)	B	⁶ Operation of Vehicle With Prohibited Product or Device to Obstruct or Impair Reading or Recognition of License Plate by Electronic or Remote Emission Sensing Device	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
5201.1	(c)	A	⁶ Erasing, Painting Over, or Altering Reflective Coating of License Plate	250	250	175	125	125	50	50	1025	40	35	1	0	1101	4a	0
5201.1	(c)	B	⁶ Erasing, Painting Over, or Altering Reflective Coating of License Plate	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
5202		A	Period of Display of Plates Specified	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
5202		B	Period of Display of Plates Specified	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
5204	(a)(1)	A	Current Month and Year Tab Not Properly Attached	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
5204	(a)(1)	B	Current Month and Year Tab Not Properly Attached	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
5206		A	Present Certificate of Partial-Year Registration	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
5206		B	Present Certificate of Partial-Year Registration	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
5352		A	Failure to Maintain Annual Registration for Trailer Coach	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
5352		B	Failure to Maintain Annual Registration for Trailer Coach	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
5604			Noncompliance With Dealer Insurance Notification Requirements	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
5753	(a-d)		Failure of Private Party to Deliver Certificate of Ownership and Registration Card to Transferee	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
5753	(f)		Failure of Private Owner Upon Written Request to Disclose Pertinent Information Regarding Payment or Documents Required for Release	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
5900	(a-c)		Notice of Sale/Transfer of Vehicle by Owners Required	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
5902		A	Failure to Notify DMV of Transfer Within 10 Days	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
5902		B	Failure to Notify DMV of Transfer Within 10 Days	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
5906.5	(a,b)		Failure to Notify DMV of Mileage on Transfer of Vehicle	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
6700	(a-c)	A	Failure to Register Within 20 Days of Specified Circumstances	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
6700	(a-c)	B	Failure to Register Within 20 Days of Specified Circumstances	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
8802		A	Failure to Return Evidence of Registration to DMV Upon Cancellation, Suspension, or Revocation	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
8802		B	Failure to Return Evidence of Registration to DMV Upon Cancellation, Suspension, or Revocation	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
9102.5	(b)	A	Operation of Private School Bus Without Appropriate License and Payment of Fees	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
9102.5	(b)	B	Operation of Private School Bus Without Appropriate License and Payment of Fees	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
9400	(a-c,f)	A	Commercial Vehicle Weight Fees Due	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0

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* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points
				1	10/10	7		5/10	5	20%	2	40	35	1	0			
9400	(a-c,f)	B	Commercial Vehicle Weight Fees Due	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
9400.1	(f)	A	Failure to Display Required Gross Vehicle Weight Sticker	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
9400.1	(f)	B	Failure to Display Required Gross Vehicle Weight Sticker	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
9406		A	Failure to Report Alterations Increasing Weight Fees	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
9406		B	Failure to Report Alterations Increasing Weight Fees	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
9564	(c)		Reconstruction of Vehicle Delivered to Scrap Metal Processor Restricted	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
10502	(b)		Failure to Inform CHP of Stolen Vehicle Recovery	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
10552			Making Fraudulent Report of Theft of Vessel With Intent to Deceive	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
10852.5		⁷	Unlawfully Purchasing a Used Catalytic Converter	1000	1000	700		500	500	200	4100	40	35	1	0	4176	4a	0
11500	(a)(1)	^{x2}	Conducting Business as Automobile Dismantler Without Valid Permit/License	100	100	70		50	50	20	410	40	35	1	0	486	4a	0
11754	(a)		Rental of Vehicle Subject to Recall	35	40	28		20	20	7	158	40	35	1	0	234	2a	0
11754	(c)		Ride Share Vehicle Subject to Recall	35	40	28		20	20	7	158	40	35	1	0	234	2a	0
12500	(a)	A	⁸ Unlawful to Drive Unless Licensed	100	100	70		50	50	20	410	40	35	1	0	486	4a	0
12500	(a)	B	Unlawful to Drive Unless Licensed	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
12500	(b,d)	A	⁹ Licensed Driver Out of Classification	35	40	28		20	20	7	158	40	35	1	0	234	4a	0
12500	(b,d)	B	Licensed Driver Out of Classification	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
12500	(c)	A	⁹ Unlawful to Drive in Offstreet Parking Facility Out of Classification	35	40	28		20	20	7	158	40	35	1	0	234	4a	0
12500	(c)	B	Unlawful to Drive in Offstreet Parking Facility Out of Classification	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
12500	(e)		⁹ Operating Motorized Scooter in Violation of Emission Requirements	35	40	28		20	20	7	158	40	35	1	0	234	2a	0
12502	(a)(1)		Nonresident Driver Over 18 Without Valid Driver's License	35	40	28		20	20	7	158	40	35	1	0	234	2a	0
12502	(a)(2)		Nonresident Driver 21 or Over Transporting Hazardous Material in	35	40	28		20	20	7	158	40	35	1	0	234	2a	0
			Commercial Vehicle Without Valid Driver's License and Certificate															
12502	(b)		Nonresident Driver of Commercial Vehicle Without Medical Certificate or Proof As Required	35	40	28		20	20	7	158	40	35	1	0	234	2a	0
12502	(c)		Noncompliance of Nonresident Driver With Medical Certificate Requirements	35	40	28		20	20	7	158	40	35	1	0	234	2a	0
12509	(d)		Violation of Instruction Permit Restriction	35	40	28		20	20	7	158	40	35	1	0	234	2a	0
12509	(d)	A	Driving a Motor Vehicle Without a Required Instruction Permit in Possession	35	40	28		20	20	7	158	40	35	1	0	234	2a	0
12509	(d)	B	Driving a Motor Vehicle Without Required Instruction Permit in Possession	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
12509	(e)		Violation of Instruction Permit Restriction by Driving Government Vehicle	35	40	28		20	20	7	158	40	35	1	0	234	2a	0
			Without Instruction by California National Guard															
12509	(e)	A	Violation of Instruction Permit Restriction by Driving Government Vehicle Without Permit in Possession	35	40	28		20	20	7	158	40	35	1	0	234	2a	0
12509	(e)	B	Violation of Instruction Permit Restriction by Driving Government Vehicle Without Permit	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
12509.5	(a)		Violation of Instruction Permit Restriction by Driving a Motorcycle Without Completion of Motorcyclist Safety Program	35	40	28		20	20	7	158	40	35	1	0	234	2a	0
12509.5	(c)		Violation of Instruction Permit Restriction by Driving a Motorcycle During Darkness, on a Freeway, or With a Passenger	35	40	28		20	20	7	158	40	35	1	0	234	2a	1
12511		A	Possessing More Than One License	35	40	28		20	20	7	158	40	35	1	0	234	2a	0
12511		B	Possessing More Than One License	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
12515	(a)		Minor Under 18 Employed for Purpose of Driving	35	40	28		20	20	7	158	40	35	1	0	234	2a	0
12516			Unlawful to Drive School Bus if Under 18	35	40	28		20	20	7	158	40	35	1	0	234	2a	0
12517	(a)(1)	A	Operation of School Bus Without Appropriate Driver's License in Possession While Transporting Pupils	35	40	28		20	20	7	158	40	35	1	0	234	2a	0
12517	(a)(1)	B	Operation of School Bus Without Appropriate Driver's License in Possession While Transporting Pupils	25	0	0		0	0	0	25	0	0	0	0	25	4a	0

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* 20%	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points	
12517	(b)	A	Operation of School Pupil Activity Bus Without Appropriate Driver's License in Possession	35	40	28	5/10	5	20%	2	40	35	1	0	234	2a	0	
12517	(b)	B	Operation of School Pupil Activity Bus Without Appropriate Driver's License in Possession	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
12521	(a,b)		Tour Bus Driver Required to Use Safety Belt/Report Tour Bus Accidents	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
12522	(a)		Noncompliance With First Aid Exam Requirement for School Bus Operators	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
12523	(a)	A	Operation of Youth Bus Without Required License and Certificate	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
12523	(a)	B	Operation of Youth Bus Without Required License and Certificate	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
12523	(d)		Noncompliance With Youth Bus Operation Requirements	25	30	21	15	15	5	6	117	40	35	1	0	193	2a	0
12523.5	(a)	A	Paratransit Bus Driver Must Have Special Endorsement	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
12523.5	(a)	B	Paratransit Bus Driver Must Have Special Endorsement	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
12524	(a)	A	Operation of Vehicle Hauling Controlled Quantities of Radioactive Materials Without Appropriate License or Certificate	35	40	28	20	20	7	8	158	40	35	1	0	234	4a	0
12524	(a)	B	Operation of Vehicle Hauling Controlled Quantities of Radioactive Materials Without Appropriate License or Certificate	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
12804.11	(a)	A	Operation of Firefighting Equipment Without License or Endorsement	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
12804.11	(a)	B	Operation of Firefighting Equipment Without License or Endorsement	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
12804.6	(a)	A	Operation of Transit Bus Without Appropriate Certificate	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
12804.6	(a)	B	Operation of Transit Bus Without Appropriate Certificate	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
12804.6	(f)		Unlawful for Employer to Permit Person to Drive Transit Bus Without a Valid Certificate	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
12804.9	(c)	A	Operation of Commercial Motor Vehicle Without Required Medical Certificate	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
12804.9	(c)	B	Operation of Commercial Motor Vehicle Without Required Medical Certificate	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
12804.9	(j)	A	Operation of Vanpool Vehicle Without Required Medical Exam Evidence and DUI Conviction History Statement	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
12804.9	(j)	B	Operation of Vanpool Vehicle Without Required Medical Exam Evidence and DUI Conviction History Statement	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
12814.6	(a)(1)	A	Failure to Carry Instruction Permit as Required	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
12814.6	(a)(1)	B	Failure to Carry Instruction Permit as Required	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
12814.6	(b)(1)	A	¹⁰ Failure to Obey Licensing Provisions	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
12814.6	(b)(2)	A	Violation of Provisional License Driving Restrictions	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
12814.6	(b)(2)	B	Violation of Provisional License Driving Restrictions	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
12815	(a)	A	Must Obtain Duplicate if Original License Lost, Destroyed, or Mutilated	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
12815	(a)	B	Must Obtain Duplicate if Original License Lost, Destroyed, or Mutilated	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
12950		A	Failure to Sign Driver's License	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
12950		B	Failure to Sign Driver's License	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
12951	(a)	A	No Valid License in Possession	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
12951	(a)	B	No Valid License in Possession	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
12952		A	Failure to Display License to Court Upon Request	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
12952		B	Failure to Display License to Court Upon Request	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
13003			Failure to Apply for Replacement Identification Card Upon Mutilation and/or Failure to Surrender ID Card Within 10 Days of Notification That Card Is Mutilated	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
13007			Identification Card Holder to Notify DMV of Address Change Within 10 Days	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0

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* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points	
			1	10/10	7		5/10	5	20%	2	40	35	1	0				
13386	(b)(1)	Furnishing of Information by Manufacturer to Use Ignition Interlock Device Contrary to Certified Purpose	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
13386	(c)	Altering of Ignition Interlock Device Functionality by Installer, Service Center, or Technician	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
13386	(i)	Prohibition of Disclosure of Individuals Required to Install Ignition Interlock Device	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
14600	(a)	A Failure to Notify DMV of Address Change Within 10 Days	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
14600	(a)	B Failure to Notify DMV of Address Change Within 10 Days	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
14600	(b)	A Failure to Present DMV Change of Address Form to Peace Officer	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
14600	(b)	B Failure to Present DMV Change of Address Form to Peace Officer	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
14601.1	(a)	¹¹ Driving Motor Vehicle or Off-Highway Motor Vehicle While Suspended or Revoked for Offenses Not Relating to Driving Ability	150	150	105		75	75	30	30	615	40	35	1	0	691	4a	2
14603		A Violation of License Restrictions	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
14603		B Violation of License Restrictions	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
14605	(a)	Permitting Unlicensed Parking Lot Attendant to Drive	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
14605	(b)	Hiring Unlicensed Parking Lot Attendant to Drive	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
14606	(a)	Employing/Hiring/Permitting/Authorizing Person to Drive on Highway Without License Required for Vehicle	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
14606	(b)	Failure by Employer to Report Within 10 Days Failure of Commercial Driver on Reexamination	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
14606	(c)	¹² Failure of Employer to Obtain and Retain Copy of Medical Certification of Driver of Commercial Vehicle	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
14607		Permitting Unlicensed Minor to Drive	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
14608	(a)	License and Inspection of License Required for Rental of Vehicle	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
14611		¹³ Knowingly Permit Transportation of Radioactive Materials Without Required License	5000	5000	3500		2500	2500	1000	1000	20500	40	35	1	0	20576	1a	0
15240	(a-d)	Employer Allowing, Permitting, or Requiring Driving of Commercial Motor Vehicle as Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
15250	(a)(1)	A Commercial Driver's License Required	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
15250	(a)(1)	B Commercial Driver's License Required	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
15250	(a)(2)	A Commercial Driver's License With Hazardous Materials Endorsement Required	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
15250	(a)(2)	B Commercial Driver's License With Hazardous Materials Endorsement Required	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
15275	(a)	A Person Driving Commercial Vehicle Must Have Any Required Endorsements	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
15275	(a)	B Person Driving Commercial Vehicle Must Have Any Required Endorsements	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
15309.5	(a)(1)	¹⁴ Sell, Offer, Distribute, or Use Crib Sheet or Device for Commercial Driver's License Examination	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
15309.5	(a)(2)	¹⁴ Impersonate or Allow Impersonation of Applicant for Commercial Driver's License Examination	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
15309.5	(a)(3)	¹⁴ Provide or Use Unauthorized Assistance During Commercial Driver's License Examination	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
15500		Acquisition of Vehicle by Minor Without Valid Driver's License	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
15620	(a) (1,2)	¹⁵ Leaving Child 6 Years of Age or Younger Unattended in Motor Vehicle	100	100	70		50	50	20	20	410	40	35	1	0	486	2a	0
16000	(a)	Accident Report Required Within 10 Days of Accident	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
16002	(a)	Failure to Report Work-Related Accidents	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
16003		Failure of Owner to Report Accident Where Driver Is Incapable of Doing So	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
16020	(a)	Failure to Carry Evidence of Financial Responsibility	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	0

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	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points	
			1	10/10	7		5/10	5	20%	2	40	35	1	0				
16025	(a)	¹⁶ Failure to Exchange Mandatory Information at Scene of Accident	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	0
16028	(a)	¹⁷ Failure to Provide a Peace Officer Evidence of Financial Responsibility	200	200	140		100	100	40	40	820	40	35	1	0	896	4a	0
16457		Driving Vehicle Not Covered by Certificate of Proof of Financial Responsibility/Knowing Failure to Disclose Ownership or Subsequent Acquisition of Vehicle	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
16502	(a)	Failure to Maintain Proof of Financial Responsibility During Use of Vehicle in Conduct of Business	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	0
20004		Delay in Reporting Accident by Driver in Accident Resulting in Death of a Person	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	1
20006		Failure to Present Valid Identification Upon Collision With Another Party	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
20008	(a,b)	Failure to Report Accident Within 24 Hours	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
20010		Driver Unable to Report Accident	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
21070		¹⁸ Unsafe Operation of a Motor Vehicle in Violation of Division 11 Provision Causing Bodily Harm	70	70	49		35	35	14	14	287	40	35	1	0	363	4a	0
21070		¹⁹ Unsafe Operation of a Motor Vehicle in Violation of Division 11 Provision Causing Great Bodily Harm	95	100	70		50	50	19	20	404	40	35	1	0	480	4a	0
21100.3		Failure to Obey Traffic Directions	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21106	(b)	Use of Crosswalks Where Prohibited by Sign	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21113	(a) (1)	Unlawful Driving on Public Grounds	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
21116	(a)	Unlawful Driving on Levee, Canal Bank, etc.	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
21201	(a-d)	A	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21201	(a-d)	B	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
21201.5	(a,b)	Selling Bicycle Without Required Reflectors	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21202	(a)	Bicyclist at Less Than Normal Speed Must Keep to Right	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21203		Illegal for Bicyclist to Hitch Ride on Other Vehicle	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21204	(a,b)	Riding Bicycle on Other Than Permanent Seat	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21205		Illegal for Bicyclist to Carry Articles That Prevent Keeping One Hand on Handlebar	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21207.5	(a)	²⁰ Illegal Operation of Motorized Bicycle	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21208	(a,b)	Riding Outside Bicycle Lane Prohibited	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21209	(a)	Motor Vehicle in Bicycle Lane Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21210		²¹ Bicycle Parked–Impeding Pedestrian Traffic Prohibited	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21211	(a,b)	Illegally Impeding Bicycle Lanes	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
21212	(a)	²² 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		15	15	5	6	117	40	35	1	0	193	1a	0
21213	(a)	Operation of Class 3 Electric Bicycle by Person Under 16 Years of Age	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21213	(b)	Violation of Helmet Requirement for Class 3 Electric Bicycle	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21215.2	(a)	²³ Violating Restrictions on Consumption of Alcoholic Beverages in Pedicab	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21221		²⁴ Motorized Scooter Operation Requirements	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21221.5		²⁴ Operating a Motor Scooter While Under the Influence	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	0
21223	(a-c)	²⁴ Motorized Scooter Equipment Requirements During Darkness	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21226	(b,c)	²⁴ Violation of Motorized Scooter Muffler Equipment Requirements	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21226	(d)	²⁴ Violation of Motorized Scooter Exhaust/Noise Level Requirements/Operation of Motorized Scooter With Unlawfully Modified Exhaust System	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21228		²⁴ Operating Motorized Scooter at Less Than Normal Speed of Traffic	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21229	(a,b)	²⁴ Failure to Operate Motorized Scooter in Bicycle Lane	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0

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* 20%	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points
			1	10/10	7		5/10	5	2		40	35	1	0			
21235	(a-j)	²⁴ Illegal Operation of Motorized Scooter	25	30	21		15	5	6	117	40	35	1	0	193	1a	0
21260	(a), (b)(2)	Illegal Operation of Low-Speed Vehicle	25	30	21		15	5	6	117	40	35	1	0	193	1a	0
21281.5	(a-d)	Illegal Operation of Electrical Personal Assistive Mobility Device	25	30	21		15	5	6	117	40	35	1	0	193	1a	0
21291		²⁵ Operation of Electrically Motorized Board by Person Under 16 Years of Age	25	30	21		15	5	6	117	40	35	1	0	193	1a	0
21292		²⁵ Operation of Electrically Motorized Board by Person Without Wearing Helmet as Required	25	30	21		15	5	6	117	40	35	1	0	193	1a	0
21293	(a-c)	²⁵ Operation of Electrically Motorized Board During Darkness Without Required Equipment	25	30	21		15	5	6	117	40	35	1	0	193	1a	0
21294	(a-c)	²⁵ Illegal Operation of Electrically Motorized Board	25	30	21		15	5	6	117	40	35	1	0	193	1a	0
21296	(a)	²⁵ Operation of Electrically Motorized Board While Under Influence of Alcohol or Drug	70	70	49		35	14	14	287	40	35	1	0	363	3a	0
21300	(a)	²⁶ Under 18 Riding Equestrian Animal without Helmet	25	30	21		15	5	6	117	40	35	1	0	193	1a	0
21300	(b)	²⁶ Failure to Ride Equestrian Animal with Proper Safety Equipment During the Hours of Darkness	25	30	21		15	5	6	117	40	35	1	0	193	1a	0
21367	(b,c)	Failure to Obey Traffic Control/Devices at Construction Site	35	40	28		20	7	8	158	40	35	1	0	234	2a	1
21451	(a,b)	"Green" Signal—Vehicular Responsibilities	35	40	28		20	7	8	158	40	35	1	0	234	2a	1
21451	(c,d)	"Green" Signal—Pedestrian Responsibilities	25	30	21		15	5	6	117	40	35	1	0	193	1a	0
21452	(b)	Failure of Pedestrian to Properly Respond to Signal of Yellow Light or Arrow	25	30	21		15	5	6	117	40	35	1	0	193	1a	0
21453	(a),(c)	²⁷ "Red" Signal—Vehicular Responsibilities	100	100	70		50	20	20	410	40	35	1	0	486	4a	1
21453	(b)	²⁸ "Red" Signal—Vehicular Responsibilities with Right Turn	35	40	28		20	7	8	158	40	35	1	0	234	2a	1
21453	(d)	"Red" Signal—Pedestrian Responsibilities	25	30	21		15	5	6	117	40	35	1	0	193	1a	0
21454	(c)	²⁷ Lane Use—Red Control Signal	100	100	70		50	20	20	410	40	35	1	0	486	4a	1
21454	(d)	Lane Use—Flashing Yellow Control Signals	35	40	28		20	7	8	158	40	35	1	0	234	2a	1
21455		Traffic Control Signal at Other Than Intersection	35	40	28		20	7	8	158	40	35	1	0	234	2a	1
21457	(a)	²⁷ Actions Required at Flashing Red Signal	100	100	70		50	20	20	410	40	35	1	0	486	4a	1
21457	(b)	Actions Required at Flashing Yellow Signal	35	40	28		20	7	8	158	40	35	1	0	234	2a	1
21460	(a-c)	Improper Turns Over Double Lines/Solid Lines to Right Prohibited	35	40	28		20	7	8	158	40	35	1	0	234	2a	1
21460.5	(c)	Improper Turn From Two-Way Left-Turn Lane	35	40	28		20	7	8	158	40	35	1	0	234	2a	1
21461	(a)	Driver Failure to Obey Signs/Signals	35	40	28		20	7	8	158	40	35	1	0	234	2a	1
21461.5		Pedestrian Failure to Obey Signs/Signals	25	30	21		15	5	6	117	40	35	1	0	193	1a	0
21462	(a)	Disobedience of Driver or Streetcar Motorist to Traffic Control Signal	35	40	28		20	7	8	158	40	35	1	0	234	2a	1
21462	(a)	Disobedience of Pedestrian or Person in Control of an Animal to Traffic Control Signal	25	30	21		15	5	6	117	40	35	1	0	193	1a	0
21463		No Person Shall Illegally Operate Signals	35	40	28		20	7	8	158	40	35	1	0	234	2a	0
21464	(a)	Unauthorized Interference With Traffic Device Prohibited	35	40	28		20	7	8	158	40	35	1	0	234	2a	0
21464	(b)	Unauthorized Use of Traffic Interference Device	35	40	28		20	7	8	158	40	35	1	0	234	2a	0
21464	(c)	Unauthorized Possession or Distribution of Traffic Interference Device	35	40	28		20	7	8	158	40	35	1	0	234	2a	0
21464	(e)	²⁹ Willful Interference With Traffic Device or Willful Use, Possession, or Distribution of Traffic Interference Device That Does Not Result in Injury	500	500	350		250	100	100	2050	40	35	1	0	2126	4a	0
21465		Placement of Unauthorized Traffic Devices Prohibited	35	40	28		20	7	8	158	40	35	1	0	234	2a	0
21466		Unlawful Display of Light Prohibited	25	30	21		15	5	6	117	40	35	1	0	193	1a	0
21466.5		Light Impairing Driver's Vision Prohibited	25	30	21		15	5	6	117	40	35	1	0	193	1a	0
21650		Failure to Keep to Right Side of Road	35	40	28		20	7	8	158	40	35	1	0	234	2a	1
21650.1		Bicycle to Travel in Same Direction as Vehicles	25	30	21		15	5	6	117	40	35	1	0	193	1a	0
21651	(a)	Driving Across Dividing Section on Freeway Prohibited	35	40	28		20	7	8	158	40	35	1	0	234	2a	1
21652		Improperly Entering or Leaving Highway or Service Road	35	40	28		20	7	8	158	40	35	1	0	234	2a	1
21654	(a)	Slow-Moving Vehicles Keep to Right Edge of Roadway	35	40	28		20	7	8	158	40	35	1	0	234	2a	1

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* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points	
			1	10/10	7		5/10	5	20%	2	40	35	1	0				
21655	(b)	Failure to Use Designated Lanes	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21655.1	(a)	³⁰ Driving in Restricted Use Designated Public Transit Bus Lane Transit-Only Traffic Lane	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21655.5	(b)	Improper Use of Preferential Lanes	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	0
21655.8	(a)	³¹ Driving Over Double Lines of Preferential Lanes	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	1
21655.9	(b)	Driving Low Emission Vehicle Without Required Decal or Label	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
21656		Failure of Vehicle to Turn Out As Required	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21657		Driving Against One-Way Traffic Patterns	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21658	(a,b)	Lane Straddling/Failure to Use Specified Lanes	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21659		Unsafe Driving on Three-Lane Highway	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21660		Failure of Approaching Vehicles to Pass to the Right	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21661		Right-of-Way Rule-Narrow Grades	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21662	(a,b)	Mountains-Keep to Right-Use Horn	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21663		Driving on Sidewalk Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21664		Failure to Use Designated Freeway On-/Off-Ramp Properly	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21700		Load/Passengers Not to Obstruct Driver's View	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21701		Interference With Driver's Control of Vehicle	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21703		Following Too Closely Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21704	(a)	Trucks/Trailers Following Too Closely Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21705		Caravans Following Too Closely Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21706		Following Emergency Vehicles Too Closely Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21706.5	(b)	Operation of Vehicle in Unsafe Manner in an Emergency Incident Zone	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	1
21707		Driving Within 300 Feet of Fire Areas Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21708		Running Over Unprotected Fire/Chemical Hose Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
21709		Driving Within Safety Zone Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21710		Coasting in Neutral on Downgrade Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
21711		Whipping or Swerving Towed Vehicle Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21712	(a)	Allowing Riding on Portion of Vehicle Not Designed for Passenger Use Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21712	(b)	Unlawful Riding on Vehicle Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
21712	(c)	³² Driver Permitting Riding in Trunk of Vehicle	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	1
21712	(d)	³² Riding in Trunk of Vehicle	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	0
21712	(g)	Towing Trailer Coach, Camp Trailer, or Trailer Carrying Vessel That Contains Passenger	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21712	(h)	Driving While Towing Person Riding on Motorcycle, Motorized Bicycle, Bicycle, Coaster, Roller Skates, Sled, Skis, or Toy Vehicle	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21714	(a)	Use of Three-Wheeled Vehicle On or Adjacent to Striping or Markers Designating Adjacent Traffic Lanes	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21714	(b)	Use of Three-Wheeled Vehicle Between Two or More Vehicles Traveling in Adjacent Traffic Lanes	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21715	(a,b)	Exceeding Passenger Vehicle Towing Combination Limits	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21716		Golf Cart Operation Restricted	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
21717		Turning Across Bicycle Lane	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21718	(a)	Stopping, Parking, or Leaving Vehicle Standing Upon a Freeway	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21720		Unlawful Operation of Pocket Bike	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21750		Overtaking and Passing Unsafely	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21751		Passing Without Sufficient Clearance	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1

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* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points
			1	10/10	7	5/10	5	20%	2		40	35	1	0			
21752	(a,b,d)	Driving Left of Center–Limited View/Within 100 Feet of Bridge, Viaduct, Tunnel/Within 100 Feet or When Traversing Intersection–Prohibited	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	1
21752	(c)	³³ Driving Left of Center–Within 100 Feet or When Traversing Railroad Grade Crossing–Prohibited	100	100	70	50	50	20	20	410	40	35	1	0	486	4a	1
21753		Failure to Yield to Overtaking Vehicle	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	1
21754		Improper Passing on Right Prohibited	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	1
21755	(a)	Unsafe Passing on Right Shoulder	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	1
21756	(a-c)	Unsafe Passing of Standing Streetcar, Trolley Coach, or Bus Safety Zones	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	1
21757		Passing Street Car on Left Prohibited	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	1
21758		Unsafe Passing on Grades Prohibited	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	1
21759		Failure to Exercise Caution When Passing Animals	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	1
21760	(b)	Causing Bodily Injury to a Bicycle Operator From Collision While Overtaking or Passing Bicycle Unsafely	220	220	154	110	110	44	44	902	40	35	1	0	978	4a	1
21760	(b)	Overtaking or Passing Bicycle Unsafely	35	40	28	20	20	7	8	158	40	35	1	0	234	4a	1
21760	(c)	Causing Bodily Injury to a Bicycle Operator From Collision While Overtaking or Passing Bicycle at Distance of Less Than Three Feet	220	220	154	110	110	44	44	902	40	35	1	0	978	4a	1
21760	(c)	Overtaking or Passing Bicycle at Distance of Less Than Three Feet, Move Over Slow Down Exception	35	40	28	20	20	7	8	158	40	35	1	0	234	4a	1
21760	(d)	Causing Bodily Injury to a Bicycle Operator From Collision While Overtaking or Passing Bicycle Without Slowing to Reasonable Speed	220	220	154	110	110	44	44	902	40	35	1	0	978	4a	1
21760	(d)	Overtaking or Passing Bicycle Without Slowing to Reasonable Speed	35	40	28	20	20	7	8	158	40	35	1	0	234	4a	1
21761	(a,b)	Safely Passing a Waste Removal Vehicle	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	1
21800	(a-c)	Violation of Right-of-Way/Uncontrolled Intersection	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	1
21800	(d)	Violation of Right-of-Way/Controlled Intersection With Inoperative Control Signals	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	1
21801	(a,b)	Violation of Right-of-Way–Left Turn	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	1
21802	(a,b)	Violation of Right-of-Way–Entering Through Highway	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	1
21803	(a,b)	Violation of "Yield" Sign	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	1
21804	(a,b)	Entering Highway From Alley or Driveway	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	1
21805	(b)	Violation of Right-of-Way at Equestrian Crossing	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	1
21805	(c)	Violation of Right-of-Way by Rider–Posing Hazard	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
21806	(a,b)	³⁴ Failure to Yield to Emergency Vehicle	100	100	70	50	50	20	20	410	40	35	1	0	486	4a	1
21806	(c)	³⁴ Failure to Yield to Emergency Vehicle–Pedestrian	100	100	70	50	50	20	20	410	40	35	1	0	486	4a	0
21807		Driving Authorized Emergency Vehicle Without Due Regard for Safety of Persons and Property	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	1
21809	(a)	³⁵ 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	7	8	158	40	35	1	0	234	2a	1
21950	(a,c)	Driver to Yield Right-of-Way at Crosswalks	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	1
21950	(b)	Pedestrian Right-of-Way at Crosswalks Regulated	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
21951		³⁶ Overtaking Vehicles Stopped for Pedestrians	100	100	70	50	50	20	20	410	40	35	1	0	486	2a	1
21952		Failure to Yield Right-of-Way on Sidewalk to Pedestrian	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	1
21953	(a)	Pedestrian Must Use Tunnel or Overhead Crossing	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
21954	(a)	Pedestrians Must Yield Right-of-Way Outside of Crosswalks	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
21954	(b)	Failure of Driver to Exercise Due Care for Safety of Pedestrian on Roadway	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	1
21955	(a)	³⁷ Crossing Between Controlled Intersections (Jaywalking)	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
21956	(a)	Pedestrian on Roadway Prohibited	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
21957		Soliciting Ride (Hitchhiking) Prohibited	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
21959		Skiing or Tobogganing Across Highway Prohibited	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0

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* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points
21960	(a)	³⁸ Violation of Freeway or Expressway Use Restrictions by Pedestrian, Motor-Driven Cycle, Motorized Bicycle, or Motorized Scooter	25	10/10	7	15	5/10	5	20%	2	117	40	35	1	0	193	1a	1
21966	(a)	Pedestrian Prohibited in Bicycle Lane	25	30	21	15	15	5	6	6	117	40	35	1	0	193	1a	0
21968		Motorized Skateboard Prohibited	25	30	21	15	15	5	6	6	117	40	35	1	0	193	1a	0
21970	(a)	Vehicle Stopped Unnecessarily and Blocking Crosswalk or Sidewalk	35	40	28	20	20	7	8	8	158	40	35	1	0	234	2a	1
21971		³⁹ Violating Specified Provisions and Causing Bodily Injury	220	220	154	110	110	44	44	44	902	40	35	1	0	978	4a	0
22100	(a,b)	Turn at Intersection From Wrong Position	35	40	28	20	20	7	8	8	158	40	35	1	0	234	2a	1
22100.5		U-Turn at Controlled Intersection	35	40	28	20	20	7	8	8	158	40	35	1	0	234	2a	1
22101	(d)	Violating Special Traffic Control Markers	35	40	28	20	20	7	8	8	158	40	35	1	0	234	2a	1
22102		Illegal U-Turn in Business District	35	40	28	20	20	7	8	8	158	40	35	1	0	234	2a	1
22103		Illegal U-Turn in Residential District	35	40	28	20	20	7	8	8	158	40	35	1	0	234	2a	1
22104		Illegal U-Turn Near Fire Station	35	40	28	20	20	7	8	8	158	40	35	1	0	234	2a	1
22105		Illegal U-Turn on Highway Without Unobstructed View	35	40	28	20	20	7	8	8	158	40	35	1	0	234	2a	1
22106		Unsafe Starting or Backing on Highway	35	40	28	20	20	7	8	8	158	40	35	1	0	234	2a	1
22107		Unsafe Turn or Lane Change Prohibited	35	40	28	20	20	7	8	8	158	40	35	1	0	234	2a	1
22108		Signal Required Before Turning or Changing Lanes	35	40	28	20	20	7	8	8	158	40	35	1	0	234	2a	1
22109		Sudden Stopping Without Signaling	35	40	28	20	20	7	8	8	158	40	35	1	0	234	2a	1
22110	(a,b)	Hand/Lamp Signal Not Given	35	40	28	20	20	7	8	8	158	40	35	1	0	234	2a	1
22111	(a-c)	Hand Signals Improperly Given	35	40	28	20	20	7	8	8	158	40	35	1	0	234	2a	1
22112	(a-e)	School Bus Driver Misuse of Signals; Improper Stop; Failure to Escort Pupils	35	40	28	20	20	7	8	8	158	40	35	1	0	234	2a	1
22348	(b)	⁴⁰ Speeding Over 100 MPH Prohibited	200	200	140	100	100	40	40	40	820	40	35	1	0	896	4a	2
22348	(c)	Failure of Vehicles Subject to VC 22406 to Use Designated Lane	35	40	28	20	20	7	8	8	158	40	35	1	0	234	2a	1
22349	(a)	Speeding ≥ 26 MPH Over 65 MPH Limit	100	100	70	50	50	20	20	20	410	40	35	1	0	486	4a	1
22349	(a)	Speeding 1–15 MPH Over 65 MPH Limit	35	40	28	20	20	7	8	8	158	40	35	1	0	234	4a	1
22349	(a)	Speeding 16–25 MPH Over 65 MPH Limit	70	70	49	35	35	14	14	14	287	40	35	1	0	363	4a	1
22349	(b)	Speeding ≥ 26 MPH Over 55 MPH Limit	100	100	70	50	50	20	20	20	410	40	35	1	0	486	4a	1
22349	(b)	Speeding 1–15 MPH Over 55 MPH Limit	35	40	28	20	20	7	8	8	158	40	35	1	0	234	4a	1
22349	(b)	Speeding 16–25 MPH Over 55 MPH Limit	70	70	49	35	35	14	14	14	287	40	35	1	0	363	4a	1
22350		⁴¹ Unsafe Speed for Prevailing Conditions ≥ 26 MPH Over Limit	100	100	70	50	50	20	20	20	410	40	35	1	0	486	4a	1
22350		⁴¹ Unsafe Speed for Prevailing Conditions 1–15 MPH Over Limit	35	40	28	20	20	7	8	8	158	40	35	1	0	234	4a	1
22350		⁴¹ Unsafe Speed for Prevailing Conditions 16–25 MPH Over Limit	70	70	49	35	35	14	14	14	287	40	35	1	0	363	4a	1
22351	(a,b)	Driving in Excess of Prima Facie Speed Limits Established in VC 22352															4a	1
22352	(a) (1)	Operating Vehicle in Excess of 15 MPH at Railroad Crossing															4a	1
22352	(a) (2)	Operating Vehicle in Excess of 15 MPH at Freeway Intersection With No Clear Field of Vision															4a	1
22352	(a) (3)	Operating Vehicle in Excess of 15 MPH on Any Alley															4a	1
22352	(b) (1)	Operating Vehicle in Excess of 25 MPH in Business District															4a	1
22352	(b) (2)	Operating Vehicle in Excess of 25 MPH by School															4a	1
22352	(b) (3)	Operating Vehicle in Excess of 25 MPH by Senior Center															4a	1
22354	(a)	Failure to Abide by Speed Limits Set by the State Department of Transportation (DOT) on State Highways															4a	1
22355		Failure to Abide by Variable Speed Limits Set by the State Department of Transportation (DOT)															4a	1
22356	(b)	Exceeding 70 MPH Maximum Speed, ≥ 26 MPH Over Limit															4a	1
22356	(b)	Exceeding Maximum Speed Limit of 70 MPH, 1–15 MPH Over Limit															4a	1
22356	(b)	Exceeding Maximum Speed limit of 70 MPH, 16–25 MPH Over Limit															4a	1
22357		Violation of Prima Facie Local Speed Limit															4a	1

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* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points	
			1	10/10	7		5/10	5	20%	2	40	35	1	0				
22358		Violation of Local Speed Limit					[See Speed Chart]										4a	1
22358.3		Violation of Local Speed Limit on Narrow Street					[See Speed Chart]										4a	1
22358.4		Violation of Prima Facie Local Speed Limit					[See Speed Chart]										4a	1
22360		Violation of Local Speed Limits Between Business and Residence Districts					[See Speed Chart]										4a	1
22361		Violation of Speed Limit on Multiple Lane Highways					[See Speed Chart]										4a	1
22362		Violation of Speed Limit Surrounding Special Work Crews					[See Speed Chart]										4a	1
22363		Violation of DOT or Local Speed Limit Set for Snow or Ice					[See Speed Chart]										4a	1
22364		Violation of Speed Limit Set by DOT on State Highways					[See Speed Chart]										4a	1
22400	(a,b)	Minimum Speed Law—Impeding Traffic Flow	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
22405	(a)	Exceeding Maximum Posted Speeds on Bridge/Tube/Tunnel, ≥ 26 MPH Over Limit	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	1
22405	(a)	Exceeding Maximum Posted Speeds on Bridge/Tube/Tunnel, 1–15 MPH Over Limit	35	40	28		20	20	7	8	158	40	35	1	0	234	4a	1
22405	(a)	Exceeding Maximum Posted Speeds on Bridge/Tube/Tunnel, 16–25 MPH Over Limit	70	70	49		35	35	14	14	287	40	35	1	0	363	4a	1
22406	(a)	⁴² Truck or Tractor 10 MPH or More Over 55 MPH Limit	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	1
22406	(a)	⁴² Truck or Tractor 1–9 MPH Over 55 MPH Limit	50	50	35		25	25	10	10	205	40	35	1	0	281	4a	1
22406	(b-f)	⁴³ Posted Speed for Designated Vehicles	50	50	35		25	25	10	10	205	40	35	1	0	281	4a	1
22406	(b-f)	⁴³ Posted Speed for Designated Vehicles—In Excess of Speed Limit by 10 MPH or More	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	1
22406.1	(b)	⁴⁴ Commercial Licensee Exceeding Speed Limit by more than 15 MPH in Non-Commercial Vehicle					[See Speed Chart]										4a	1
22406.5		⁴⁵ Driving Tank Vehicle at Excessive Speed	500	500	350		250	250	100	100	2050	40	35	1	0	2126	4a	1
22407		⁴³ Posted Speed for Designated Vehicles	50	50	35		25	25	10	10	205	40	35	1	0	281	4a	1
22407		⁴³ Posted Speed for Designated Vehicles—In Excess of Speed Limit by 10 MPH or More	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	1
22409		Speed Limit for Solid Tire Vehicle ≥ 26 MPH Over Limit	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	1
22409		Speed Limit for Solid Tire Vehicle 16–25 MPH Over Limit	70	70	49		35	35	14	14	287	40	35	1	0	363	4a	1
22409		Speed Limit for Solid Tire Vehicle, 1–15 MPH Over Limit	35	40	28		20	20	7	8	158	40	35	1	0	234	4a	1
22410		Exceeding Speed Limit for Metal Tire Vehicles	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
22411		Operating a motorized scooter at a speed in excess of 15 miles per hour	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
22413		Violation of Speed Limit Set by Local Authority for Steep Grades					[See Speed Chart]										4a	1
22450	(a)	Failure to Stop at Stop Sign	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
22450	(b)	⁴⁶ Failure to Stop at Stop Sign at Railroad Grade Crossing	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	1
22451	(a,b)	⁴⁶ Failure to Stop for Train Signals/Closed Gates	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	1
22452	(b)	⁴⁶ Failure of Certain Vehicles to Stop at Railroad Crossings	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	1
22452	(c)	⁴⁶ Failure of Commercial Vehicle to Stop at Railroad Crossings	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	1
22454	(a)	⁴⁷ Passing School Bus With Flashing Signals	150	150	105		75	75	30	30	615	40	35	1	0	691	4a	1
22455	(a)	Vending From Vehicle Without Coming to a Complete Stop or Parking the Vehicle Lawfully	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
22456	(d)	Failure to Equip Ice Cream Truck With Required Warning Sign	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
22456	(e)(1-3)	Vending From an Ice Cream Truck Under Prohibited Conditions	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
22500	(i)	⁴⁸ Parking in Bus Loading Area	250	250	175		125	125	50	50	1025	40	35	1	0	1101	4a	0
22500	(l)	⁴⁸ Parking at Curb Constructed to Provide Wheelchair Accessibility	250	250	175		125	125	50	50	1025	40	35	1	0	1101	4a	0
22500	(m)	A Stopping Or Parking In Designated Public Transit Bus Lane	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
22500.1		Stopping in Designated Fire Lane	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
22504	(a)	Unincorporated Area Stopping	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
22505	(b)	Unauthorized Stopping on State Highway Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0

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* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points	
			1	10/10	7		5/10	5	20%	2	40	35	1	0				
22507.8	(a-c)	⁴⁹ Violation of Disabled Parking Provisions	250	250	175		125	125	50	50	1025	40	35	1	0	1101	4a	0
22511.1	(a)	⁴⁹ Infraction Violation for Parking/Standing in Space for Charging Electric Vehicle While Not Connected for Charging Vehicle	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	0
22511.1	(a)	⁴⁹ Infraction Violation for Parking/Standing in Space for Charging Electric Vehicle While Not Connected for Charging Vehicle and Proof of Valid Zero-Emission Decal Possessed at Time of Violation But Not Displayed	25	30	21		15	15	5	6	117	40	35	1	0	193	4a	0
22511.1	(b)	⁴⁹ Infraction Violation for Obstructing, Blocking, or Barring Access to Space for Charging Electric Vehicle	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	0
22511.1	(b)	⁴⁹ Infraction Violation for Obstructing, Blocking, or Barring Access to Space for Charging Electric Vehicle and Proof of Valid Zero-Emission Decal Possessed at Time of Violation But Not Displayed	25	30	21		15	15	5	6	117	40	35	1	0	193	4a	0
22515	(a,b)	Unattended Vehicles	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
22516		Locking Vehicle With Person Inside Unable to Escape	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
22517		Opening Door on Traffic Side When Unsafe	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
22520.5	(a)	Vending on Freeway Right-of-Way Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
22520.6	(a)	Unauthorized Activities at Highway Rest Area/Vista Point Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
22522		Parking Near Sidewalk Access Ramp for Disabled	250	250	175		125	125	50	50	1025	40	35	1	0	1101	4a	0
22523	(a,b)	⁵⁰ Vehicle Abandonment Prohibited	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	0
22526	(a,b)	⁵¹ Blocking Intersection (Gridlock) Prohibited—A Stopping Violation Issued on a Notice to Appear	50	50	35		25	25	10	10	205	40	35	1	0	281	4a	0
22526	(c)	⁵² Blocking Railroad or Rail Transit Crossing Due to Low Undercarriage (Gridlock) Prohibited—A Stopping Violation Issued on a Notice to Appear	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	0
22526	(d)	Blocking Railroad or Rail Transit Crossing (Gridlock) Prohibited—A Stopping Violation Issued on a Notice to Appear	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
22650	(a)	Unauthorized Removal of Unattended Vehicle From Highway	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
22651.7	(b)	Immobilization of Vehicle by Unauthorized Person	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
22658	(e)(2)	Property Owner, Owner's Agent, or Lessee Causing Unlawful Removal of Vehicle Parked on Property as Permitted	1000	1000	700		500	500	200	200	4100	40	35	1	0	4176	2a	0
22951		Parking Lot—Street and Alley Parking	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
22952	(a,b)	Vehicle Towing or Removal From Parking Lot	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
23109	(c)	⁵³ Engaging in or Abetting Exhibition of Speed Prohibited	75	80	56		40	40	15	16	322	40	35	1	0	398	4a	2
23111		⁵⁴ Throwing Lighted Substance on Highway Prohibited	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	0
23112	(a,b)	⁵⁴ Dumping Material on Highway/Right-of-Way Prohibited	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	0
23113	(a)	⁵⁴ Failure to Remove Material From Highway	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	0
23114	(a)	Spilling Load on Highway Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
23114	(b)	Aggregate Material Carried Improperly or Transported Without Required Equipment	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
23114	(e)	Transporting Uncovered Aggregate Material Upon Highway	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
23114	(f)	Failure to Provide Location for Compliance With Load Covering Requirements or to Cover Load Within Required Distance	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
23115	(a)	Rubbish Vehicle Cover Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
23116	(a)	Transportation of Persons Without Restraints Restricted	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
23116	(b)	Riding in or on the Back of Truck or Flatbed Motor Truck Being Driven on Highway	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
23117	(a)	⁵⁵ Transportation of Animals Without Restraints Restricted	50	50	35		25	25	10	10	205	40	35	1	0	281	4a	0
23120		Side Vision Obstructed by Temple Width of Glasses	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
23123	(a)	⁵⁶ Driving While Using a Wireless Telephone Not Configured for Hands-free Use	20	20	14		10	10	4	4	82	40	35	1	0	158	4a	0

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* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points	
			1	10/10	7		5/10	5	20%	2	40	35	1	0				
23123.5	(a)	⁵⁷ Driving Motor Vehicle While Holding and Operating a Handheld Wireless Telephone or Electronic Wireless Communications Device	20	20	14		10	10	4	4	82	40	35	1	0	158	4a	0
23124	(b)	⁵⁸ Driving While a Minor and Using a Wireless Telephone or Electronic Wireless Communications Device	20	20	14		10	10	4	4	82	40	35	1	0	158	4a	0
23125	(a)	Driving School Bus or Transit Vehicle While Using a Wireless Phone	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
23128	(a)	Snow Mobile—Operation on Highway Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
23128	(b-d)	Snow Mobile—Negligent Operation, Pursuing Game, or Trespassing Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
23129		Unobstructed Camper Exit Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
23135		⁵⁹ Operation of Modified Motorized Bicycle Restricted	50	50	35		25	25	10	10	205	40	35	1	0	281	4a	0
23136	(a)	Minor (Under 21) Driving With Blood Alcohol Level of .01 or Greater	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	0
23140	(a)	⁶⁰ Minor (Under 21) Driving With Blood Alcohol Level of .05 or Greater	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	2
23154	(a)	Driving With Blood Alcohol Level of .01 or Greater While on Probation for Violation of VC 23152 or VC 23153	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	0
23220	(a)	Drinking Alcoholic Beverage, Smoking or Ingesting Marijuana Product While Driving Off-Highway Prohibited	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	0
23220	(b)	Drinking Alcoholic Beverage, Smoking or Ingesting Marijuana Product While Riding as a Passenger Off-Highway Prohibited	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	0
23221	(a)	Drinking Alcoholic Beverage, Smoking or Ingesting Marijuana Product by Driver Prohibited	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	1
23221	(b)	Drinking Alcoholic Beverage, Smoking or Ingesting Marijuana Product by Passenger Prohibited	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	0
23222	(a)	Possession of Open Container While Driving Prohibited	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	1
23222	(b)(1)	⁶¹ Possession of Open Container of Cannabis by Driver	70	70	49		35	35	14	14	287	40	35	1	0	363	4a	1
23223	(a)	⁶² Possession of Open Container by Driver Prohibited	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	0
23223	(b)	Possession of Open Container by Passenger Prohibited	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	0
23225	(a)(1)	⁶² Storage of Open Container Restricted	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	0
23226	(a)	Storage by Driver of Open Container in Passenger Compartment Prohibited	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	0
23226	(b)	Storage by Passenger of Open Container in Passenger Compartment Prohibited	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	0
23270	(a)	Unauthorized Towing on Bridge Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
23270	(b)	Exceeding Maximum Towing Fee Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
23302	(a)(1)	^{x1} Refusal to Pay Toll Charge Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
23302	(a)(2)	^{x1} Unauthorized Placement of Toll Transponder	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
23302	(a)(3)	^{x1} Unauthorized Placement of Toll Transponder for Motorcycle	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
23302	(b)	^{x1} Failure to Display Transponder or Toll Device on Vehicular Crossing or Toll Highway	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
23302	(c)	^{x1} Failure to Possess Money, Transponder, or Toll Device, or to Have License Plates Attached as Required on Vehicular Crossing or Toll Highway	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
23302	(d)	^{x1} Failure to Possess Transponder or Toll Device as Required on Vehicular Crossing or Toll Highway With Pay-by-Plate Payment	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
23330	(a,d)	Unauthorized Use of Vehicle Crossing—Animals/Vehicles	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
23330	(b)	Unauthorized Use of Vehicle Crossing—Bicycles	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
23330	(c)	Unauthorized Use of Vehicle Crossing—Overwidth Vehicles	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
23331		Unauthorized Use of Vehicle Crossing—Pedestrians	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
23333		⁶³ Vehicular Crossing—Unauthorized Stopping or Standing	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
23336		⁶⁴ Failure to Obey Posted Signs on Vehicle Crossings	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1

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* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points
23576	(a,b)	Driving Employer's Vehicle Without Notice of Ignition Interlock Device Restriction as Required by VC 23575	25	10/10	7	5/10	5	20%	2	117	40	35	1	0	193	1a	0
24002	(a)	Unlawful to Operate Unsafe Vehicle--Safety Hazard	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	1
24002	(b)	A Unlawful to Operate Vehicle Not Equipped as Provided	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	1
24002	(b)	B Unlawful to Operate Vehicle Not Equipped as Provided	25	0	0	0	0	0	0	25	0	0	0	0	25	4a	0
24002	(c)	Unlawful for Motor Carrier to Require Driver to Operate Vehicle without Training or Experience to Ensure Cargo is Properly Located, Distributed, and Secured	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	1
24002	(d)	Unlawful to Operate Vehicle without Familiarity of Securing Cargo	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	1
24002	(e)	Failure to Comply with Section 392.9 of Title 49 of the Code of Federal Regulations	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	1
24003	A	Vehicle With Unauthorized Lamps	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24003	B	Vehicle With Unauthorized Lamps	25	0	0	0	0	0	0	25	0	0	0	0	25	4a	0
24004		Unlawful Operation After Notice of Unsafe Condition	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	1
24005		Sale or Transfer of Unlawful Equipment w/ Knowledge That Equipment Will be Used or Installed in a Vehicle	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24005.5		Sale of Unapproved Materials for Use in Strapping Regulated Loads	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24006		Sale of New Motor Vehicle Equipment Without Required Trademarks or Designations	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24007	(a,b)	Sale by Retailer of Vehicle Failing to Qualify for Certificate of Compliance	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24007	(d)	Not Providing a Purchaser With a Valid Vehicle Safety Systems Certificate of Compliance	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24007.2		Failure to Install Exhaust-Control Device Free of Charge to Low-Income Senior Citizen as Required	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24007.5	(a)(1)	Sale by Auctioneer or Public Agency of Vehicle Failing to Qualify for Certificate of Compliance	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24007.5	(b)	Failure of Consignor to Provide Certificate of Compliance to Purchaser of Vehicle	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24007.5	(g)	Failure of Auctioneer to Certify Compliance With DMV Standards and Deliver Bill of Sale	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24008	A	Modification of Vehicle Road Clearance Restricted	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24008	B	Modification of Vehicle Road Clearance Restricted	25	0	0	0	0	0	0	25	0	0	0	0	25	4a	0
24008.5	(a)	A Maximum Frame Height Defined	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24008.5	(a)	B Maximum Frame Height Defined	25	0	0	0	0	0	0	25	0	0	0	0	25	4a	0
24009		Sale of New Truck, Tractor, or Bus Without Indication of Manufacturer's Name and Gross Vehicle Weight Rating as Required	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24010		Vehicle Renter Responsibility	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
24011	(a,b)	Sale of Vehicle or Equipment Regulated by Federal Safety Standards Without Certification of Vehicle or Equipment Compliance	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24012	A	Failure to Comply With CHP Lighting and Mounting Specifications	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24012	B	Failure to Comply With CHP Lighting and Mounting Specifications	25	0	0	0	0	0	0	25	0	0	0	0	25	4a	0
24013		Failure to Disclose Minimum Octane Number Upon Sale of New Motor Vehicle	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24013.5		Failure to Disclose Required Information Upon Sale of New Light Duty Truck	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24014	(a,b)	Motorcycles Required Pricing Information	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24015	(a)	A Failure of Motorized Bicycle Equipment to Comply With Federal Safety Standards	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0

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	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points
				1	10/10	7		5/10	5	20%	2	40	35	1	0			
24015	(a)	B	Failure of Motorized Bicycle Equipment to Comply With Federal Safety Standards	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24015	(b)	A	Use of Motorized Bicycle on Highway Without Mirror, Horn, or Muffler as Required	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24015	(b)	B	Use of Motorized Bicycle on Highway Without Mirror, Horn, or Muffler as Required	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24016	(a)(2)		Illegal Operation of Motor on Electric Bicycle	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24016	(a)(2)		Illegal Operation of Motor on Electric Bicycle	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24016	(d)		Illegal Modification of Electric Bicycle	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24016	(d)		Illegal Modification of Electric Bicycle	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24017	(a)	A	Maintenance of Transit Bus Speedometer Required	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24017	(a)	B	Maintenance of Transit Bus Speedometer Required	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24019	(a)	A	Gross Motor Vehicle Weight with Illuminated Malfunction Indicator Light	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24019	(a)	B	Gross Motor Vehicle Weight with Illuminated Malfunction Indicator Light	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24019	(d)		Operation of Vehicle Found with Willfully Tampered Emission Controls	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24020	(a)		Dealer Selling New or Used Vehicle without Catalytic Converter Permanently Marked	100	100	70		50	50	20	410	40	35	1	0	486	4a	0
24250		A	Lighting Equipment to Be Lighted During Darkness	35	40	28		20	20	7	158	40	35	1	0	234	2a	1
24250		B	Lighting Equipment to Be Lighted During Darkness	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24252	(a-c)	A	Maintenance of Lamps and Devices Required	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24252	(a-c)	B	Maintenance of Lamps and Devices Required	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24253	(a)	A	Battery Requirements for Vehicle—Lighting Equipment	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24253	(a)	B	Battery Requirements for Vehicle—Lighting Equipment	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24253	(b)	A	Battery Requirements for Motorcycle—Lighting Equipment	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24253	(b)	B	Battery Requirements for Motorcycle—Lighting Equipment	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24255	(a,c)	A	Infrared Lighting System Equipment Violation	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24255	(a,c)	B	Infrared Lighting System Equipment Violation	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24255	(b)	A	Operation of Infrared Lighting System Without Use of Headlights	35	40	28		20	20	7	158	40	35	1	0	234	2a	0
24255	(b)	B	Operation of Infrared Lighting System Without Use of Headlights	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24400	(a)	A	Headlamp Equipment Requirements	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24400	(a)	B	Headlamp Equipment Requirements	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24400	(b)		Failure to Operate Headlamps as Required During Darkness or Inclement Weather	35	40	28		20	20	7	158	40	35	1	0	234	2a	1
24401		A	Failure to Dim Lights While Vehicle Is Parked or Standing on a Public Highway	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24401		B	Failure to Dim Lights While Vehicle Is Parked or Standing on a Public Highway	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24402	(a,b)	A	Auxiliary Driving and Passing Lamps Specifications	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24402	(a,b)	B	Auxiliary Driving and Passing Lamps Specifications	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24403	(a)	A	Maximum Fog Lamps Not to Be Used in Place of Headlamps	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24403	(a)	B	Maximum Fog Lamps Not to Be Used in Place of Headlamps	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24403	(b)	A	Fog Lamps on Vehicle Improperly Mounted or Aimed	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24403	(b)	B	Fog Lamps on Vehicle Improperly Mounted or Aimed	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24403	(c)	A	Fog Lamps on Motorcycle Improperly Mounted or Aimed	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24403	(c)	B	Fog Lamps on Motorcycle Improperly Mounted or Aimed	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24404	(a,b)	A	Spotlamps—Number and Wattage Specified	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24404	(a,b)	B	Spotlamps—Number and Wattage Specified	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24404	(c,e)	A	Spotlamps—Direction Defined	25	30	21		15	15	5	117	40	35	1	0	193	1a	0

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

Section	Notes	Offense	Base	State	County	DNA PA*	Court	Surcharge*	EMS	Fine	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points
			Fine/ Fee	PA*	PA*/10		PA*/10		PA*/10	Surcharge & PA Subtotal							
			1	10/10	7		5/10	5	20%	2	40	35	1	0			
24404	(c,e)	B Spotlamps—Direction Defined	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24405	(a)	A Maximum Number of Lamps Allowed to Be Lighted	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24405	(a)	B Maximum Number of Lamps Allowed to Be Lighted	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24406		A Use of Multiple Beams Restricted	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24406		B Use of Multiple Beams Restricted	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24407	(a)	A High Beams—Adjustment Specified	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24407	(a)	B High Beams—Adjustment Specified	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24407	(b)	A Low Beams—Adjustment Specified	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24407	(b)	B Low Beams—Adjustment Specified	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24408	(a,b)	A High/Low Beam Indicator Required	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24408	(a,b)	B High/Low Beam Indicator Required	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24409	(a,b)	A Failure to Dim Multiple Beams Prohibited	35	40	28		20	20	7	158	40	35	1	0	234	2a	1
24409	(a,b)	B Failure to Dim Multiple Beams Prohibited	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24410	(a)	A Single Beams—Adjustment/Intensity Specifications	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24410	(a)	B Single Beams—Adjustment/Intensity Specifications	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24411		A Covering Auxiliary Lamps Required	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24411		B Covering Auxiliary Lamps Required	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24600	(a-f)	A Tail Lamp Requirements and Specifications	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24600	(a-f)	B Tail Lamp Requirements and Specifications	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24601		A License Plate Lamp Required	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24601		B License Plate Lamp Required	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24602	(a,b)	A Fog Tail Lamp Requirements and Specifications	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24602	(a,b)	B Fog Tail Lamp Requirements and Specifications	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24603	(a-i)	A Stop Lamp Requirements and Specifications	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24603	(a-i)	B Stop Lamp Requirements and Specifications	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24604	(a)	A Lamps/Flag on Load Projecting to Rear Required	25	30	21		15	15	5	117	40	35	1	0	193	1a	1
24604	(a)	B Lamps/Flag on Load Projecting to Rear Required	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24604	(b)	A Flag on Load Projecting to Rear Required for Wide Loads	25	30	21		15	15	5	117	40	35	1	0	193	1a	1
24604	(b)	B Flag on Load Projecting to Rear Required for Wide Loads	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24605	(a)	A Tow Cars and Towed Vehicles—Lights Required	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24605	(a)	B Tow Cars and Towed Vehicles—Lights Required	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24605	(b)	A Tow Cars and Towed Vehicles—Lights Required	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24605	(b)	B Tow Cars and Towed Vehicles—Lights Required	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24606	(a,b,d)	A Backup Lamp Requirements and Specifications	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24606	(a,b,d)	B Backup Lamp Requirements and Specifications	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24606	(c)	A Backup Lamps—When Not to Be Lighted	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24606	(c)	B Backup Lamps—When Not to Be Lighted	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24607	(a-d)	A Reflectors Required on Rear of Vehicle	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24607	(a-d)	B Reflectors Required on Rear of Vehicle	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24608	(a-d)	A Light Reflectors on Trucks/Trailers—Front and Sides	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24608	(a-d)	B Light Reflectors on Trucks/Trailers—Front and Sides	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24609	(a)	A Vehicle Reflector Requirements and Specifications	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24609	(a)	B Vehicle Reflector Requirements and Specifications	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24609	(b)	A School Bus Reflector Requirements and Specifications	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24609	(b)	B School Bus Reflector Requirements and Specifications	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24610		A Truck Reflector Requirements and Specifications	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24610		B Truck Reflector Requirements and Specifications	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24612	(a)	A Failure to Display Reflective Material on Trailer or Semitrailer as Required	25	30	21		15	15	5	117	40	35	1	0	193	1a	0

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* 20%	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points
				1	10/10	7		5/10	5	2		40	35	1	0			
24612	(a)	B	Failure to Display Reflective Material on Trailer or Semitrailer as Required	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24612	(c)	A	Failure to Display Reflective Material on Trailer or Semitrailer as Required	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24612	(c)	B	Failure to Display Reflective Material on Trailer or Semitrailer as Required	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24615		A	Slow-Moving Vehicle—Emblem Required	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24615		B	Slow-Moving Vehicle—Emblem Required	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24800		A	Driving With Only Parking Lights Prohibited	35	40	28		20	20	7	158	40	35	1	0	234	2a	0
24800		B	Driving With Only Parking Lights Prohibited	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24950		A	Turn Signal Device Required—Towing Trailer	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24950		B	Turn Signal Device Required—Towing Trailer	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24951	(b,c)	A	Turn Signals Required on Certain Vehicles	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24951	(b,c)	B	Turn Signals Required on Certain Vehicles	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24952		A	Visibility Requirement of Signals	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24952		B	Visibility Requirement of Signals	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
24953	(a-d)	A	Turn Signal Lamp Requirements	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
24953	(a-d)	B	Turn Signal Lamp Requirements	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
25100	(a-c, e,f)	A	Clearance and Side Marker Lamp Requirements	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
25100	(a-c, e,f)	B	Clearance and Side Marker Lamp Requirements	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
25102		A	Lamps on Sides of Vehicles—Specifications	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
25102		B	Lamps on Sides of Vehicles—Specifications	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
25102.5	(a)	A	Lamps on Sides of School Buses—Specifications	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
25102.5	(a)	B	Lamps on Sides of School Buses—Specifications	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
25103	(a,b)	A	Lamp During Darkness on Load Projecting to Side	25	30	21		15	15	5	117	40	35	1	0	193	1a	1
25103	(a,b)	B	Lamp During Darkness on Load Projecting to Side	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
25104	(a)	A	Flag Required on Overwidth During Daylight Hours	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
25104	(a)	B	Flag Required on Overwidth During Daylight Hours	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
25104	(b)	A	Flag Required on Wide Load During Daylight Hours	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
25104	(b)	B	Flag Required on Wide Load During Daylight Hours	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
25105	(a-c)	A	Failure to Comply With Code Specifications for Courtesy Lamps, Door-Mounted Lamp, or Exterior Lamp	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
25105	(a-c)	B	Failure to Comply With Code Specifications for Courtesy Lamps, Door-Mounted Lamp, or Exterior Lamp	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
25106	(a,b)	A	Side, Cowl, or Fender Flaps—Specifications	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
25106	(a,b)	B	Side, Cowl, or Fender Flaps—Specifications	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
25107		A	Cornering Lamps on Fenders	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
25107		B	Cornering Lamps on Fenders	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
25108	(a,b)	A	Pilot Indicator Specifications	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
25108	(a,b)	B	Pilot Indicator Specifications	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
25109		A	Running Lamps to Be Used Only When Vehicle Is Parked	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
25109		B	Running Lamps to Be Used Only When Vehicle Is Parked	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
25110	(b)	A	Improper Use of Utility Flood/Loading Lamps	35	40	28		20	20	7	158	40	35	1	0	234	2a	0
25110	(b)	B	Improper Use of Utility Flood/Loading Lamps	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
25250		A	Flashing Lights Restricted Unless Otherwise Permitted	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
25250		B	Flashing Lights Restricted Unless Otherwise Permitted	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
25251	(b)	A	Turn Signals Flashed as Warning When Vehicle Disabled	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
25251	(b)	B	Turn Signals Flashed as Warning When Vehicle Disabled	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
25251.2		A	Motorcycle Modulating Headlamp Prohibited During Darkness	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
25251.2		B	Motorcycle Modulating Headlamp Prohibited During Darkness	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
25252		A	Warning Lamps Required on Emergency Vehicles	25	30	21		15	15	5	117	40	35	1	0	193	1a	0

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* Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points
			1	10/10	7		5/10	5	20%	2	40	35	1	0			
25252	B	Warning Lamps Required on Emergency Vehicles	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
25252.5	(a,c) A	Unauthorized Use of Flashing Emergency Headlamps	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
25252.5	(a,c) B	Unauthorized Use of Flashing Emergency Headlamps	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
25253	(a) A	Warning Lamps Required on Tow Trucks	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
25253	(a) B	Warning Lamps Required on Tow Trucks	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
25253	(c) A	Improper Display of Warning Lamps by Tow Truck	35	40	28		20	20	7	158	40	35	1	0	234	2a	1
25253	(c) B	Improper Display of Warning Lamps by Tow Truck	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
25254	A	Improper Use of Flashing Amber Warning Lights by Peace Officer Personnel	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
25254	B	Improper Use of Flashing Amber Warning Lights by Peace Officer Personnel	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
25257	(a) A	Flashing Red Signal System Required on School Bus	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
25257	(a) B	Flashing Red Signal System Required on School Bus	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
25257	(b)(1) A	School Bus Manufactured After 9-1-92 Required to Be Equipped With Stop Signal Arm	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
25257	(b)(1) B	School Bus Manufactured After 9-1-92 Required to Be Equipped With Stop Signal Arm	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
25257	(b)(2) A	School Bus Manufactured After 7-1-93 Required to Be Equipped With Flashing Amber Light System	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
25257	(b)(2) B	School Bus Manufactured After 7-1-93 Required to Be Equipped With Flashing Amber Light System	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
25257.2	A	Improper Use of the Amber Light Signal System, Flashing Red Light Signal System, or Stop Signal Arm by School Bus Transporting Developmentally Disabled Persons	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
25257.2	B	Improper Use of the Amber Light Signal System, Flashing Red Light Signal System, or Stop Signal Arm by School Bus Transporting Developmentally Disabled Persons	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
25260.4	A	Improper Display of Flashing Amber Warning Lights in Connection With Hazardous Waste Spill Cleanup	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
25260.4	B	Improper Display of Flashing Amber Warning Lights in Connection With Hazardous Waste Spill Cleanup	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
25262	A	Use of Red Light on Armored Car Prohibited	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
25262	B	Use of Red Light on Armored Car Prohibited	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
25265	A	Improper Display of Flashing Amber Lights on Sanitary District Repair Vehicles	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
25265	B	Improper Display of Flashing Amber Lights on Sanitary District Repair Vehicles	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
25266	A	Improper Display of Flashing Amber Warning Lights by State-Owned Vehicles Engaged in Aqueduct, Levee, or Stream Measurement Work	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
25266	B	Improper Display of Flashing Amber Warning Lights by State-Owned Vehicles Engaged in Aqueduct, Levee, or Stream Measurement Work	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
25268	A	Use of Flashing Amber Warning Lights Restricted	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
25268	B	Use of Flashing Amber Warning Lights Restricted	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
25269	A	Misuse of Red Warning Light Prohibited	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
25269	B	Misuse of Red Warning Light Prohibited	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
25270	A	Improper Use of Warning Lamps on Pilot Car Prohibited	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
25270	B	Improper Use of Warning Lamps on Pilot Car Prohibited	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
25270.5	A	Improper Display of Flashing Amber Lights by Livestock-Herding Vehicles on Public Highways	25	30	21		15	15	5	117	40	35	1	0	193	1a	0

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	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points	
25270.5	B	Improper Display of Flashing Amber Lights by Livestock-Herding Vehicles on Public Highways	1	10/10	7		5/10	5	20%	2	40	35	1	0				
			25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
25275	A	Improper Display of Amber Flashing Lights on Truck Tractor in the Absence of Unusual Traffic Hazard	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
25275	B	Improper Display of Amber Flashing Lights on Truck Tractor in the Absence of Unusual Traffic Hazard	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
25275.5	A	Unlawful Activation of Crime Alarm Lights	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
25275.5	B	Unlawful Activation of Crime Alarm Lights	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
25276	(a)	A Improper Use of Warning Lamps on Vehicle for Transportation of Disabled Prohibited	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
25276	(a)	B Improper Use of Warning Lamps on Vehicle for Transportation of Disabled Prohibited	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
25300	(a)	A Warning Device on Disabled Vehicles Specified	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
25300	(a)	B Warning Device on Disabled Vehicles Specified	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
25300	(b,c,e)	A Warning Device on Disabled Vehicles Specified	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
25300	(b,c,e)	B Warning Device on Disabled Vehicles Specified	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
25300	(d)(2)	A Display on Warning Device Near Disabled Commercial Vehicle	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	0
25300	(d)(2)	B Display on Warning Device Near Disabled Commercial Vehicle	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
25300	(d)(3)	A Placement and Display of Warning Device Near Disabled Commercial Vehicle	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	0
25300	(d)(4)	A Use of Flame Producing Emergency Signal Near Vehicles Transporting Explosives, Flammable Liquid, or Gas	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	0
25301	(a,b)	A Display of Warning Devices on Utility Vehicles Specified	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
25301	(a,b)	B Display of Warning Devices on Utility Vehicles Specified	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
25305	(a-c)	A Use of Fusees Specified	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
25305	(a-c)	B Use of Fusees Specified	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
25350	A	Noncompliance With Vehicle Code Standards for Illuminated Identification Signs	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
25350	B	Noncompliance With Vehicle Code Standards for Illuminated Identification Signs	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
25351	(a-c)	A Identification Lamp Specifications and Restrictions	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
25351	(a-c)	B Identification Lamp Specifications and Restrictions	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
25352	(a)	A Use of Unauthorized Device Affecting Traffic Signals	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
25352	(a)	B Use of Unauthorized Device Affecting Traffic Signals	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
25352	(b)	A Unauthorized Use of Device Affecting Traffic Signals	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
25352	(b)	B Unauthorized Use of Device Affecting Traffic Signals	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
25352	(c)	A Failure to Give Emergency Vehicles Priority in Changing Traffic Control Signals	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
25352	(c)	B Failure to Give Emergency Vehicles Priority in Changing Traffic Control Signals	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
25353	A	Violation of Provisions for Transit Bus Illuminated Signs	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
25353	B	Violation of Provisions for Transit Bus Illuminated Signs	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
25400	(a-d)	A Specifications for Use of Diffused Light	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
25400	(a-d)	B Specifications for Use of Diffused Light	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
25401	A	Diffused Lights Resembling Signs Prohibited	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
25401	B	Diffused Lights Resembling Signs Prohibited	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
25452	A	Glaring Acetylene Lamps Prohibited	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
25452	B	Glaring Acetylene Lamps Prohibited	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	

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* Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points	
			1	10/10	7		5/10	5	20%	2	40	35	1	0				
25500	(a)	A	Use of Reflectorizing Material Restricted	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25500	(a)	B	Use of Reflectorizing Material Restricted	25	0	0	0	0	0	0	25	0	0	0	0	25	4a	0
25650		A	Motorcycle Headlight Requirements	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25650		B	Motorcycle Headlight Requirements	25	0	0	0	0	0	0	25	0	0	0	0	25	4a	0
25650.5		A	Headlight Equipment for Post-1978 Motorcycles	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25650.5		B	Headlight Equipment for Post-1978 Motorcycles	25	0	0	0	0	0	0	25	0	0	0	0	25	4a	0
25651	(a,c)	A	Headlamp Requirements on Motor-Driven Cycles	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25651	(a,c)	B	Headlamp Requirements on Motor-Driven Cycles	25	0	0	0	0	0	0	25	0	0	0	0	25	4a	0
25803	(a,b)	A	Lamp/Reflector Requirements–Certain Vehicles	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25803	(a,b)	B	Lamp/Reflector Requirements–Certain Vehicles	25	0	0	0	0	0	0	25	0	0	0	0	25	4a	0
25803	(c)	A	Lamp/Reflector/Flag Requirements–Load in Excess of 100-Inch Outside Width	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25803	(c)	B	Lamp/Reflector/Flag Requirements–Load in Excess of 100-Inch Outside Width	25	0	0	0	0	0	0	25	0	0	0	0	25	4a	0
25805		A	Lamps on Forklift Trucks Required	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25805		B	Lamps on Forklift Trucks Required	25	0	0	0	0	0	0	25	0	0	0	0	25	4a	0
25950	(a,b)	A	Color Requirements of Lights Visible to Front and Rear	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25950	(a,b)	B	Color Requirements of Lights Visible to Front and Rear	25	0	0	0	0	0	0	25	0	0	0	0	25	4a	0
25951		A	Lamps Over 300 Candlepower–Restrictions	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25951		B	Lamps Over 300 Candlepower–Restrictions	25	0	0	0	0	0	0	25	0	0	0	0	25	4a	0
25952	(a,b)	A	Lamps and Reflectors Mounted on Loads Specified	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25952	(a,b)	B	Lamps and Reflectors Mounted on Loads Specified	25	0	0	0	0	0	0	25	0	0	0	0	25	4a	0
26100	(a)	A	Sale of Noncompliant Vehicle Equipment/Device	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
26100	(b)	A	Use or Operation of Vehicle With Noncompliant Equipment	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
26100	(b)	B	Use or Operation of Vehicle With Noncompliant Equipment	25	0	0	0	0	0	0	25	0	0	0	0	25	4a	0
26101	(a)	A	Sale of Device Intended to Modify Vehicle Lighting or Equipment Performance to Be Noncompliant	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
26101	(b)	A	Use or Operation of Vehicle With Noncompliant Device Intended to Modify Lighting or Equipment Performance	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
26101	(b)	B	Use or Operation of Vehicle With Noncompliant Device Intended to Modify Lighting or Equipment Performance	25	0	0	0	0	0	0	25	0	0	0	0	25	4a	0
26301		A	Power Brakes Required on Vehicle Over 14,000 Pounds	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	1
26301		B	Power Brakes Required on Vehicle Over 14,000 Pounds	25	0	0	0	0	0	0	25	0	0	0	0	25	4a	0
26301.5		A	Noncompliant Emergency Brake System	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	1
26301.5		B	Noncompliant Emergency Brake System	25	0	0	0	0	0	0	25	0	0	0	0	25	4a	0
26302	(a-d)	A	Brake Requirements on Trailer Specified	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	1
26302	(a-d)	B	Brake Requirements on Trailer Specified	25	0	0	0	0	0	0	25	0	0	0	0	25	4a	0
26303		A	Brake Requirements on Trailer Coaches/Camp Trailers	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	1
26303		B	Brake Requirements on Trailer Coaches/Camp Trailers	25	0	0	0	0	0	0	25	0	0	0	0	25	4a	0
26304	(a,b)	A	Breakaway Device Required on Certain Vehicles	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	1
26304	(a,b)	B	Breakaway Device Required on Certain Vehicles	25	0	0	0	0	0	0	25	0	0	0	0	25	4a	0
26307		A	Unlawful Towing of Forklift Lacking the Required Brakes	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	1
26307		B	Unlawful Towing of Forklift Lacking the Required Brakes	25	0	0	0	0	0	0	25	0	0	0	0	25	4a	0
26311	(a)	A	Service Brakes Required–All Wheels on Certain Vehicles	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	1
26311	(a)	B	Service Brakes Required–All Wheels on Certain Vehicles	25	0	0	0	0	0	0	25	0	0	0	0	25	4a	0
26311	(b)	A	Service Brakes for Adverse Road Conditions Specified	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	1
26311	(b)	B	Service Brakes for Adverse Road Conditions Specified	25	0	0	0	0	0	0	25	0	0	0	0	25	4a	0
26311	(c)	A	Service Brake Required–Stopping Distance As Specified	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	1

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* Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points
			1	10/10	7		5/10	5	20%	2	40	35	1	0			
26311	(c)	B Service Brake Required–Stopping Distance As Specified	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
26450	A	Required Brake Systems Defined	25	30	21		15	15	5	117	40	35	1	0	193	1a	1
26450	B	Required Brake Systems Defined	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
26451	(a-c)	A Parking Brake Requirements Defined	25	30	21		15	15	5	117	40	35	1	0	193	1a	1
26451	(a-c)	B Parking Brake Requirements Defined	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
26452	A	Adequate Brakes After Engine Failure Required	25	30	21		15	15	5	117	40	35	1	0	193	1a	1
26452	B	Adequate Brakes After Engine Failure Required	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
26453	A	Condition of Brakes to Be Maintained	25	30	21		15	15	5	117	40	35	1	0	193	1a	1
26453	B	Condition of Brakes to Be Maintained	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
26454	(a,b)	A Control and Stopping Requirements Specified	25	30	21		15	15	5	117	40	35	1	0	193	1a	1
26454	(a,b)	B Control and Stopping Requirements Specified	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
26456	A	Tests of Brake Performance Prohibited Over 25 MPH	35	40	28		20	20	7	158	40	35	1	0	234	2a	1
26456	B	Tests of Brake Performance Prohibited Over 25 MPH	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
26457	A	Stopping Ability of Certain Vehicles Specified	25	30	21		15	15	5	117	40	35	1	0	193	1a	1
26457	B	Stopping Ability of Certain Vehicles Specified	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
26458	(a)	A Braking System Required for Certain Vehicles/Combinations	25	30	21		15	15	5	117	40	35	1	0	193	1a	1
26458	(a)	B Braking System Required for Certain Vehicles/Combinations	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
26458.5	A	Unlawful Use of Secondary Brake Control in Absence of Service Brake System Failure	35	40	28		20	20	7	158	40	35	1	0	234	2a	1
26458.5	B	Unlawful Use of Secondary Brake Control in Absence of Service Brake System Failure	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
26502	(a)	A Airbrake Requirements Specified	25	30	21		15	15	5	117	40	35	1	0	193	1a	1
26502	(a)	B Airbrake Requirements Specified	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
26503	A	Airbrake Safety Valve to Be Maintained in Good Condition	25	30	21		15	15	5	117	40	35	1	0	193	1a	1
26503	B	Airbrake Safety Valve to Be Maintained in Good Condition	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
26504	A	Failure to Comply With CHP Air Pressure Standards for Vehicles Equipped With Air Brakes	25	30	21		15	15	5	117	40	35	1	0	193	1a	1
26504	B	Failure to Comply With CHP Air Pressure Standards for Vehicles Equipped With Air Brakes	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
26505	A	Pressure Gauge Required	25	30	21		15	15	5	117	40	35	1	0	193	1a	1
26505	B	Pressure Gauge Required	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
26506	(a)	A Air Pressure Warning Device Required	25	30	21		15	15	5	117	40	35	1	0	193	1a	1
26506	(a)	B Air Pressure Warning Device Required	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
26507	A	Check Valve Required	25	30	21		15	15	5	117	40	35	1	0	193	1a	1
26507	B	Check Valve Required	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
26508	(a-c, e-k,o)	A Compressed Air Brake System Requirements Specified	25	30	21		15	15	5	117	40	35	1	0	193	1a	1
26508	(a-c, e-k,o)	B Compressed Air Brake System Requirements Specified	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
26520	A	Vacuum Gauge Required to Be Visible and Accurate at All Times	25	30	21		15	15	5	117	40	35	1	0	193	1a	1
26520	B	Vacuum Gauge Required to Be Visible and Accurate at All Times	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
26521	A	Audible/Visible Power Brake System Warning Device Required	25	30	21		15	15	5	117	40	35	1	0	193	1a	1
26521	B	Audible/Visible Power Brake System Warning Device Required	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
26522	A	Check Valve Required on Vacuum-Assisted Power Brake Systems	25	30	21		15	15	5	117	40	35	1	0	193	1a	1
26522	B	Check Valve Required on Vacuum-Assisted Power Brake Systems	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
26700	(a)	A Adequate Windshield Required	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
26700	(a)	B Adequate Windshield Required	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
26701	(a-e)	A Safety Glazing Material Requirements Specified	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
26701	(a-e)	B Safety Glazing Material Requirements Specified	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
26703	(a,b)	A Specifications for Replacement of Safety Glazing Materials	25	30	21		15	15	5	117	40	35	1	0	193	1a	0

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* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points
			1	10/10	7		5/10	5	20%	2	40	35	1	0			
26703	(a,b)	B Specifications for Replacement of Safety Glazing Materials	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
26705		A Sale of Motorcycle Windshield Without Safety Glazing Material	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
26705		B Sale of Motorcycle Windshield Without Safety Glazing Material	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
26706	(a,b)	A Self-Operating Windshield Wiper Required	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
26706	(a,b)	B Self-Operating Windshield Wiper Required	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
26707		A Condition/Use of Windshield Wipers to Be Maintained	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
26707		B Condition/Use of Windshield Wipers to Be Maintained	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
26708	(a)(1)	A Unlawful Material on Vehicle Windshield/ Windows	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
26708	(a)(1)	B Unlawful Material on Vehicle Windshield/ Windows	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
26708	(a)(2)	A Unlawful Material on Vehicle Windshield/Windows Obstructing or Reducing View of Driver	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
26708	(a)(2)	B Unlawful Material on Vehicle Windshield/Windows Obstructing or Reducing View of Driver	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
26708.2		A Use of Unauthorized Sun Screening Devices	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
26708.2		B Use of Unauthorized Sun Screening Devices	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
26708.5	(a)	A Application of Material to Windows Restricted	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
26708.5	(a)	B Application of Material to Windows Restricted	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
26709	(a)(1)(2)	A Rearview Mirrors Required/One on Left Side	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
26709	(a)(1)(2)	B Rearview Mirrors Required/One on Left Side	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
26709	(b)	A Two Side Rearview Mirrors Required on Certain Vehicles	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
26709	(b)	B Two Side Rearview Mirrors Required on Certain Vehicles	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
26710	(a)	A Defective Windshield/Rear Window Glass	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
26710	(a)	B Defective Windshield/Rear Window Glass	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
26710	(b)	A Operating any Motor Vehicle Described in Section 34500 Upon a Highway When the Condition of the Windshield Is Other Than Described in Section 393.60(c) of Title 49 of the Code of Federal Regulations	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
26710	(b)	B Operating any Motor Vehicle Described in Section 34500 Upon a Highway When the Condition of the Windshield Is Other Than Described in Section 393.60(c) of Title 49 of the Code of Federal Regulations	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
26711		A Failure to Provide Eyeshades to Bus or Trolley Drivers	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
26711		B Failure to Provide Eyeshades to Bus or Trolley Drivers	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
26712	(a)	A Adequate Defroster Required on For-Hire Vehicles	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
26712	(a)	B Adequate Defroster Required on For-Hire Vehicles	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
27000	(a)	A Adequate Horn Required	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
27000	(a)	B Adequate Horn Required	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
27000	(b)	A ⁶⁵ Backing Alarm Required on Refuse or Garbage Trucks	150	150	105		75	75	30	615	40	35	1	0	691	4a	0
27000	(b)	B Backing Alarm Required on Refuse or Garbage Trucks	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
27000	(c)	A ⁶⁵ Rear View Camera Required for Refuse or Garbage Truck	150	150	105		75	75	30	615	40	35	1	0	691	4a	0
27000	(c)	B Rear View Camera Required for Refuse or Garbage Truck	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
27000	(d)(1)	A Automatic Backup Alarm Required for Specified Construction Vehicles Transporting to and from a Mine or Construction Site	25	30	21		15	15	5	117	40	35	1	0	193	1a	0
27000	(d)(1)	B Automatic Backup Alarm Required for Specified Construction Vehicles Transporting to and From a Mine or Construction Site	25	0	0		0	0	0	25	0	0	0	0	25	4a	0
27001	(a)	A Unnecessary Use of Horn Prohibited	35	40	28		20	20	7	158	40	35	1	0	234	2a	0
27002	(a)	A Use of Siren by Unauthorized Personnel or in Noncompliance With CHP Standards	35	40	28		20	20	7	158	40	35	1	0	234	2a	0
27002	(a)	B Use of Siren by Unauthorized Personnel or in Noncompliance With CHP Standards	25	0	0		0	0	0	25	0	0	0	0	25	4a	0

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

Section	Notes	Offense	Base	State	County	DNA PA*	Court	Surcharge*	EMS PA*/10	Fine	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points	
			Fine/ Fee	PA*	PA*/10		PA*/10			Surcharge & PA Subtotal								
			1	10/10	7		5/10	5	20%	2	40	35	1	0				
27003	A	Unlawful Use of Siren by Armored Car	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
27007	A	Use of Audible Sound System Outside of Vehicle Restricted	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
27150	(a)	Adequate Muffler Required to be Properly Maintained	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27150	(a)	B Adequate Muffler Required to be Properly Maintained	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
27150	(b)	A Adequate Muffler Required to Be Properly Maintained	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27150	(b)	B ⁶⁶ Adequate Muffler Required to Be Properly Maintained	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
27150.1	A	B ⁶⁷ Sale of Exhaust System Restricted	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27150.3	(a)	A ⁶⁸ Modification of Exhaust System With a Whistle-tip	250	250	175		125	125	50	50	1025	40	35	1	0	1101	4a	0
27150.3	(a)	B Modification of Exhaust System With a Whistle-tip	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
27150.3	(b)	A ⁶⁸ Operation of Exhaust System With a Whistle-tip	250	250	175		125	125	50	50	1025	40	35	1	0	1101	4a	0
27150.3	(b)	B Operation of Exhaust System With a Whistle-tip	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
27150.3	(c)	B ⁶⁹ Engage in Business Installing Exhaust System Whistle-tip	1000	1000	700		500	500	200	200	4100	40	35	1	0	4176	4a	0
27151	(a)	A Modification of Exhaust System Prohibited	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27151	(a)	B Modification of Exhaust System Prohibited, Other than Motorcycle	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
27152	A	Exhaust Pipe Specifications	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27152	B	Exhaust Pipe Specifications	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
27153	(a,b)	A Excessive Smoke, Fumes, etc., Defined	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27153	(a,b)	B Excessive Smoke, Fumes, etc., Defined	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
27153	(d)	Excessive Smoke, Fumes, etc., Defined with Willfully Tampered Emission Controls	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27153.5	(a,b)	A ⁷¹ Motor Vehicle Exhaust Standards Specified	250	250	175		125	125	50	50	1025	40	35	1	0	1101	4a	0
27153.5	(a,b)	B Motor Vehicle Exhaust Standards Specified	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
27154	A	Gases/Fumes Should Not Penetrate Cab of Vehicle	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27154	B	Gases/Fumes Should Not Penetrate Cab of Vehicle	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
27154.1	(a)	A Opening in Floor of Vehicle Allowing Penetration of Fumes or Fire	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27154.1	(a)	B Opening in Floor of Vehicle Allowing Penetration of Fumes or Fire	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
27154.1	(b)	A Floor of Vehicle Permeated with Oil	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27154.1	(b)	B Floor of Vehicle Permeated with Oil	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
27155	A	Proper Fuel Tank Cap Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27155	B	Proper Fuel Tank Cap Required	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
27156	(a,b,c,f)	A ⁷² Air Pollution Control Device Required	50	50	35		25	25	10	10	205	40	35	1	0	281	4a	0
27156	(a,b,c,f)	B Air Pollution Control Device Required	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
27158		Pollutant Emission Certificate Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27158.1	(a)	A Maintaining a Heavy-Duty Vehicle Inspection and Maintenance Compliance Certificate	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27158.1	(a)	B Maintaining a Heavy-Duty Vehicle Inspection and Maintenance Compliance Certificate	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
27158.2	(a)	Presenting a Heavy-Duty Vehicle Inspection and Maintenance Compliance Certificate	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27158.2	(b)	Presenting a Heavy-Duty Vehicle Inspection and Maintenance Compliance Certificate Not for That Vehicle	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
27158.5		Pollutant Emission Certificate Required (1955–65 Models)	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27200	(d,e)	Sale of a New Motor Vehicle Exceeding EPA's Maximum Noise Standards	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27302		Sale of Seatbelts Failing to Comply With CHP Standards	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27304	A	Seatbelt Not Installed in Driver Training Vehicle	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27304	A	Seatbelt Not Used in Driver Training Vehicle	25	30	21		15	15	5	6	117	40	35	1	0	193	4a	0
27304	B	Seatbelt Not Installed in Driver Training Vehicle	25	0	0		0	0	0	0	25	0	0	0	0	25	1a	0
27304	B	Seatbelt Not Used in Driver Training Vehicle	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0

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	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points	
			1	10/10	7		5/10	5	20%	2	40	35	1	0				
27305	A	Safety Belts Required on Firefighting Vehicles	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27305	B	Safety Belts Required on Firefighting Vehicles	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
27314	(a,b)	Failure to Provide Required Seatbelts Prior to Sale of Any Used Passenger Vehicle Dated 1972 to 1990	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27315	(d)(1,3,4)	⁷³ Mandatory Use of Safety Belts Required	20	20	14		10	10	4	4	82	40	35	1	0	158	4a	0
27315	(e)	⁷³ Mandatory Use of Safety Belts Required	20	20	14		10	10	4	4	82	40	35	1	0	158	4a	0
27315	(f)	⁷³ Owner to Maintain Safety Belts in Working Condition	20	20	14		10	10	4	4	82	40	35	1	0	158	4a	0
27315	(f)	Owner to Maintain Safety Belts in Working Condition	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
27315.1	A	Noncompliance With CHP Seatbelt Regulations While in a Fully Enclosed Three-Wheeled Vehicle	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27315.1	B	Noncompliance With CHP Seatbelt Regulations While in a Fully Enclosed Three-D926 Wheeled Vehicle	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
27318	(a-d)	⁷⁴ Safety Belts for Passengers on Buses	20	20	14		10	10	4	4	82	40	35	1	0	158	4a	0
27319	(a)	⁷⁵ Safety Belts for Drivers on Buses	20	20	14		10	10	4	4	82	40	35	1	0	158	4a	0
27319	(b)	A ⁷⁵ Safety Belts for Drivers on Buses	20	20	14		10	10	4	4	82	40	35	1	0	158	4a	0
27319	(b)	B ⁷⁵ Safety Belts for Drivers on Buses	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
27360	(a)	A ⁷⁶ Mandatory Use of Child Passenger Restraints in Rear Seat Required for Children Under 8 as Specified	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	1
27360	(b)	⁷⁷ Securing a Child Under Age 2 in a Rear-Facing Child Passenger Restraint System	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	1
27360.5	(a)	A ⁷⁶ Mandatory Use of Safety Belt or Child Restraint System Required for Children 8 or Older, but Under 16, as Specified	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	1
27363	(b)	A Transportation of Child in Case of Life-Threatening Emergency in Vehicle or Emergency Vehicle With No Child Restraint System Without Use of Seatbelt	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
27363	(f)	A Transportation of Child in Rear-Facing Child Passenger Restraint System in Front Seat of Vehicle With Active Frontal Airbag	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
27363.5	(a,b)	Failure of Hospital, Clinic, or Birthing Center to Provide Information About Child Passenger Restraint Requirements and Contact Information	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
27365	(a)(1)	⁷⁸ Rental Agencies Required to Inform Customers About Child Restraint Requirements, Provide for Rental of Child Passenger Restraint System	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	0
27368	A	Failure to Abide by Safety Standards and Regulations for Child Passengers in Fully Enclosed Three-Wheeled Vehicles	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	1
27368	B	Failure to Abide by Safety Standards and Regulations for Child Passengers in Fully Enclosed Three-Wheeled Vehicles	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
27375	(a)	A ⁷⁹ Violation of Door or Window Requirement for Modified Limousine	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	0
27375	(a)	B ⁷⁹ Violation of Door or Window Requirement for Modified Limousine	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
27375	(b)	Failure of Limousine Driver to Unlock Rear Doors for Passengers to Open for Fire or Emergency	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	0
27375	(c)(1)	Failure of Limousine Owner or Operator to Instruct Passengers on Vehicle Features and Communication With the Driver	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	0
27375	(c)(2)	Failure of Limousine Owner or Operator to Disclose Whether the Limousine Meets Current Safety Requirements	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	0
27375	(c)(3)	Failure of Limousine Owner or Operator to Disclose Whether the Limousine Is Exempt From Safety Requirements For Emergency Escape	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	0
27400	A	Headsets, Ear Plugs, or Earphones In or Over Both Ears Prohibited	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27425	(a)	A Charter Bus Emergency Lighting	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	0
27450	(a-c)	A Noncompliance With Minimum Tire Thickness Requirements	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27450	(a-c)	B Noncompliance With Minimum Tire Thickness Requirements	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0

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* 20%	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points	
			1	10/10	7		5/10	5	2		40	35	1	0				
27452	A	Noncompliance With CHP Uniform Tire Thickness Requirements	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27452	B	Noncompliance With CHP Uniform Tire Thickness Requirements	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
27453	A	Use of Noncompliant Dual Solid Rubber Tires	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27453	B	Use of Noncompliant Dual Solid Rubber Tires	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
27454	A	Use of Tires Containing Prohibited Projections Beyond Tread of the Tire's Surface	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27454	B	Use of Tires Containing Prohibited Projections Beyond Tread of the Tire's Surface	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
27455	(a)	Sale of Inner Tube That Is Noncompliant With CHP Inner Tube Standards	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27455	(b)	Installation of Inner Tube That Is Noncompliant With CHP Inner Tube Standards	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27459	A	Tire Chains or Snow Tires Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27459	B	Tire Chains or Snow Tires Required	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
27459.5	(a,b)	Sale/Replacement of Noncompliant Tire Chains Prohibited	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27460	A	Four-Wheel-Drive Vehicles With Snow Tread Tires Allowed; Chains to Be Carried	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27460	B	Four-Wheel-Drive Vehicles With Snow Tread Tires Allowed; Chains to Be Carried	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
27460.5		Knowingly Selling or Offering for Sale a Recut or Regrooved Tire for Noncommercial Use	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27461	A	Use of Recut or Regrooved Tires Prohibited	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27461	B	Use of Recut or Regrooved Tires Prohibited	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
27465	(a)	Inadequate Tire Tread--Sale Prohibited	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27465	(b)	A Inadequate Tire Tread--Use on Highway Prohibited	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27465	(b)	B Inadequate Tire Tread--Use on Highway Prohibited	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
27501	(a)	Sale or Installation of Nonconforming Pneumatic Tires	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27501	(b)	A Operating With Nonconforming Pneumatic Tires	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27501	(b)	B Operating With Nonconforming Pneumatic Tires	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
27502		Sale of Tires That Fail to Comply With Noise Standards Articulated in VC 27503	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27600	A	Fenders and Mud Guards Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27600	B	Fenders and Mud Guards Required	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
27602	(a)	A Operation of a Motor Vehicle Containing Unauthorized Video Screen or TV Monitor Within Driver's Field of Vision	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
27602	(a)	B Operation of a Motor Vehicle Containing Unauthorized Video Screen or TV Monitor Within Driver's Field of Vision	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
27603		Noncompliance With Repainting Requirement for Sale of Former School Bus if Sold for Purpose Other Than Transporting Pupils	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27605	A	Owning or Operating a Vehicle Painted to Resemble Law Enforcement Vehicle	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27605	B	Owning or Operating a Vehicle Painted to Resemble Law Enforcement Vehicle	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
27606	(a)	A Owning or Operating a Vehicle with a Light Bar to Resemble Law Enforcement Vehicle	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27606	(a)	B Owning or Operating a Vehicle with a Light Bar to Resemble Law Enforcement Vehicle	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
27700	(a)	A Tow Truck in Violation of Equipment Requirements	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27700	(a)	B Tow Truck in Violation of Equipment Requirements	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0

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* Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points	
			1	10/10	7		5/10	5	20%	2	40	35	1	0				
27800	A	Equipment for Motorcycle Passenger Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	1
27800	B	Equipment for Motorcycle Passenger Required	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
27801	(a,b)	A Required Position of Equipment on Motorcycle	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	1
27801	(a,b)	B Required Position of Equipment on Motorcycle	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
27802	(a)	Failure to Label Helmets With Certification of Federal Safety Standard Compliance	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27802	(b)	Sale of Safety Helmets That Fail to Comply With California DMV Requirements	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27803	(a)	A Operating/Riding Motorcycle, Motor-Driven Cycle, or Motorized Bicycle While Not Wearing Helmet as Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27803	(a)	B Operating/Riding Motorcycle, Motor-Driven Cycle, or Motorized Bicycle While Not Wearing Helmet as Required	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
27803	(b)	A Operating/Riding Motorcycle, Motor-Driven Cycle, or Motorized Bicycle While Not Wearing Helmet as Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27803	(b)	B Operating/Riding Motorcycle, Motor-Driven Cycle, or Motorized Bicycle While Not Wearing Helmet as Required	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
27803	(c)	A Riding Motorcycle, Motor-Driven Cycle, or Motorized Bicycle as Passenger While Driver or Passenger Not Wearing Helmet as Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27803	(c)	B Riding Motorcycle, Motor-Driven Cycle, or Motorized Bicycle as Passenger While Driver or Passenger Not Wearing Helmet as Required	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
27900	(a)	A Placards With Identifying Name Required on Both Sides of Vehicle	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27900	(a)	B Placards With Identifying Name Required on Both Sides of Vehicle	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
27901	A	A Name and Trademark Visibility Required on For-Hire Vehicle	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27901	B	B Name and Trademark Visibility Required on For-Hire Vehicle	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
27903	(a)	A Placards Indicating Type of Hazardous Cargo Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27903	(a)	B Placards Indicating Type of Hazardous Cargo Required	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
27904	A	A Pilot Cars Required to Display Company Name on Both Sides of Vehicle	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27904	B	B Pilot Cars Required to Display Company Name on Both Sides of Vehicle	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
27904.5	A	A Failure to Display Identification Sign in Pilot Car as Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27904.5	B	B Failure to Display Identification Sign in Pilot Car as Required	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
27905	A	A Unauthorized Display of Sign Containing the Words "Fire" or "Fire Department"	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27905	B	B Unauthorized Display of Sign Containing the Words "Fire" or "Fire Department"	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
27906	(a),(c)	A Improper or Unauthorized Display of School Bus Sign	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27906	(a),(c)	B Improper or Unauthorized Display of School Bus Sign	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
27907	A	A Failure to Display Identification Sign in Towing Vehicle as Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27907	B	B Failure to Display Identification Sign in Towing Vehicle as Required	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
27908	A	A Failure to Display Identification Sign in Taxicab as Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27908	B	B Failure to Display Identification Sign in Taxicab as Required	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
27909	A	A Visible Signs Required on Vehicle Transporting Liquefied Petroleum or Natural Gas	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27909	B	B Visible Signs Required on Vehicle Transporting Liquefied Petroleum or Natural Gas	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
28000	A	A Failure to Install Required Emergency Exits in Refrigerator Vans	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
28000	B	B Failure to Install Required Emergency Exits in Refrigerator Vans	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
28053	(b)	A Failure to Adjust Odometer or Notify of Adjustment as Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
28053	(b)	B Failure to Adjust Odometer or Notify of Adjustment as Required	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0

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* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess PA*/10	Night Court PA*/10	TAP Fee	Total Bail **/Fee	Category	DMV Points	
			1	10/10	7		5/10	5	20%	2	40	35	1	0				
28053	(c)	Odometer Notice Affixed, Removed, or Altered With Intent to Defraud	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
28060	(a)	Sale of Recreational Vehicle or Camper Containing Cooking Equipment Without Fire Extinguisher	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
28060	(b)	A Operation of Recreational Vehicle or Camper Containing Cooking Equipment Without Fire Extinguisher	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
28060	(b)	B Operation of Recreational Vehicle or Camper Containing Cooking Equipment Without Fire Extinguisher	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
28062	(a)	A Modified Limousine Not Equipped With Fire Extinguishers As Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
28062	(a)	B Modified Limousine Not Equipped With Fire Extinguishers As Required	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
28071		A Front and Rear Bumper Required on Passenger Vehicle	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
28071		B Front and Rear Bumper Required on Passenger Vehicle	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
28080	(a)	A Audible/Visible Camper Signaling Device Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
28080	(a)	B Audible/Visible Camper Signaling Device Required	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
28080	(b)	A Operating Camper Without Signaling Device Prohibited	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
28080	(b)	B Operating Camper Without Signaling Device Prohibited	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
28085	(c)	A Use of Theft Alarm That Emits the Sound of a Siren	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
28085	(c)	B Use of Theft Alarm That Emits the Sound of a Siren	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
28100		A Failure to Display, or Unauthorized Display of, Red Warning Flags on Pilot Cars	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
28100		B Failure to Display, or Unauthorized Display of, Red Warning Flags on Pilot Cars	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
28101		A Noncompliance With Pilot Car Design and Equipment Requirements	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
28101		B Noncompliance With Pilot Car Design and Equipment Requirements	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
28102		A Noncompliance With Vertical Clearance Measuring Device Requirements for Pilot Cars	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
28102		B Noncompliance With Vertical Clearance Measuring Device Requirements for Pilot Cars	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
28103		A Pilot Cars Required to Have Equipment in Working Order	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
28103		B Pilot Cars Required to Have Equipment in Working Order	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
28150	(a,b)	A Equipping Vehicle With or Possession of Radar Jamming Equipment	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
28150	(a,b)	B Equipping Vehicle With or Possession of Radar Jamming Equipment	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
29001		A Fifth Wheel Connecting Device Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	1
29001		B Fifth Wheel Connecting Device Required	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
29002		A Fifth Wheel Locking Device Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	1
29002		B Fifth Wheel Locking Device Required	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
29003	(a-c)	A Drawbar, Hitch, or Coupling Must Be Secure	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	1
29003	(a-c)	B Drawbar, Hitch, or Coupling Must Be Secure	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
29004	(a) (1-3)	A Safety Chain Secured for Towing	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	1
29004	(a) (1-3)	B Safety Chain Secured for Towing	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
29004	(b)	A Safety Connection of Insufficient Strength	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	1
29004	(b)	B Safety Connection of Insufficient Strength	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
29004	(c)	A Safety Chain or Device With Excess Slack	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	1
29004	(c)	B Safety Chain or Device With Excess Slack	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
29004	(d)	A Failure to Comply With Safety Chain Requirements for Semi-trailers With Fifth Wheel Kingpin Connecting Device	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
29004	(d)	B Failure to Comply With Safety Chain Requirements for Semi-trailers With Fifth Wheel Kingpin Connecting Device	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
29005		A Drawbar Length Defined	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0

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* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points	
			1	10/10	7		5/10	5	20%	2	40	35	1	0				
29005	B	Drawbar Length Defined	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
29006	(a)	A Coupling of Towed Vehicles Defined	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	1
29006	(a)	B Coupling of Towed Vehicles Defined	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
31301	(a)	Unlawful Transportation Through Caldecott Tunnel	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
31400	(a-c)	A Equipment Required on Trucks Transporting Workers	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
31400	(a-c)	B Equipment Required on Trucks Transporting Workers	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
31401	(d)	A Rental or Use of Farm Labor Vehicle by Owner or Contractor Without CHP Inspection Per VC 31401(b)	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
31401	(d)	B Rental or Use of Farm Labor Vehicle by Owner or Contractor Without CHP Inspection Per VC 31401(b)	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
31401	(e)	A Operation of Farm Labor Vehicle by Owner or Contractor Without CHP Inspection Certificate Per VC 31401(b)	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
31401	(e)	B Operation of Farm Labor Vehicle by Owner or Contractor Without CHP Inspection Certificate Per VC 31401(b)	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
31405	(d)	A Failure to Restrain All Passengers of Farm Labor Vehicles in Seatbelts	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
31405	(d)	B Failure to Restrain All Passengers of Farm Labor Vehicles in Seatbelts	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
31406	(a)	A Transportation of Passengers in a Farm Labor Vehicle With a Seating System That Is Noncompliant With CHP Standards	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
31406	(a)	B Transportation of Passengers in a Farm Labor Vehicle With a Seating System That Is Noncompliant With CHP Standards	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
31406	(b)	A Installation of Seat or Seating System in Farm Labor Vehicle That Is Noncompliant With CHP Standards	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
31406	(b)	B Installation of Seat or Seating System in Farm Labor Vehicle That Is Noncompliant With CHP Standards	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
31407	A	Farm Labor Vehicle in Motion With Sharp Tool Unsecured or Blocking Aisle or Exit	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
31408	A	Failure to Light Both Headlamps on Farm Labor Vehicles During Operation	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	1
31408	B	Failure to Light Both Headlamps on Farm Labor Vehicles During Operation	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
31409	A	Failure of Public Transit System Operated for Transporting Farm Workers and/or any Farm Worker Transportation Program to Comply With Farm Labor Vehicle Regulations	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
31409	B	Failure of Public Transit System Operated for Transporting Farm Workers and/or any Farm Worker Transportation Program to Comply With Farm Labor Vehicle Regulations	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
31540	(b)	A Regulations Governing Transportation of Tank Containers Specified	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	1
31540	(b)	B Regulations Governing Transportation of Tank Containers Specified	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
31560		Unlawful Transportation of Waste Tires	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
34500.7	(a)	Failure to Comply With Rules/Regulations – Other Safety/Maintenance Items	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	1
34500.7	(b)	Failure to Comply With Rules/Regulations – Daily Vehicle Inspection Reports	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	1
34501	(c)	Multiple Safety Violations on Tour Bus	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
34501.2	(b,c)	Driving Hours and Duty Status Limitations	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
34501.4		Failure to Produce Complete Driver's Logbook for the Last 24-hour Period	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
34501.8		Failure to Display CHP Certificate of Inspection on Paratransit Vehicle	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
34505.8	(a)	A Charter Bus Trip Safety Briefing	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	0
34506.3		⁸⁰ Failure to Comply With Rules/Regulations–Driving Logs	150	150	105		75	75	30	30	615	40	35	1	0	691	4a	1
34506.3	A	Failure to Comply With Rules/ Regulations–Other Safety/Maintenance Items	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	1
34506.3	B	Failure to Comply With Rules/ Regulations–Other Safety/Maintenance Items	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	

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* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points	
			1	10/10	7		5/10	5	20%	2	40	35	1	0				
34507	A	Display of Distinctive Identification Symbol Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
34507	B	Display of Distinctive Identification Symbol Required	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
34507.5	(a,b,g,h)	A Failure to Display Carrier Identification Number	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
34507.5	(a,b,g,h)	B Failure to Display Carrier Identification Number	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
34510		Display of Shipping Papers on Demand Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
34517	(a)	Operation of Commercial Vehicle From Another Country Restricted	1000	1000	700		500	500	200	200	4100	40	35	1	0	4176	4a	0
34518	(a)	⁸¹ Violation of Foreign Motor Carrier and Private Foreign Motor Carrier Registration and Operation Requirements and Limitations	1000	1000	700		500	500	200	200	4100	40	35	1	0	4176	4a	0
34518	(b) (1-3)	⁸¹ Violation of Motor Carrier Registration and Operation Requirements	1000	1000	700		500	500	200	200	4100	40	35	1	0	4176	4a	0
35100	(a)	Outside Width of Vehicle or Load Exceeding 102 Inches	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
35100.5		Operation of Cotton Module Mover in Violation of Width Standards Set by the County Board of Supervisors	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
35101		Failure to Comply With CHP Width Standards of Vehicles Equipped With Pneumatic Tires	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
35102		Carrying a Load of Loosely Loaded Agricultural Products on Racks More Than 120 Inches Wide	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
35104	(a,b)	Special Vehicles More Than 120 Inches Wide	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
35109		Motor Vehicle With Lights, Mirrors, or Other Devices Extending Beyond 10 Inches From Side of Vehicle	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
35110		Motor Vehicle With Door Handles, Hinges, Cable Cinchers, Chain Binders, Aerodynamic Devices, and/or Placard Holders Extending Beyond 3 Inches of Side of Vehicle	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
35111		Operating Passenger Vehicle With Load Exceeding Permissible Width Beyond Fenders	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
35250		Height Limits of Vehicle/Load Defined	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
35251	(a)	Hydraulic Boom or Mast Must Be Secured in Transit	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
35252	(a-c)	Failure to Use Vertical Clearance Measuring Device as Required	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
35400	(a)	Overlength-Single Vehicle Specifications	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
35400	(e)(1)	Improper or Unsafe Mounting of Bicycle on Bus	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
35401	(a)	Overlength-Vehicle Combination Specifications	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
35401	(b)	Overlength-Vehicle Combination Specifications	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
35401.9		Overlength - Driveaway-Towaway Combination	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
35406	(a,b)	Front Projections Defined	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
35407	(a-d)	Noncompliance With Boom and Mast Regulations	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
35408		Installation of Front Bumper Projecting More Than 2 Feet Forward From Frontmost Part of Vehicle	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
35409	(a)	Use of Dismountable Photo or Motion Picture Device Extending Over 5 Feet in Front of the Cab Structure of Vehicle	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
35409	(b)	Use of Unauthorized Dismountable Platform for Purpose of Making Instructional Safe Driving Motion Pictures	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
35410		Rear Projections Defined	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
35411		Noncompliance With Maximum Length and Load Standards	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
35550	(a-c)	⁸² Maximum Weight on Single Axle or Wheels								[See Overweight Chart]						4a	0	
35551	(a,b)	⁸² Computation of Allowable Gross Weight (Overweight)								[See Overweight Chart]						4a	0	
35551.5		⁸² Violation of Gross Weight Computation Method Prescribed for Combinations Containing Trailer/Semitrailer by Less Than 4,500 Pounds								[See Overweight Chart]						4a	0	
35552		⁸² Failure to Comply With Log Transportation Standards of the Christensen-Belotti Act	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0

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* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points	
			1	10/10	7		5/10	5	20%	2	40	35	1	0				
35554	(a)(1)	Weight in Excess of 20,500 Pounds on a Bus Axle								[See Overweight Chart]						4a	0	
35554	(c)	Operation of Transit Bus in Excess of Specified Weight Limit								[See Overweight Chart]						4a	0	
35554	(1,2)																	
35554	(d)	Operation of Articulated or Zero-emission Transit Bus in Excess of Specified Weight Limit								[See Overweight Chart]						4a	0	
35554	(1-4)																	
35554	(f)	Failure to Provide Required Information for Operation of Articulated Transit Bus	250	250	175		125	125	50	50	1025	40	35	1	0	1101	2a	0
35554	(h)	Operation of Transit Bus in Excess of Federal Weight Limit								[See Overweight Chart]						4a	0	
35554	(i)	Weight in Excess of 20,000 Pounds on One Axle Without Four Wheels								[See Overweight Chart]						4a	0	
35600		⁸² Noncompliance With Solid Tire Gross Weight Limitation Standards by Less Than 4,501 Pounds								[See Overweight Chart]						4a	0	
35601		⁸² Noncompliance With Metal Tire Gross Weight Limitation Standards by Less Than 4,501 Pounds								[See Overweight Chart]						4a	0	
35655	(a)	⁸² Operation of Vehicle on Highway Containing Load Exceeding Maximum Weight Highway Is Designed to Sustain by Less Than 4,501 Pounds								[See Overweight Chart]						4a	0	
35712		⁸² Violation of County Ordinance Prohibiting Commercial Vehicles Exceeding Certain Weight Limitations by Less Than 4,501 Pounds in Residential Area								[See Overweight Chart]						4a	0	
35753	(a)	⁸² Operation of Vehicle Over Bridge, Causeway, Viaduct, Trestle, or Dam in Vehicle Containing Load Exceeding the Maximum Weight the Structures Will Safely Sustain by Less Than 4,501 Pounds								[See Overweight Chart]						4a	0	
35783		Failure to Present Valid Permit Upon Request	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
35783.5		Warning Signs Must Be Removed or Covered When Operating Without a Load	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
36300		Operating a Farm Tractor Drawing Trailer of Produce Without Valid Driver's License	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
36400		Operating Vehicle Designed Exclusively for Moving Implements of Husbandry at a Speed of More Than 35 MPH	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
36508		Moving New Implement of Husbandry at Speed Over 25 MPH Without "Slow Moving Vehicle Emblem" Displayed as Required	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
36510		Operating Implements of Husbandry Vehicles at Speed Beyond That Safely Required to Stop Within 32 Feet	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
36600		Transporting Implements of Husbandry That Exceed the Width Limitation of 120 Inches More Than 25 Miles From Their Point of Origin	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
36605		Noncompliance With Width Limitations Imposed on Trailers and Semi-trailers Not Used in the Exclusive Transportation of Implements of Husbandry	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
36606	(a)	Noncompliance With the Automatic Bale Wagon Width Limitation of 120 Inches	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
36705		Operation of Automatic Bale Wagon Exceeding 96 Inches in Width, or Carrying a Load in Excess of 100 Inches During Darkness	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
38010	(a)	A Failure to Display Identification Plate or Device	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
38010	(a)	B Failure to Display Identification Plate or Device	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
38020		Registration Required for Off-Highway Vehicle/Riding in Violation of Season Prohibited	50	50	35		25	25	10	10	205	40	35	1	0	281	4a	0
38026.5	(b)(1)	Operation of Off-Highway Vehicle on Highway	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
38026.5	(b)(2-5)	A Operation of Off-Highway Vehicle on Highway	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
38026.5	(b)(2-5)	B Operation of Off-Highway Vehicle on Highway	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0

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* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points	
			1	10/10	7		5/10	5	20%	2	40	35	1	0				
38205	A	Failure to Transfer Ownership As Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
38205	B	Failure to Transfer Ownership As Required	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
38300		Unlawful to Disobey Specified Sign, Signal, or Traffic Control Device	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
38301	⁸³	Unlawful to Violate Off-Highway Vehicle Operation Regulations	50	50	35		25	25	10	10	205	40	35	1	0	281	4a	0
38301.3	⁸⁴	Unlawful Entry of Motor Vehicle Into Federal or State Wilderness Area	150	150	105		75	75	30	30	615	40	35	1	0	691	4a	0
38301.5		Violation of Local Ordinance Prohibiting Entry Into Mountain Fire District	150	150	105		75	75	30	30	615	40	35	1	0	691	4a	0
38304.1		Knowingly Allowing Child to Operate Off-Highway Vehicle in Violation of Vehicle Code Section 38304	35	40	28		20	20	7	8	158	40	35	1	0	234	4a	0
38305		Driving Off-Highway Vehicle at Unsafe Speed	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
38330	A	Unlawful to Operate Vehicle That Is Unsafe, Not Equipped as Required for an Off-Highway Vehicle, or Not Safely Loaded	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
38330	B	Unlawful to Operate Vehicle That Is Unsafe, Not Equipped as Required for an Off-Highway Vehicle, or Not Safely Loaded	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
38366	(a)	Vehicle with Spark Arrester not in Effective Working Order	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
38366	(b) A	Vehicle with Spark Arrester not in Effective Working Order	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
38366	(b) B	Vehicle with Spark Arrester not in Effective Working Order	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
38375	(a) A	Off-Highway Motor Vehicle Equipped With Siren	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
38375	(a) B	Off-Highway Motor Vehicle Equipped With Siren	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
38375	(b)	Use of Siren While Driving an Off-Highway Motor Vehicle	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
38390	A	Operating or Maintaining in a Condition of Readiness an Off-Highway Vehicle Without Proper Emission Control Equipment	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
38390	B	Operating or Maintaining in a Condition of Readiness an Off-Highway Vehicle Without Proper Emission Control Equipment	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
38503	A	Conditions of Minor Operating All-Terrain Vehicle	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
38503	B	Conditions of Minor Operating All-Terrain Vehicle	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
38504.1	(a)	⁸⁵ Allowing Child Under 14 Years of Age to Operate an All-Terrain Vehicle Without Safety Training/Supervision/Safety Certificate Required Under VC 38504	125	130	91		65	65	25	26	527	40	35	1	0	603	4a	0
38505	A	Operating or Riding All-Terrain Vehicle While Not Wearing Safety Helmet as Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
38505	B	Operating or Riding All-Terrain Vehicle While Not Wearing Safety Helmet as Required	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
38506		Carrying Passenger on All-Terrain Vehicle on Public Lands	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
38600	⁸⁶	Operating a Recreational Off-Highway Vehicle by Person Under 16 Years of Age That Is Unsupervised by an Authorized Adult, on Public Lands	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
38601	A	Operating or Riding in Recreational Off-Highway Vehicle on Public Land by Person While Not Wearing Safety Helmet as Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
38601	B	Operating or Riding in Recreational Off-Highway Vehicle on Public Land by Person While Not Wearing Safety Helmet as Required	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
38602	A	⁸⁶ Operating or Riding in Recreational Off-Highway Vehicle by Person While Not Wearing Safety Belt or Harness as Required, on Public Lands	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
38602	B	⁸⁶ Operating or Riding in Recreational Off-Highway Vehicle by Person While Not Wearing Safety Belt or Harness as Required, on Public Lands	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
38603	(a)	⁸⁶ Operating a Recreational Off-Highway Vehicle With a Model Year of 2014 or Later While Allowing a Passenger to Ride in Seat Location Not Provided by Manufacturer, on Public Lands	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0

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	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points
38603	(b)	⁸⁶ Operating a Recreational Off-Highway Vehicle With a Model Year of 2013 or Earlier While Allowing a Passenger to Ride in Seat Location That Is Not Contained Inside of the Rollover Protection Structure, on Public Lands	35	40	28	5/10	5	20%	2	158	40	35	1	0	234	2a	0
38604	(a)	⁸⁶ Operating a Recreational Off-Highway Vehicle While Allowing a Passenger to Ride Who Cannot Grasp Handhold When Belted or Harnessed as Required, on Public Lands	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
38604	(c)	Recreational Off-Highway Vehicle With Handhold That Interferes With Passenger Exit From the Vehicle	25	30	21	15	15	5	6	117	40	35	1	0	193	2a	0
39002	(b)	⁸⁷ Illegal to Tamper With/Destroy Bicycle Identification	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
40001	(a,b)	Owner's Responsibility [Bail should be in accordance with the bail on the underlying offense.]	0	0	0	0	0	0	0	0	0	0	0	0	0		0
40151	(a)	Failure to Bring Lighting Equipment Into Compliance or Comply With Removal Order Within 24 Hours of Inspection	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
40151	(b)	Failure to Bring Lighting Equipment Into Compliance or Comply With Removal Order Within 48 Hours of Inspection	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
40508	(a,b)	Violation of Promise to Appear, Promise to Pay	25	30	21	15	15	5	6	117	40	35	1	0	193	4a	0
42005	(i)	⁸⁸ Failure to Attend Court-Ordered TVS	35	40	28	20	20	7	8	158	40	35	1	0	234	4a	0

Notes

^A Violation cited on a notice to appear as not eligible for correction. (VC 40303.5, VC 40522, and VC 40610.) A citing officer may issue a noncorrectable notice to appear for an equipment, driver's license, or registration offense that is potentially eligible for correction if the officer determines that the violation presents an immediate safety hazard, there is evidence of fraud or persistent neglect, or the violator does not agree to, or cannot, promptly correct the violation. (See California Highway Patrol v. Superior Court (2008) 158 Cal.App.4th 726 [riding a motorcycle without wearing any helmet presents an "immediate safety hazard" when an officer makes that determination and issues a noncorrectable citation].) If a citation does not indicate that an offense is eligible for correction under VC 40522, a court may presume that the offense is cited as noncorrectable. (See also id. at p. 740 [a court may infer from the type of citation issued that the officer did or did not find disqualifying circumstances].)

^B Violation cited on a notice to appear as eligible for correction. (VC 40303.5, VC 40522, and VC 40610.) A potentially eligible equipment, driver's license, or registration offense may be cited as correctable on a notice to appear unless the citing officer determines that the violation presents an immediate safety hazard, there is evidence of fraud or persistent neglect, or the violator does not agree to, or cannot, promptly correct the violation. (See California Highway Patrol v. Superior Court (2008) 158 Cal.App.4th 726 [riding a motorcycle without wearing any helmet presents an "immediate safety hazard" when an officer makes that determination and issues a noncorrectable citation].)

¹ Per VC 28(c): "Any person failing to notify the city police department, sheriff's department, or campus police department as required by this section is guilty of an infraction, and shall be fined a minimum of \$300, and up to \$500."

² Minimum fine set by VC 42001.1.

³ Minimum fine set by VC 42001.8. (See VC 40152 regarding proof for adjudication.)

⁴ Per VC 4461.3, a city or county may adopt an ordinance or resolution to assess an additional penalty of \$100.

⁵ Per VC 4463(e): Fine "... not less than \$100 and not more than \$250 for a first offense"

⁶ Per VC 5201.1(d): "punishable by a fine of \$250 per item sold or per violation."

⁷ Per VC 10852.5(c): "A violation of this section is punishable as an infraction by a fine, as follows:

(1) For a first offense, by a fine of one thousand dollars (\$1,000).

(2) For a second offense, by a fine of two thousand dollars (\$2,000).

(3) For a third or subsequent offense, by a fine of four thousand dollars (\$4,000)."

See related misdemeanor Business and Professions section 21610.

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* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points	
			1	10/10	7		5/10	5	20%	2	40	35	1	0				
x2		Per VC 11500(a)(3) "A person who violates subdivision (a) due to possessing nine or more catalytic converters that have been cut from a vehicle pursuant to Section 220 is, for a first violation, guilty of an infraction punishable by a fine of not more than one hundred dollars (\$100). A person convicted of a second separate violation of subdivision (a) for this reason is guilty of a misdemeanor punishable by a fine of not less than two hundred fifty dollars (\$250). A person convicted of a third separate violation of subdivision (a) for this reason is guilty of a misdemeanor punishable by a fine of not less than five hundred dollars (\$500). A person convicted of a fourth or subsequent violation of subdivision (a) for this reason shall be punished by a fine of not less than one thousand dollars (\$1,000)."																
		⁸ Per VC 40000.10: "A violation of subdivision (a) of Section 12500 shall be punished as follows: (a) Except as provided in subdivision (b), as an infraction by a fine of one hundred dollars (\$100) for a first or second violation. (b) As a misdemeanor or an infraction as prescribed by Section 19.8 of the Penal Code if a person has a prior driver's license suspension or revocation for a violation of subdivision (c) of Section 192 of the Penal Code, subdivision (e) of Section 12809, or of Section 13353, 13353.1, 13353.2, 23103, 23104, 23105, 23109, 23152, 23153, or 23154. (c) As a misdemeanor or an infraction as prescribed by Section 19.8 of the Penal Code for a third or subsequent violation."																
		⁹ Per PC 19.8: VC 12500 charged as an infraction is subject to fine "... not to exceed \$250"																
		¹⁰ Per VC 12814.6(e)(1): "the court shall impose one of the following: (A) Not less than 8 hours nor more than 16 hours of community service for a first offense ... (B) A fine of not more than \$35 for first offense"																
		¹¹ Per VC 14601.1(e), VC 14601.1 applies to the operation of an off-highway motor vehicle on those lands to which the Chappie-Z'berg Off-Highway Motor Vehicle Law of 1971 (Division 16.5 (commencing with VC 38000)) applies as to off-highway motor vehicles, as described in VC 38001. Per PC 19.8: VC 14601.1(a) charged as an infraction is subject to fine "...not to exceed \$250"																
		¹² Per VC 14606(d): "operative on January 30, 2014."																
		¹³ Per VC 14611: "a fine of not less than \$5,000 nor more than \$10,000."																
		¹⁴ Per VC 15309.5(b): "A first conviction under this section is punishable as either an infraction or a misdemeanor A second or subsequent conviction is punishable as a misdemeanor"																
		¹⁵ VC 15620(b) permits the court to reduce or waive the fine if the defendant establishes to the satisfaction of the court that he or she is economically disadvantaged and the court, instead, refers the defendant to a community education program that includes education on the dangers of leaving young children unattended in motor vehicles, and provides certification of completion. Upon completion of that program, the defendant shall provide that certification to the court.																
		¹⁶ Per VC 16025(b): "... fine not to exceed \$250"																
		¹⁷ Per VC 16029(a): "...fine of not less than \$100 and not more than \$200 for first conviction. Per VC 16029(e): "(1) Except as provided in this subdivision, the court shall impose a fine that is greater than the minimum fine specified in subdivision (a) or (b), and may not reduce that fine to the minimum fine authorized under those provisions, unless the defendant has presented the court with evidence of financial responsibility, as defined in Section 16020, for the vehicle. In no event may the court impose a fine that is less than the minimum specified in subdivision (a) or (b), or impose a fine that exceeds the maximum fine authorized under those subdivisions. ... (2) Notwithstanding any other provisions of law, the imposition of the fine required under subdivision (a) or (b) is mandatory upon conviction of a violation of subdivision (a) of Section 16028 and may not be waived, suspended, reduced below the minimum fines, unless the court in its discretion reduces or waives the fine based on the defendant's ability to pay."																
		¹⁸ Per VC 21070: "punishable as an infraction" Per VC 42001.19: "a person convicted of a violation of Section 21070 is punishable as follows: (a) For a violation involving bodily injury, by a fine of \$70."																
		¹⁹ Per VC 21070: "punishable as an infraction" Per VC 42001.19: "a person convicted of a violation of Section 21070 is punishable as follows: ... (b) For a violation involving great bodily injury, as defined in Section 12022.7 of the Penal Code, by a fine of \$95."																
		²⁰ Per VC 210207.5 (c): "The Department of Parks and Recreation may prohibit the operation of an electric bicycle or any class of electric bicycle on any bicycle path or trail within the department's jurisdiction."																
		²¹ This code section also pertains to offenses that may be cited as a parking violation.																
		²² Under VC 21212(d), a first charge under VC 21212(a) shall be dismissed when the person charged alleges in court, under oath, that the charge against the person is the first charge against that person under VC 21212(a), unless it is established in court that the charge is not the first charge against that person.																
		²³ Senate Bill 543; Stats: 2020, ch. 280																
		²⁴ Per VC 407.5(a), "A "motorized scooter" is any two-wheeled device that has handlebars, has either a floorboard that is designed to be stood upon when riding or a seat and footrests in place of the floorboard, and is powered by an electric motor. This device may also be designed to be powered by human propulsion. For purposes of this section, a motorcycle, as defined in Section 400, a motor-driven cycle, as defined in Section 405, or a motorized bicycle or moped, as defined in Section 406, is not a motorized scooter."																
		²⁵ Per VC § 21296(c): a conviction for a violation of this section shall be punished by a fine of not more than \$250."																
		²⁶ Per 21300"(e) A charge under this section shall be dismissed when the person charged alleges in court, under oath, that the charge against the person is the first charge against that person under this section, unless it is otherwise established in court that the charge is not the first charge against the person. (f) (1) Except as provided in subdivision (e), a violation of this section is an infraction punishable by a fine of not more than twenty-five dollars (\$25). (2) The parent or legal guardian having control or custody of an unemancipated minor whose conduct violates this section shall be jointly and severally liable with the minor for the amount of the fine imposed pursuant to this subdivision."																
		²⁷ Per VC 42001.15: "... fine of one hundred dollars."																
		²⁸ VC 42001.15 sets fine of \$100 for violations of 21453(a),(c).																
		²⁹ Per VC 21464: "(e) Any willful violation of subdivision (a), (b), or (c) that does not result in injury to, or the death of, a person is punishable by a fine of not more than \$5,000. ... (f) The court shall allow the offender to perform community service designated by the court in lieu of all or part of any fine imposed under this section."																

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	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points
			1	10/10	7		5/10	5	20%	2	40	35	1	0			
	³⁰ Per Department of Motor Vehicles Court Information Memo 17-01, violations of this offense in a commercial vehicle carry 1.5 DMV points																
	³¹ Per VC 42001.11: "fine of not less than \$100 nor more than \$150."																
	³² Per VC 21712 (e): "fine of \$100" for a violation of VC 21712(c) or (d).																
	³³ Per VC 42001.16: "fine of \$100"																
	³⁴ Per VC 42001.12: "fine of not less than \$100"																
	³⁵ Per VC 21809(b): "fine of not more than \$50."																
	³⁶ Per VC 42001.17: "fine of \$100."																
	³⁷ For additional definitions of pedestrian responsibility, see VC 21456.																
	³⁸ Violation expanded to include activity on expressway. Per VC 1803(b)(6), a violation by a pedestrian or by a person on a bicycle or motorized scooter is not reportable to DMV.																
	³⁹ Violation of VC 21451(a,b), VC 21453(b), VC 21950(a), or VC 21952 and causing bodily injury. VC 21971 serves as a citing section when cited in tandem with the primary offense to charge the additional element of causing bodily injury. Per VC 42001.18: "every person convicted of an infraction for a violation of Section 21971 shall be punished as follows: (a) For the first infraction, by a fine of \$220."																
	⁴⁰ Per VC 22348(b)(1), a first violation is punishable by a fine "not to exceed \$500."																
	⁴¹ For definitions of prima facie speed, see VC 22352.																
	⁴² Per VC 42000.5: "... fine not exceeding \$100 for a first conviction, except that if the person has exceeded the specified speed limit by 10 miles per hour or more, the fine shall not exceed \$200.																
	⁴³ VC 42000.5 specifies fine amounts for designated vehicles.																
	⁴⁴ Per Vehicle Code section 22406.1, a violation of subdivision (b) "is a 'serious traffic violation,' as defined in subdivision (p) of Section 15210, and is subject to the sanctions provided under Section 15306 or 15308, in addition to any other penalty provided by law."																
	⁴⁵ Per VC 22406.5: "fine not less than \$500"																
	⁴⁶ Per VC 42001.16(a)(1), for a first infraction: "fine of \$100"																
	⁴⁷ Per VC 22454.5: "... fine of not less than \$150"																
	⁴⁸ Per VC 42001.5: "(a) . . . fine of not less than \$250. (b) No part of any fine imposed under this section may be suspended, except that the court may suspend that portion of the fine above \$100." GC 70372(b) imposes an additional state court construction penalty of \$4.50. Per GC 76000: "(b) In each authorized county, provided that the board of supervisors has adopted a resolution stating that the implementation of this subdivision is necessary to the county for the purposes authorized, with respect to each authorized fund established pursuant to Section 76100 or 76101, for every parking offense where a parking penalty, fine, or forfeiture is imposed, an added penalty of \$2.50 shall be included in the total penalty, fine, or forfeiture. Except as provided in subdivision (c), for each parking case collected in the courts of the county, the county treasurer shall place in each authorized fund \$2.50. (c) The county treasurer shall deposit \$1 of every \$2.50 collected pursuant to subdivision (b) into the general fund of the county. (d) The authority to impose the \$2.50 penalty authorized by subdivision (b) shall be reduced to \$1 as of the date of transfer of responsibility for facilities from the county to the Judicial Council pursuant to Article 3 (commencing with Section 70321) of Chapter 5.1, except as money is needed to pay for construction provided for in Section 76100 and undertaken prior to the transfer of responsibility for facilities from the county to the Judicial Council."																
	⁴⁹ Per VC 42001.6: "Every person convicted of an infraction for a violation of Section 22511.1 is punishable by a fine of \$100. No part of any fine imposed shall be suspended, except the court may suspend that portion of the fine above \$25 for a violation of Section 22511.1 if the person convicted possessed at the time of the offense, but failed to display, a valid zero-emission vehicle decal identification issued pursuant to subdivision (a) of Section 5205.5. The fine may be paid in installments if the court determines that the defendant is unable to pay the entire amount in one payment." GC 70372(b) imposes an additional state court construction penalty of \$4.50 penalty. GC 76000.3 imposes a \$3 penalty on every fine imposed for a parking infraction violation. Per GC 76000: "(b) In each authorized county, provided that the board of supervisors has adopted a resolution stating that the implementation of this subdivision is necessary to the county for the purposes authorized, with respect to each authorized fund established pursuant to Section 76100 or 76101, for every parking offense where a parking penalty, fine, or forfeiture is imposed, an added penalty of \$2.50 shall be included in the total penalty, fine, or forfeiture. Except as provided in subdivision (c), for each parking case collected in the courts of the county, the county treasurer shall place in each authorized fund \$2.50. (c) The county treasurer shall deposit \$1 of every \$2.50 collected pursuant to subdivision (b) into the general fund of the county. (d) The authority to impose the \$2.50 penalty authorized by subdivision (b) shall be reduced to \$1 as of the date of transfer of responsibility for facilities from the county to the Judicial Council pursuant to Article 3 (commencing with Section 70321) of Chapter 5.1, except as money is needed to pay for construction provided for in Section 76100 and undertaken prior to the transfer of responsibility for facilities from the county to the Judicial Council."																
	⁵⁰ Per VC 22523(c): "... fine not less than \$100"																
	⁵¹ Per VC 42001.1: "For a first conviction, a fine of not less than \$50 nor more than \$100." These code sections also pertain to offenses that may be cited as a parking violation.																
	⁵² Per VC 42001.16(a)(1), for a first infraction: "fine of \$100"																
	⁵³ Per PC 19.8: VC 23109(c) charged as an infraction is subject to fine "... not to exceed \$250"																
	⁵⁴ Per VC 42001.7: "... fine not less than \$100" "The court shall in addition to the fines imposed ... order the offender to pick up litter or clean up graffiti at time and place within the jurisdiction of the court ... " pursuant to VC 42001.7(b).																
	⁵⁵ Per VC 42001.4: "...fine of not less than \$50 nor more than \$100."																
	⁵⁶ Per VC 23123.5(d): "fine of \$20 for a first offense and \$50 for each subsequent offense." Assem. Bill 487; Stats. 2020, ch. 603. Per Vehicle Code section 12810.3, "Notwithstanding subdivision (f) of Section 12810, a violation point shall be given only for a conviction of a violation of subdivision (a) of Section 23123, subdivision (a) of Section 23123.5, or subdivision (b) of Section 23124, occurring on or after July 1, 2021, that occurs within 36 months of a prior conviction for the same 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* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points
			1	10/10	7		5/10	5	20%	2	40	35	1	0			
57		Per Vehicle Code section 12810.3, "Notwithstanding subdivision (f) of Section 12810, a violation point shall be given only for a conviction of a violation of subdivision (a) of Section 23123, subdivision (a) of Section 23123.5, or subdivision (b) of Section 23124, occurring on or after July 1, 2021, that occurs within 36 months of a prior conviction for the same offense."															
58		Per VC 23124(c): "fine of \$20 for a first offense and \$50 for each subsequent offense." Assem. Bill 487; Stats. 2020, ch. 603. Per Vehicle Code section 12810.3, "Notwithstanding subdivision (f) of Section 12810, a violation point shall be given only for a conviction of a violation of subdivision (a) of Section 23123, subdivision (a) of Section 23123.5, or subdivision (b) of Section 23124, occurring on or after July 1, 2021, that occurs within 36 months of a prior conviction for the same offense."															
59		Set per VC 42001.9.															
60		Per VC 42001.25: "fine of \$100" For defendants at least 18 years of age who are convicted of a first violation of VC 23140, VC 23502(a) requires a court order to attend a licensed driving-under-the-influence program.															
61		Per VC 23222(b): " ... fine of not more than \$100."															
62		Per VC 40000.20: a third or subsequent violation relating to "a driver of any vehicle used to provide transportation services on a prearranged services, operating under a valid certificate or permit pursuant to the Passenger Charter-party Carriers' Act (Chapter 8 (commencing with Section 5351) of Division 2 of the public Utilities Code), is a misdemeanor.															
x1		Pursuant to Vehicle Code section 40258, as of July 1, 2024, "(a) (1) The schedule of toll evasion penalties for a toll evasion violation on a toll bridge shall not exceed twenty-five dollars (\$25) for the notice of toll evasion violation, and shall not exceed fifty dollars (\$50) for the notice of delinquent toll evasion violation for a cumulative total of fifty dollars (\$50) for each individual toll evasion violation. (2) Notwithstanding paragraph (1), the schedule of toll evasion penalties may include any administrative fee, fine, or assessment imposed by the state after enactment of this chapter in addition to the cumulative fifty-dollar (\$50) limit per each individual toll evasion violation. (b) If the registered owner, by appearance or by mail, makes payment to the processing agency within 15 days of the mailing of the notice of toll evasion violation issued pursuant to subdivision (a) of Section 40254 for a bridge toll evasion, the amount owed shall consist of the amount of the toll without any additional penalties, administrative fees, or charges. (c) The maximum penalty for each toll evasion violation included in a notice of toll evasion for either a toll highway, toll road, or express lane shall be sixty dollars (\$60). The maximum cumulative toll evasion penalty shall not exceed one hundred dollars (\$100) for each individual toll evasion violation. (d) Toll evasion penalties under this article shall be collected as civil penalties. (e) The amounts specified in this section may be adjusted periodically by an issuing agency at a rate not to exceed any increase in the California Consumer Price Index as compiled and reported by the Department of Industrial Relations. (f) An issuing agency shall waive the toll evasion penalty for a first violation with the issuing agency if the person contacts, as applicable, the issuing or processing agency customer service center within 21 days from the mailing of the notice of toll evasion violation, and the person is not currently an account holder with the issuing agency, signs up for an account, and pays the outstanding toll."															
63		This code section also pertains to offenses that may be cited as a parking violation.															
64		When a violation of speeding is alleged, refer to the Speed Chart.															
65		Per VC 42001.20(a): "... fine of \$150." Per VC 42001.20(b): a second offense within one year is punishable by "a fine not exceeding \$200." Per VC 42001.20: a violation occurring within one year of two or more prior violations is punishable by "a fine not exceeding \$250."															
66		VC 27150.2 requires that a station providing referee functions under H&S 44036 only issue a certificate of compliance for vehicular exhaust systems for vehicles that have received a citation for violation of VC 27150 or VC 27151.															
67		Per PC 19.8: VC 27150.1 charged as an infraction is subject to fine "... not to exceed \$250"															
68		Per VC 42001(c): " ... fine of \$250"															
69		Per VC 42001(c): " ... fine of \$1,000"															
70		VC 27150.2 requires that a station providing referee functions under H&S 44036 issue a certificate of compliance for vehicular exhaust systems only for vehicles that have received a citation for violation of VC 27150 or VC 27151.															
71		Per VC 42001.2: "... fine not less than \$250"															
72		Per VC 42001.14: "... fine not less than \$50 or more than \$100." Per VC 27156(d): "If the court finds that a person has willfully violated this section, the court shall impose the maximum fine" Per PC 7: "willfully" implies "... simply a purpose or willingness to commit the act, or make the omission referred to." Under VC 27156 (g) a notice to appear or complaint issued for violation of VC 27156 must require proof of correction pursuant to VC 40150 or proof of exemption pursuant to 40001.1 or 4000.2.															
73		Per VC 27315(h): "... fine of not more than \$20 for a first offense and \$50 for each subsequent offense. In lieu of the fine and any penalty assessment or court costs, the court, pursuant to Section 42005, may order that a person convicted of a first offense attend a school for traffic violators or another court-approved program in which the proper use of safety belts is demonstrated."															
74		Per VC 27318 (i) the offense is "punishable by a fine of not more than twenty dollars (\$20) for a first offense, and a fine of not more than fifty dollars (\$50) for each subsequent offense"															
75		Per VC 27319 (c) the offense is "punishable by a fine of not more than twenty dollars (\$20) for a first offense, and a fine of not more than fifty dollars (\$50) for each subsequent 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	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points
			1	10/10	7		5/10	5	20%	2	40	35	1	0			
		<p>⁷⁶ Per VC 27360.6(a): "(1) ... a first offense is punishable by a fine of \$100, except that the court may reduce or waive the fine if the defendant establishes to the satisfaction of the court that he or she is economically disadvantaged, and the court, instead, refers the defendant to a community education program that includes, but is not limited to, education on the proper installation and use of a child passenger restraint system for children of all ages, and provides certification to the court of completion of that program. Upon completion of the program, the defendant shall provide proof of participation in the program. If an education program on the proper installation and use of a child passenger restraint system is not available within 50 miles of the residence of the defendant, the requirement to participate in that program shall be waived. If the fine is paid, waived, or reduced, the court shall report the conviction to the department pursuant to Section 1803. (2) The court may require a defendant described under paragraph (1) to attend an education program that includes demonstration of proper installation and use of a child passenger restraint system and provides certification to the court that the defendant has presented for inspection a child passenger restraint system that meets applicable federal safety standards."</p> <p>⁷⁷ Vehicle Code section 27360.6(a)(1) states, "For a conviction under Section 27360 or 27360.5, a first offense is punishable by a fine of one hundred dollars (\$100), except that the court may reduce or waive the fine if the defendant establishes to the satisfaction of the court that he or she is economically disadvantaged..."</p> <p>⁷⁸ Set per VC 27365(c).</p> <p>⁷⁹ Per VC 27375(a)(1)(d): For modified limousines modified prior to July 1, 2015, the requirements of VC 27375(a) apply on and after January 1, 2017. Per VC 27375(d): "(1) Except as provided in paragraph (2), subdivision (a) shall not apply to any limousine manufactured before 1970 that has an active charter-party carrier (TCP) number that was issued by the commission as of August 15, 2013. (2) Subdivision (a) shall not apply to any limousine manufactured before 1970 if it was modified after August 15, 2013."</p> <p>⁸⁰ Per VC 42001.3.</p> <p>⁸¹ Per VC 34518(c): "fine of \$1,000."</p> <p>⁸² Per VC 40000.23: "Violation ... a misdemeanor and not an infraction ... except where the amount of excess weight is less than 4,501 pounds."</p> <p>⁸³ Per VC 42001.10: "... fine not less than \$50"</p> <p>⁸⁴ Per VC 38301.3(a): A first offense is "punishable by a fine not exceeding \$150."</p> <p>⁸⁵ Per VC 38504.1(b)(1): for a first conviction "... the court shall either impose a fine of \$125 or order the person to take or retake and complete an all-terrain safety training course pursuant to VC 38501."</p> <p>⁸⁶ Senate Bill 785; Stats. 2020. Ch. 469.</p> <p>⁸⁷ For a violation of any ordinance or resolution adopted pursuant to VC 39002(a), per VC 39011 the fine shall not exceed \$10.</p> <p>⁸⁸ Per PC 19.8: VC 42005 charged as an infraction is subject to a fine "... not to exceed \$250"</p>															

TRAFFIC INFRACTION FIXED PENALTY SCHEDULE

(*See Preface, Section III) (**See Preface, Section IV)

(Vehicle Code)

OVERWEIGHT CHART (Per VC 42030) ¹

Pounds of Excess Weight	Base Fine	State PA*	County PA*/10	DNA PA*	Court Const. PA*/10	Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **	
		1 10/10		7 5/10		5 P	2		40	35	1	0		
0-1,000		20	20	14	10	10	4	4	82	40	35	1	0	158
1,001-1,500		30	30	21	15	15	6	6	123	40	35	1	0	199
1,501-2,000		40	40	28	20	20	8	8	164	40	35	1	0	240
2,001-2,500		55	60	42	30	30	11	12	240	40	35	1	0	316
2,501-3,000		85	90	63	45	45	17	18	363	40	35	1	0	439
3,001-3,500		105	110	77	55	55	21	22	445	40	35	1	0	521
3,501-4,000		125	130	91	65	65	25	26	527	40	35	1	0	603
4,001-4,500		145	150	105	75	75	29	30	609	40	35	1	0	685

TRAFFIC MISDEMEANOR BAIL AND PENALTY SCHEDULE

(*See Preface, Section III) (**See Preface, Section IV)

(Vehicle Code)

4,501-5,000	175	180	126	90	90	35	36	732	40	35	1	0	808
5,001-6,000	\$0.04 each pound over limit												
6,001-7,000	\$0.06 each pound over limit												
7,001-8,000	\$0.08 each pound over limit												
8,001-10,000	\$0.15 each pound over limit												
10,001 and over	\$0.20 each pound over limit												

Calculate Base Bail from the amount specified for over 5,001 pounds for each pound of excess weight and then calculate the Added Penalties and Surcharge to determine the Total Bail.

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

OVERWEIGHT CHART (Per VC 42030) ¹

Pounds of Excess Weight	Base Fine	State PA*	County PA*/10	DNA PA*	Court Const. PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **
------------------------------------	------------------	----------------------	--------------------------	--------------------	------------------------------------	-------------------	----------------------------	---	------------------	---------------------	--------------------	--------------------	--------------------------

¹ Per VC 35551(f)(1), "A near-zero-emission or zero-emission vehicle may exceed the weight limits on the power unit by up to 2,000 pounds" Assem. Bill 2061 (Stats. 2018, ch. 580). Per VC 42030(d): Court may exercise discretion with respect to the imposition of the fine under this section if any applicable local permit was obtained prior to the court hearing and, at the time of issuance of the notice to appear, the motor carrier was transporting construction equipment or materials and a valid extra-legal load permit from the Department of Transportation was in effect. Per VC 40000.23: "Violation ... a misdemeanor and not an infraction ... except in case of weight violations where the amount of excess weight is less than 4,501 pounds."

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

WEIGHT CHART (Per VC 42030.1) ¹

Pounds in Excess of Declared Gross Vehicle Weight	Base Fine	State PA*	County PA*/10	DNA PA*	Court Facility Const. PA*/10	Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **
	1	10/10	7	5/10	5	20%	2		40	35	1	0	
1,001–1,500	250	250	175	125	125	50	50	1025	40	35	1	0	1101
1,501–2,000	300	300	210	150	150	60	60	1230	40	35	1	0	1306
2,001–2,500	350	350	245	175	175	70	70	1435	40	35	1	0	1511
2,501–3,000	400	400	280	200	200	80	80	1640	40	35	1	0	1716
3,001–3,500	450	450	315	225	225	90	90	1845	40	35	1	0	1921
3,501–4,000	500	500	350	250	250	100	100	2050	40	35	1	0	2126
4,001–4,500	550	550	385	275	275	110	110	2255	40	35	1	0	2331
4,501–5,000	600	600	420	300	300	120	120	2460	40	35	1	0	2536
5,001–6,000	700	700	490	350	350	140	140	2870	40	35	1	0	2946
6,001–7,000	800	800	560	400	400	160	160	3280	40	35	1	0	3356
7,001–8,000	900	900	630	450	450	180	180	3690	40	35	1	0	3766
8,001–10,000	1000	1000	700	500	500	200	200	4100	40	35	1	0	4176
10,001 and over	2000	2000	1400	1000	1000	400	400	8200	40	35	1	0	8276

¹ VC 42030.1 establishes fines for violations of declared gross or combined gross vehicle weight limits, including VC 4000.6(d).

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

SPEED CHART
(FOR ALL SPEED LIMITS)

MPH Over Limit	Base Fee	State PA*	County PA*/10	DNA PA*	Court Facility Const. PA*/10	Surcharge* Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **
	1	10/10	7	5/10	5	20%	2		40	35	1	0	
1-15	35	40	28	20	20	7	8	158	40	35	1	0	234
16-25	70	70	49	35	35	14	14	287	40	35	1	0	363
26 and over	100	100	70	50	50	20	20	410	40	35	1	0	486

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* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	Total Bail **	
			1	10/10		7	5/10	5	20%	2		40	30	1	
20		Unlawful to Make False Statements	100	100		70	50	50	20	20	410	40	30	1	481
31		Unlawful to Give False Information to Officer	100	100		70	50	50	20	20	410	40	30	1	481
1808.1	(b)	¹ Employer's Failure to Participate in DMV Pull-Notice System	300	300		210	150	150	60	60	1230	40	30	1	1301
1808.1	(f)	² Employment of Driver After Notice of Disqualifying Action by DMV	300	300		210	150	150	60	60	1230	40	30	1	1301
1808.45		Unauthorized Disclosure of DMV Records	1000	1000		700	500	500	200	200	4100	40	30	1	4171
2468	(a)	³ Failure of Licensed Renderer to Keep Written Records of Inedible Kitchen Grease	1000	1000		700	500	500	200	200	4100	40	30	1	4171
2468	(b)	³ Refusal of Licensed Renderer or Registered Transporter to Exhibit Required Record or Destruction of Required Record	1000	1000		700	500	500	200	200	4100	40	30	1	4171
2800	(a)	⁴ Refusal to Obey Peace Officer	50	50		35	25	25	10	10	205	40	30	1	276
2800	(b)(1)	Refusal to Comply With Peace Officer's Out-of-Service Order	200	200		140	100	100	40	40	820	40	30	1	891
2800	(b)(2)	Refusal of Driver Transporting Hazardous Materials to Comply With Peace Officer's Out-of-Service Order	200	200		140	100	100	40	40	820	40	30	1	891
2800	(b)(3)	Refusal of Driver of Vehicle Designed to Transport 16 or more People to Comply With Peace Officer's Out-of-Service Order	200	200		140	100	100	40	40	820	40	30	1	891
2800	(c)	Refusal to Comply With U.S. Secretary of DOT's Out-of-Service Order	200	200		140	100	100	40	40	820	40	30	1	891
2800	(d)	Refusal to Comply With Out-of-Service Order by Specified Persons	200	200		140	100	100	40	40	820	40	30	1	891
2800	(e)	Refusal of Driver of Commercial Vehicle to Comply With Inspection	200	200		140	100	100	40	40	820	40	30	1	891
2800.1	(a,b)	Fleeing Peace Officer Prohibited	500	500		350	250	250	100	100	2050	40	30	1	2121
2800.2	(a)	Fleeing Peace Officer—Reckless Driving With Disregard for Safety Involved	1000	1000		700	500	500	200	200	4100	40	30	1	4171
2800.3		⁵ Fleeing Peace Officer/Causing Injury	5000	5000		3500	2500	2500	1000	1000	20500	40	30	1	20571
2800.4		⁶ Driving Opposite to Direction of Lawfully Moving Traffic While Fleeing Peace Officer	3000	3000		2100	1500	1500	600	600	12300	40	30	1	12371
2801		⁴ Refusal to Obey Firefighter Prohibited	50	50		35	25	25	10	10	205	40	30	1	276
2803	(a)	⁴ Refusal to Adjust Unsafe or Unlawful Load	50	50		35	25	25	10	10	205	40	30	1	276
2803	(b)	⁴ Failure to Submit Weight Certificate or Bill of Lading to Officer	50	50		35	25	25	10	10	205	40	30	1	276
2813		Commercial Vehicle Inspection Required	25	30		21	15	15	5	6	117	40	30	1	188
4461	(b)	⁷ Improper Use of Disabled Person Placard	250	250		175	125	125	50	50	1025	40	30	1	1096
4461	(c)	⁸ Improper Display/Presentation of Disabled Person Placard	250	250		175	125	125	50	50	1025	40	30	1	1096
4461	(d)	⁸ Improper Use of Special Identification Plate	250	250		175	125	125	50	50	1025	40	30	1	1096
4462.5		Unlawful Display of Evidence of Registration With Intent to Avoid Compliance	150	150		105	75	75	30	30	615	40	30	1	686
4463	(b)(1-3)	⁹ Unlawful Forgery, Passing, Possession, or Sale of Disabled Person Placard With Fraudulent Intent	500	500		350	250	250	100	100	2050	40	30	1	2121
4463	(c)	¹⁰ Unlawful Display of Forged, Counterfeit, or False Disabled Person Placard With Fraudulent Intent	250	250		175	125	125	50	50	1025	40	30	1	1096
5753	(a-d)	¹¹ Failure of Commercial Dealer to Deliver Certificate of Ownership and Registration Card to Transferee	150	150		105	75	75	30	30	615	40	30	1	686
5753	(f)	¹² Failure of Licensed Dealer Upon Written Request to Disclose Pertinent Information Regarding Payment or Documents Required for Release	150	150		105	75	75	30	30	615	40	30	1	686

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* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	Total Bail **	
			1	10/10		7	5/10	5	20%	2		40	30	1	
5901	(a)	¹³ Failure of Dealer or Lessor-Retailer to Provide Notice of Transfer to DMV Within 5 Calendar Days of Sale	150	150		105	75	75	30	30	615	40	30	1	686
5901	(b)	¹³ Failure to Record Actual Mileage on DMV Notice of Transfer Form	150	150		105	75	75	30	30	615	40	30	1	686
5901	(c)	¹³ Noncompliance With Mileage Recording Requirement by Person Other Than Dealer in Possession of Vehicle	150	150		105	75	75	30	30	615	40	30	1	686
8802		¹³ Failure to Return Evidence of Registration to DMV Upon Cancellation, Suspension, or Revocation When Committed With Intent to Defraud	300	300		210	150	150	60	60	1230	40	30	1	1301
8804		¹⁴ Failure by California Resident to Pay California Registration Fees While Registering Vehicle in a Foreign Jurisdiction and Operating Vehicle in California	150	150		105	75	75	30	30	615	40	30	1	686
10501	(a)	¹⁵ False Report of Vehicle Theft With Intent to Deceive	300	300		210	150	150	60	60	1230	40	30	1	1301
10750	(a)	¹⁶ Unauthorized Alteration of Vehicle Numbers or Identification Marks	200	200		140	100	100	40	40	820	40	30	1	891
10751	(a)	¹⁷ Knowing Purchase, Sale, or Possession of Vehicle With Removed, Defaced, Altered, or Destroyed Registration or Identification Numbers	300	300		210	150	150	60	60	1230	40	30	1	1301
10753	(a)	Removing, Altering, or Obfuscating Marking that Has Been Added to a Catalytic Converter	1000	1000		700	500	500	200	200	4100	40	30	1	4171
10753	(b)	Knowingly Possessing Three or More Catalytic Converters that Have the Markings Altered, Removed, or Obfuscated	1000	1000		700	500	500	200	200	4100	40	30	1	4171
10851	(a)	¹² Driving or Taking Vehicle Without Consent of Owner With Intent to Deprive Owner of Title or Possession of Vehicle	1500	1500		1050	750	750	300	300	6150	40	30	1	6221
10851.5		¹⁸ Theft of Binder Chains	1000	1000		700	500	500	200	200	4100	40	30	1	4171
10852		¹⁶ Injuring or Tampering With Vehicle or Contents Without Consent of Owner	300	300		210	150	150	60	60	1230	40	30	1	1301
10853		¹⁶ Climbing Onto, Attempting to Manipulate, or Tampering With Unattended Vehicle With Intent to Commit Malicious Injury, Mischief, or Crime	500	500		350	250	250	100	100	2050	40	30	1	2121
10854		¹⁹ Tampering With, Driving, or Removing Any Part of Vehicle by Bailee	300	300		210	150	150	60	60	1230	40	30	1	1301
11500	(a)(1)	²⁰ Conducting Business as Automobile Dismantler Without Valid Permit/License and Official Place of Business	250	250		175	125	125	50	50	1025	40	30	1	1096
11520	(a)	²¹ Failure of Licensed Auto Dismantler to Provide Required Notice to DMV and DOJ Within Required Time	150	150		105	75	75	30	30	615	40	30	1	686
11700		²¹ Acting as Dealer, Remanufacturer, Manufacturer, Transporter, or Distributor Without a Valid License	250	250		175	125	125	50	50	1025	40	30	1	1096
11713	(a-d)	²¹ False Advertising by Dealer	250	250		175	125	125	50	50	1025	40	30	1	1096
11713	(e)	²¹ Engage in Business Without Required Bond	250	250		175	125	125	50	50	1025	40	30	1	1096
11713	(f)	²¹ Engage in Business Without Maintaining Established Place of Business	250	250		175	125	125	50	50	1025	40	30	1	1096
11713	(g)	²¹ Failure to Include Fee for Licensing and Transfer of Title as Added Cost in Selling Price	250	250		175	125	125	50	50	1025	40	30	1	1096
11713	(h)	²¹ Employ or Fail to Report Unlicensed Salesperson	250	250		175	125	125	50	50	1025	40	30	1	1096
11713	(i)	²¹ Deliver Vehicle for Operation on California Highways That Fails to Meet Code Requirements	250	250		175	125	125	50	50	1025	40	30	1	1096
11713	(j)	²¹ Permit or Engage in the Unauthorized Use of Special Plates	250	250		175	125	125	50	50	1025	40	30	1	1096

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* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	Total Bail **	
			1	10/10		7	5/10	5	20%	2	40	30	1		
11713	(k)	²¹ Falsely Advertise That No Down Payment Is Necessary	250	250		175	125	125	50	50	1025	40	30	1	1096
11713	(l)	²¹ Failure to Pay Full Sales Tax Due to IRS	250	250		175	125	125	50	50	1025	40	30	1	1096
11713	(m)	²¹ Permit Unauthorized Use of Dealer's License by Non-dealer	250	250		175	125	125	50	50	1025	40	30	1	1096
11713	(n)	²¹ Permit Unauthorized Use of Dealer's License by Non-dealer	250	250		175	125	125	50	50	1025	40	30	1	1096
11713	(o)	²¹ Disconnecting or Resetting Odometer by Dealer	250	250		175	125	125	50	50	1025	40	30	1	1096
11713	(p)	²¹ Acceptance of Deposit by Licensee Without Availability of Vehicle As Required	250	250		175	125	125	50	50	1025	40	30	1	1096
11713	(q)	²¹ Consignment of New Vehicle for Sale to Another Dealer	250	250		175	125	125	50	50	1025	40	30	1	1096
11713	(r)	²¹ Display of Vehicle for Sale at Place Not Authorized by DMV for Dealer	250	250		175	125	125	50	50	1025	40	30	1	1096
11713	(s)	²¹ Advertisement of Vehicle by Dealer Using Photo With Different Year, Make, Make, or Model	250	250		175	125	125	50	50	1025	40	30	1	1096
11713	(t)	²¹ Failure of Dealer to Disclose in Ad Previous Use of Vehicle	250	250		175	125	125	50	50	1025	40	30	1	1096
11713	(u)	²¹ Advertise prior use in an inaccurate manner	250	250		175	125	125	50	50	1025	40	30	1	1096
11713	(v)	²¹ Offering a subscription for hardware already installed	250	250		175	125	125	50	50	1025	40	30	1	1096
11713.17	(a,b)	Violation by Dealer, Manufacturer, or Distributor of Requirements for Securing Front License on Vehicle	150	150		105	75	75	30	30	615	40	30	1	686
11725	(a)	²¹ Removal of Vehicle to Foreign Jurisdiction for Registration	150	150		105	75	75	30	30	615	40	30	1	686
11725	(b)	²¹ Failure to Remove License Plates From Vehicle If Known That Vehicle Is to Be Exported to Foreign Jurisdiction	150	150		105	75	75	30	30	615	40	30	1	686
11800		²¹ Conduct of Business as Vehicle Salesperson Without Valid License	250	250		175	125	125	50	50	1025	40	30	1	1096
12110	(a)	²² Providing or Requesting a Commission, Gift, or Compensation Consideration of Arranging or Requesting the Services of a Tow Truck	1000	1000		700	500	500	200	200	4100	40	30	1	4171
12110	(c)	²² Exchange of Valuable Consideration Between Towing Service or Employee of Towing Service and Repair Shop or Employee of Repair Shop for the Delivery or Arranging of Delivery of a Vehicle for Storage or Repair	1000	1000		700	500	500	200	200	4100	40	30	1	4171
12500	(a)	²³ Unlawful to Drive Unless Licensed	100	100		70	50	50	20	20	410	40	30	1	481
12515	(b)	Minor Under 21 Employed to Drive in Interstate Commerce or Carry Hazardous Materials	200	200		140	100	100	40	40	820	40	30	1	891
12517	(a)(2)	²¹ Operation of School Bus Without Certificate in Possession While Transporting Pupils	250	250		175	125	125	50	50	1025	40	30	1	1096
12517	(b)	²¹ Operation of School Pupil Activity Bus Without Certificate in Possession While Transporting Pupils	250	250		175	125	125	50	50	1025	40	30	1	1096
12517.45	(a)	Unlawful Operation of Specified Vehicle Transporting Pupils	250	250		175	125	125	50	50	1025	40	30	1	1096
12519	(a)	Unlawful to Drive Without Farm Labor Vehicle License	80	80		56	40	40	16	16	328	40	30	1	399
12951	(b)	Refusal to Present License to Officer	50	50		35	25	25	10	10	205	40	30	1	276
13004	(a-g)	Identification Card—Unlawful Use	50	50		35	25	25	10	10	205	40	30	1	276
13004.1	(a)	²⁴ Manufacture/Sale of Fraudulent ID	250	250		175	125	125	50	50	1025	40	30	1	1096
14601	(a)	²⁵ Driving While Suspended or Revoked	300	300		210	150	150	60	60	1230	40	30	1	1301
14601.1	(a)	²⁵ Driving While Suspended or Revoked for Offenses Not Relating to Driving Ability	300	300		210	150	150	60	60	1230	40	30	1	1301

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* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	Total Bail **
14601.2	(a,b)	²⁶ Driving While Suspended or Revoked for Driving Under Influence of Alcohol/Drugs	500	10/10 500	350	5/10 250	5 250	20% 100	2 100	2050	40	30	1	2121
14601.3	(a)	²⁷ Accumulation of Driver Record History by Habitual Traffic Offender During Period of License Suspension or After Revocation	1000	1000	700	500	500	200	200	4100	40	30	1	4171
14601.4	(a)	²⁸ Causing Bodily Injury While Driving With Suspended License	500	500	350	250	250	100	100	2050	40	30	1	2121
14601.5	(a,b)	²⁹ Driving When Privilege Suspended or Revoked for Refusing Chemical Test or Driving With Excessive Blood Alcohol	500	500	350	250	250	100	100	2050	40	30	1	2121
14602.6	(g)(4)	Knowingly Releasing Impounded Vehicle Prior to End of Impoundment Period	2000	2000	1400	1000	1000	400	400	8200	40	30	1	8271
14604	(a)	²¹ Knowingly Allow Another to Drive Vehicle Without Valid Driver's License	150	150	105	75	75	30	30	615	40	30	1	686
14610	(a)(1-8)	Unlawful Use of License Defined	100	100	70	50	50	20	20	410	40	30	1	481
14610.1	(a)	³⁰ Manufacture/Sale of Fraudulent ID/Driver's License Prohibited	250	250	175	125	125	50	50	1025	40	30	1	1096
15309.5	(a)(1)	³¹ Sell, Offer, Distribute, or Use Crib Sheet or Device for Commercial Driver's License Examination	350	350	245	175	175	70	70	1435	40	30	1	1506
15309.5	(a)(2)	³¹ Impersonate or Allow Impersonation of Applicant for Commercial Driver's License Examination	350	350	245	175	175	70	70	1435	40	30	1	1506
15309.5	(a)(3)	³¹ Provide or Use Unauthorized Assistance During Commercial Driver's License Examination	350	350	245	175	175	70	70	1435	40	30	1	1506
15501		²¹ Presentation of False Driver's License by Minor	150	150	105	75	75	30	30	615	40	30	1	686
16030	(a)	³² False Evidence of Financial Responsibility	750	750	525	375	375	150	150	3075	40	30	1	3146
16560	(a,b)	Violation of Interstate Highway Carrier Requirements	300	300	210	150	150	60	60	1230	40	30	1	1301
20001	(a)	³³ Duty to Stop When Involved in Accident With Injury or Death	1000	1000	700	500	500	200	200	4100	40	30	1	4171
20002	(a,b)	Hit and Run—Property Damage	300	300	210	150	150	60	60	1230	40	30	1	1301
20003		³⁴ Failure to Provide Required Information or Render Necessary Assistance to Occupants of Struck Vehicle With Accident Resulting in Injury or Death	250	250	175	125	125	50	50	1025	40	30	1	1096
21200.5		Bicyclist Riding Under the Influence	150	150	105	75	75	30	30	615	40	30	1	686
21464	(d)	³⁵ Willful Interference With Traffic Device or Willful Use, Possession, or Distribution of Traffic Interference Device That Results in Injury or Death	5000	5000	3500	2500	2500	1000	1000	20500	40	30	1	20571
21651	(b)	³⁴ Driving Wrong Way on Divided Highway	80	80	56	40	40	16	16	328	40	30	1	399
21651	(c)	³⁶ Willfully Driving Wrong Way on Divided Highway and Causing Injury or Death	1000	1000	700	500	500	200	200	4100	40	30	1	4171
21655.9	(c)	³⁷ Operate or Own Vehicle That Displays Low-Emission Decal Not Issued for the Vehicle	250	250	175	125	125	50	50	1025	40	30	1	1096
21702	(a,b)	³⁸ Limitation on Driving Hours	100	100	70	50	50	20	20	410	40	30	1	481
21713		Armored Car Without License	90	90	63	45	45	18	18	369	40	30	1	440
21963		Blind Pedestrians Right-of-Way	500	500	350	250	250	100	100	2050	40	30	1	2121
22406.1	(a)	³⁹ Maximum Speed for Commercial Vehicles—In Excess of Speed Limit by 15 MPH or More	300	300	210	150	150	60	60	1230	40	30	1	1301
22513	(a)(1)	Illegal Stop by Tow Truck on Highway	100	100	70	50	50	20	20	410	40	30	1	481
22513	(a)(2-4)	Failure to Possess Required Information for Stop of Tow Truck on Highway	100	100	70	50	50	20	20	410	40	30	1	481

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* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	Total Bail **
			1	10/10		7	5/10	5	20%	2	40	30	1	
22513	(b)	⁴⁰ Failure to Maintain or Provide Required Information for Stop of Tow Truck on Highway	250	250	175	125	125	50	50	1025	40	30	1	1096
22513	(c)(1,2)	⁴⁰ Failure to Provide Written Estimate as Required for Tow Services	250	250	175	125	125	50	50	1025	40	30	1	1096
22513	(d)(1,3)	⁴⁰ Illegal Fee Charged for Tow or Storage Services	250	250	175	125	125	50	50	1025	40	30	1	1096
22513	(d)(4)	⁴⁰ Failure to Provide or Maintain Required Information for Tow or Storage Services	250	250	175	125	125	50	50	1025	40	30	1	1096
22513.1	(a)(1)	Failure to Maintain Required Information for Tow and Storage of Vehicle	150	150	105	75	75	30	30	615	40	30	1	686
22513.1	(b)	⁴¹ Business Taking Possession Of A Vehicle From A Tow Truck After Hours	250	250	175	125	125	50	50	1025	40	30	1	1096
22513.1	(b) (c)	⁴² Failure to Maintain and Provide Required Information for Tow and Storage of Vehicle	250	250	175	125	125	50	50	1025	40	30	1	1096
22658	(g)(1)(B)	⁴³ Failure of Tow Company or Driver on Request by Owner or Owner's Agent to Release Vehicle Not Yet in Transit	250	250	175	125	125	50	50	1025	40	30	1	1096
22658	(i)(1)(B)	⁴⁴ Failure to Make Rate Approved by CHP Available for Inspection Within 24 Hours of Request	1000	1000	700	500	500	200	200	4100	40	30	1	4171
22658	(j)(2)	⁴⁴ Charging Excessive Rate for Towing Service or Storage	1000	1000	700	500	500	200	200	4100	40	30	1	4171
22658	(k)(1,2)	⁴⁴ Refusal of Credit Card by Storage Facility for Payment of Charges for Towed Vehicle	1000	1000	700	500	500	200	200	4100	40	30	1	4171
22658	(l)	⁴⁴ Violation by Tow Company of Requirements for Removal of Vehicle From Private Property	1000	1000	700	500	500	200	200	4100	40	30	1	4171
22658	(m)(1)	⁴³ Failure of Tow Company to Provide Notice of Removal of Vehicle As Required	250	250	175	125	125	50	50	1025	40	30	1	1096
23103	(a,b)	⁴⁵ Reckless Driving	145	150	105	75	75	29	30	609	40	30	1	680
23104	(a)	⁴⁶ Reckless Driving–Bodily Injury	350	350	245	175	175	70	70	1435	40	30	1	1506
23104	(b)	⁴⁷ Reckless Driving–Great Bodily Injury	500	500	350	250	250	100	100	2050	40	30	1	2121
23105	(a)	⁴⁸ Reckless Driving–Specific Injury	750	750	525	375	375	150	150	3075	40	30	1	3146
23109	(a)	⁴⁹ Engaging in Speed Contests Prohibited	360	360	252	180	180	72	72	1476	40	30	1	1547
23109	(b)	⁵⁰ Abetting Speed Contest Prohibited	100	100	70	50	50	20	20	410	40	30	1	481
23109	(c)	⁵⁰ Engaging in or Abetting Exhibition of Speed Prohibited	100	100	70	50	50	20	20	410	40	30	1	481
23109	(d)	⁵⁰ Placing Barricades or Obstructions Prohibited	100	100	70	50	50	20	20	410	40	30	1	481
23109	(e)(2)	⁵¹ Engaging in Speed Contest and Causing Bodily Injury	500	500	350	250	250	100	100	2050	40	30	1	2121
23109.1		⁵² Engaging in Speed Contest–Specific Injury	750	750	525	375	375	150	150	3075	40	30	1	3146
23110	(a)	Throwing Substance at Vehicle Prohibited	250	250	175	125	125	50	50	1025	40	30	1	1096
23112.5	(a)	Hazardous Materials–Notification of Agency Required	2000	2000	1400	1000	1000	400	400	8200	40	30	1	8271
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	8200	40	30	1	8271
23127		Motor Vehicle on Riding/Hiking Trails Prohibited	50	50	35	25	25	10	10	205	40	30	1	276
23152	(a,b)	⁵³ Driving Under Influence of Alcohol	390	390	273	195	195	78	78	1599	40	30	1	1670
23152	(c)	⁵³ Driving While Addicted to Drug	390	390	273	195	195	78	78	1599	40	30	1	1670
23152	(d)	⁵³ Driving Commercial Vehicle Under Influence of Alcohol	450	450	315	225	225	90	90	1845	40	30	1	1916
23152	(e)	Driving a Motor Vehicle When a Passenger for Hire Is a Passenger in the Vehicle at the Time of the Offense with a .04 or Higher BAC.	390	390	273	195	195	78	78	1599	40	30	1	1670

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* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	Total Bail **
			1	10/10		7	5/10	5	20%	2	40	30	1	
23152	(f)	Driving Under Influence of Drug	390	390	273	195	195	78	78	1599	40	30	1	1670
23152	(g)	Driving Under Influence of Alcohol and Drug	390	390	273	195	195	78	78	1599	40	30	1	1670
23153	(a,b)	⁵⁴ Driving Under Influence of Alcohol While Causing Injury	500	500	350	250	250	100	100	2050	40	30	1	2121
23153	(d)	⁵⁴ Driving Commercial Vehicle Under Influence of Alcohol While Causing Injury	500	500	350	250	250	100	100	2050	40	30	1	2121
23153	(e)	Driving a Motor Vehicle When a Passenger for Hire Is a Passenger in the Vehicle at the Time of the Offense with a .04 or Higher BAC and Causing Injury.	500	500	350	250	250	100	100	2050	40	30	1	2121
23153	(f)	⁵⁴ Driving Under Influence of Drug While Causing Injury	500	500	350	250	250	100	100	2050	40	30	1	2121
23153	(g)	⁵⁴ Driving Under Influence of Alcohol and Drug While Causing Injury	500	500	350	250	250	100	100	2050	40	30	1	2121
23224	(a,b)	⁵⁵ Possession of Alcohol by Minor Prohibited	100	100	70	50	50	20	20	410	40	30	1	481
23247	(a-e)	⁵⁶ Unlawful to Rent/Loan Vehicle; Solicit Someone to Engage Required Interlock Device; Blow Into Device/Start; Tamper With Vehicle Requiring Interlock Device	1000	1000	700	500	500	200	200	4100	40	30	1	4171
23253		Failure to Obey CHP or DOT Officers at Vehicle Crossing	50	50	35	25	25	10	10	205	40	30	1	276
23332		Trespass on Vehicular Crossing Prohibited	50	50	35	25	25	10	10	205	40	30	1	276
23573	(i)	⁵⁷ Willful Failure to Install Ignition Interlock Device Within Required 30 Days	500	500	350	250	250	100	100	2050	40	30	1	2121
24002.5	(a)	⁵⁸ Unlawful Operation of a Farm Labor Vehicle	1000	1000	700	500	500	200	200	4100	40	30	1	4171
24011.3	(a)	⁵⁹ Passenger Vehicle Manufacturer Willfully Fails to Affix Bumper Strength Notice or Willfully Misstates Information in the Notice	200	200	140	100	100	40	40	820	40	30	1	891
24011.3	(c)(2)	⁶⁰ Willful Defacement, Alteration, or Removal of New Vehicle Bumper Strength Notice Prior to Delivery of the Vehicle	200	200	140	100	100	40	40	820	40	30	1	891
27150.1		⁶¹ Sale of Exhaust Systems Restricted	50	50	35	25	25	10	10	205	40	30	1	276
27317	(a)	⁶² Manufacture or Sell Counterfeit or Nonfunctioning Airbag	500	500	350	250	250	100	100	2050	40	30	1	2121
27317	(b)	⁶² Sell or Install Device That Disables a Vehicle's Counterfeit Airbag Indicator	500	500	350	250	250	100	100	2050	40	30	1	2121
27362	(a)	⁶³ Sale of Nonapproved Child Restraint System Prohibited	200	200	140	100	100	40	40	820	40	30	1	891
28050		⁶⁰ Advertisement, Sale, Use, or Installation of Device Causing Motor Vehicle Odometer to Register Mileage Other Than True Mileage Driven	200	200	140	100	100	40	40	820	40	30	1	891
28050.5		⁶⁰ Operation of Motor Vehicle Knowing the Odometer Is Disconnected or Nonfunctional With Intent to Defraud	200	200	140	100	100	40	40	820	40	30	1	891
28051		⁶⁰ Disconnecting, Turning Back, or Resetting Odometer of Motor Vehicle	200	200	140	100	100	40	40	820	40	30	1	891
28051.5		⁶⁰ Advertisement, Sale, or Use of Device Designed for Purpose of Turning Back or Resetting Odometer of Motor Vehicle to Reduce Mileage Indicated	200	200	140	100	100	40	40	820	40	30	1	891
28150	(d)	⁶⁰ Possession of Four or More Radar Jamming Devices	200	200	140	100	100	40	40	820	40	30	1	891
31303	(b-e)	Violating Requirements for Transportation of Hazardous Waste	300	300	210	150	150	60	60	1230	40	30	1	1301
31401	(b)	Farm Labor Buses and Trucks—Inspection Required	500	500	350	250	250	100	100	2050	40	30	1	2121
31401	(d)	⁶⁴ Willful Rental or Use by Owner or Contractor of Farm Labor Vehicle Without CHP Inspection per VC 31401(b)	1000	1000	700	500	500	200	200	4100	40	30	1	4171
31402	(a)	⁶⁵ Operation of Unsafe Farm Labor Vehicle Prohibited	1000	1000	700	500	500	200	200	4100	40	30	1	4171
31403		Mechanic Certification of Farm Labor Vehicle Required	500	500	350	250	250	100	100	2050	40	30	1	2121
31602	(a-c)	Transportation of Explosives—License, Routes to Be Used, Stopping Specified	1000	1000	700	500	500	200	200	4100	40	30	1	4171
31607	(a)	Inspection of Vehicle Required	1000	1000	700	500	500	200	200	4100	40	30	1	4171

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* PA*/10	EMS 0	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	Total Bail **	
			1	10/10		7	5/10	5	20%	2	40	30	1		
31609		Record of Inspection Required	1000	1000		700	500	500	200	200	4100	40	30	1	4171
31610	(a-e)	Proper Equipment, Maintenance of Vehicle Required	1000	1000		700	500	500	200	200	4100	40	30	1	4171
31611		Proper Maps of Route of Vehicle Required	1000	1000		700	500	500	200	200	4100	40	30	1	4171
31612		Carry and Display Shipping Instructions	1000	1000		700	500	500	200	200	4100	40	30	1	4171
31613		Prohibited Explosive Cargoes Defined	1000	1000		700	500	500	200	200	4100	40	30	1	4171
31614	(a,b,d,e,h)	Transport Explosives Through Local Route; Congested Areas; With Unenclosed, Uncovered Loads; While Smoking or With Open Flame	1000	1000		700	500	500	200	200	4100	40	30	1	4171
31614	(c,g)	Loading Explosives Without Motor Stopped, Brakes Set; Vehicle Transporting Explosives Left Unattended	1000	1000		700	500	500	200	200	4100	40	30	1	4171
31614	(f,i)	Driving With Explosives in Vehicle Near/Through Fires in Passenger Vehicle	1000	1000		700	500	500	200	200	4100	40	30	1	4171
32000.5	(a)	Hazardous Materials Transportation—Company Unlicensed	1000	1000		700	500	500	200	200	4100	40	30	1	4171
32000.5	(d)	Fireworks Transportation—Failure to Carry License or Present as Required	1000	1000		700	500	500	200	200	4100	40	30	1	4171
32001	(c)	Hazardous Material—Motor Carrier Directing Transportation Unlawfully	1000	1000		700	500	500	200	200	4100	40	30	1	4171
32002	(a)	Violations of Division 14.1 Regulations	1000	1000		700	500	500	200	200	4100	40	30	1	4171
32002	(b)	⁶⁶ Unlicensed Transportation of Hazardous Materials	2000	2000		1400	1000	1000	400	400	8200	40	30	1	8271
33000		⁶⁷ Violation of Shipment Regulations for the Transportation of Radioactive Materials	1000	1000		700	500	500	200	200	4100	40	30	1	4171
34100		Illegal Operation of Tank Vehicle Transporting Hazardous Waste or Flammable and Combustible Liquids on a Public Highway	1000	1000		700	500	500	200	200	4100	40	30	1	4171
34501	(e)	Operation of Bus Without Current Inspection by CHP	200	200		140	100	100	40	40	820	40	30	1	891
34501.12	(b)	⁶⁸ Unlawful Operation of Vehicle by Motor Carrier Without Submitting Required Inspection Information	100	100		70	50	50	20	20	410	40	30	1	481
34501.12	(d)	⁶⁸ Unlawful Operation of Vehicle by Motor Carrier	100	100		70	50	50	20	20	410	40	30	1	481
34501.3	(a)	⁶⁹ Unlawful Scheduling of Runs by Motor Carriers	200	200		140	100	100	40	40	820	40	30	1	891
34505	(a-c)	⁷⁰ Violation of Tour Bus Inspection and Repair Requirements	200	200		140	100	100	40	40	820	40	30	1	891
34505.5	(a-c)	⁷⁰ Violation of Motor Carrier Vehicle Inspection and Repair Requirements	200	200		140	100	100	40	40	820	40	30	1	891
34505.9	(a)(4)(D)	⁷⁰ Violation of Intermodal Roadability Inspection Program	200	200		140	100	100	40	40	820	40	30	1	891
34506	(a)	⁷¹ Driver's Hours of Service	500	500		350	250	250	100	100	2050	40	30	1	2121
34506	(b)	⁷⁰ Failure to Comply With Specified Regulation of Hazardous Material Transportation	200	200		140	100	100	40	40	820	40	30	1	891
34506	(c)	⁷⁰ Failure to Comply With Specified Regulation of School Buses	200	200		140	100	100	40	40	820	40	30	1	891
34506	(d)	⁷⁰ Failure to Comply With Specified Regulation of Youth Buses	200	200		140	100	100	40	40	820	40	30	1	891
34506	(e)	⁷⁰ Failure to Comply With Specified Regulation of Tour Buses	200	200		140	100	100	40	40	820	40	30	1	891
34506	(f)	⁷⁰ Failure to Comply With Specified Regulation of Described Vehicles	200	200		140	100	100	40	40	820	40	30	1	891
34506	(g)	⁷⁰ Failure to Comply With Specified Regulation of School Pupil Activity Buses	200	200		140	100	100	40	40	820	40	30	1	891
34620	(a-c)	Failure to comply with motor carrier permit and licensing	200	200		140	100	100	40	40	820	40	30	1	891
34623	(h)	⁷² Motor Carrier of Property Operating Vehicle While Permit Suspended	200	200		140	100	100	40	40	820	40	30	1	891
34623	(i)(1)	⁷² Motor Carrier of Property With Suspended Permit Allowing Any Vehicles Subject to Suspension Based on Failure to Maintain to Be Operated by Another Carrier	500	500		350	250	250	100	100	2050	40	30	1	2121
34623	(i)(2)	⁷⁰ Motor Carrier of Property Knowingly Utilizing a Vehicle From a Motor Carrier Whose Permit Is Suspended Based on a Failure to Maintain Any Vehicle	300	300		210	150	150	60	60	1230	40	30	1	1301

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*/1 0	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	Total Bail **	
			1	10/10		7	5/10	5	20%	2	40	30	1		
34690		Violation of Private Carriers of Passengers Registration Act	100	100		70	50	50	20	20	410	40	30	1	481
35550	(a)	⁷⁰ Maximum Weight on Single Axle or Wheels													
35551	(a,b)	⁷⁰ Computation of Allowable Gross Weight													
35551.5	(b-d)	⁷⁰ Violation of Gross Weight Computation Method Prescribed for Combinations Containing Trailer/Semitrailer by More Than 4,500 Pounds													
35554	(a)(1)	⁷⁰ Gross Weight More Than 20,500 Pounds on Any One Axle of a Bus and More Than 4,500 Pounds Over Weight Limit													
35554	(c)	⁷⁰ Operation of Transit Bus in Excess of Federal Weight Limit and More Than 4,500 Pounds Over Weight Limit													
35600		⁷⁰ Noncompliance With Solid Tire Gross Weight Limitation Standards by More Than 4,500 Pounds													
35601		⁷⁰ Noncompliance With Metal Tire Gross Weight Limitation Standards by More Than 4,500 Pounds													
35655	(a)	⁷⁰ Operation of Vehicle on Highway Containing Load Exceeding Maximum Weight Highway Is Designed to Sustain by More Than 4,500 Pounds													
35712		⁷⁰ Violation of County Ordinance Prohibiting Commercial Vehicles Exceeding Certain Weight Limitations by More Than 4,500 Pounds in Residential Area													
35753	(a)	⁷⁰ Operation of Vehicle Over Bridge, Causeway, Viaduct, Trestle, or Dam in Vehicle Containing Load Exceeding the Maximum Weight the Structures Will Safely Sustain by More Than 4,500 Pounds													
35784	(a)	Failure to Obey Permit Terms and Designated Route for Extra-legal Load	100	100		70	50	50	20	20	410	40	30	1	481
35784	(b)	⁷³ Violation of Special Permit Requirements	150	150		105	75	75	30	30	615	40	30	1	686
35784	(c)	Extra-legal Load Not on Designated Route	100	100		70	50	50	20	20	410	40	30	1	481
35784.5	(a)	⁷⁴ Transportation of Extra-legal Load Without Permit	150	150		105	75	75	30	30	615	40	30	1	686
35785	(b)	Violation of Single Saw Log Hauling Speed Limit of 15 MPH Over Bridge or Causeway or 25 MPH on Highway	150	150		105	75	75	30	30	615	40	30	1	686
35786	(b)	⁷⁵ Operation of Truck Booster Power Unit in Noncompliance With Route Specifications and Time Limitations Set by Permit	100	100		70	50	50	20	20	410	40	30	1	481
35790	(g)	⁷⁵ Failure to Carry Appropriate Permits, Certificates, and Notices Required for Movement of Manufactured Homes	100	100		70	50	50	20	20	410	40	30	1	481
35790	(h)	⁷⁶ Violation of Terms, Conditions, or Limitations Specified in Manufactured-Home Transportation Permits	100	100		70	50	50	20	20	410	40	30	1	481
38316	(a)	⁷⁶ Reckless Driving of Off-Highway Motor Vehicle	150	150		105	75	75	30	30	615	40	30	1	686
38317		⁷⁷ Reckless Driving of Off-Highway Motor Vehicle Causing Injury	300	300		210	150	150	60	60	1230	40	30	1	1301
38318	(a)	⁷⁸ Throwing Substance at Off-Highway Motor Vehicle	300	300		210	150	150	60	60	1230	40	30	1	1301
38318.5		⁷⁸ Malicious Removal or Alteration of Markers or Signs	300	300		210	150	150	60	60	1230	40	30	1	1301
38319		⁷⁹ Operation of Off-Highway Motor Vehicle Likely to Cause Damage	300	300		210	150	150	60	60	1230	40	30	1	1301
40001	(c)	⁷⁹ Violation by Employer of Out-of-Service Order	300	300		210	150	150	60	60	1230	40	30	1	1301

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*/1 0	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	Total Bail **
40001	(d)	⁸⁰ Employer Allows, Permits, Requires, or Authorizes Driver to Operate Commercial Motor Vehicle in Violation of Railroad-Highway Grade Crossing Statute or Regulation	2000	10/10 2000	1400	7 1000	5 1000	20% 400	2 400	8200	40	30	1	8271
40005		⁸¹ Employer Undertakes Responding to Employee Driver's Citation and Inaction by Employer Results in Issuance of Warrant for Employee	200	200	140	100	100	40	40	820	40	30	1	891
40008	(a)	⁸² Violation of Section 21701 or 21703 With Intent to Capture Physical Impression of Another Person for Commercial Purpose	750	750	525	375	375	150	150	3075	40	30	1	3146
40008	(a)	⁸² Violation of Section 23103 With Intent to Capture Physical Impression of Another Person for Commercial Purpose	750	750	525	375	375	150	150	3075	40	30	1	3146
40008	(b)	⁸³ Violation of Section 21701 or 21703 With Intent to Capture Physical Impression of Another Person for Commercial Purpose and Causing Endangerment of Minor	1500	1500	1050	750	750	300	300	6150	40	30	1	6221
40008	(b)	⁸³ Violation of Section 23103 With Intent to Capture Physical Impression of Another Person for Commercial Purpose and Causing Endangerment of Minor	1500	1500	1050	750	750	300	300	6150	40	30	1	6221
40504	(b)	Signing Written Promise to Appear With False Name	250	250	175	125	125	50	50	1025	40	30	1	1096
40508	(a-c)	Violation of Promise to Appear, Promise to Pay	50	50	35	25	25	10	10	205	40	30	1	276
40519	(c)	⁸¹ Failure to Appear at Time of Trial After Pleading Not Guilty in Writing	50	50	35	25	25	10	10	205	40	30	1	276
40614		Use of Fictitious Name Prohibited	100	100	70	50	50	20	20	410	40	30	1	481
40616		Violation of Promise to Correct	100	100	70	50	50	20	20	410	40	30	1	481
42005	(i)	Failure to Attend Court-Ordered TVS	75	80	56	40	40	15	16	322	40	30	1	393

**California Code of Regulations, Title 13, Article 3
 HAZARDOUS MATERIALS TRANSPORTATION**

1160.4	(e)	Inspection by Department	200	200	140	100	100	40	40	820	40	30	1	891
1160.4	(g)	Hazardous Material Transportation License Not in Vehicle	100	100	70	50	50	20	20	410	40	30	1	481
1161	(a,b)	Shipping Papers	100	100	70	50	50	20	20	410	40	30	1	481
1162	(a,c)	Placards	100	100	70	50	50	20	20	410	40	30	1	481
1162.1		Fire Extinguishers	100	100	70	50	50	20	20	410	40	30	1	481
1163	(a,b)	Shipment Preparation, Unauthorized Packing	100	100	70	50	50	20	20	410	40	30	1	481
1163	(d)	Leaking Package	200	200	140	100	100	40	40	820	40	30	1	891
1163	(e)	Maintenance of Containers	100	100	70	50	50	20	20	410	40	30	1	481
1163.1		Prohibited Transportation	300	300	210	150	150	60	60	1230	40	30	1	1301
1164		Vehicle Loading	200	200	140	100	100	40	40	820	40	30	1	891
1166		Reporting of Accident	300	300	210	150	150	60	60	1230	40	30	1	1301

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*/1 0	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	Total Bail **
			1	10/10		7	5/10	5	20%	2	40	30	1	

Notes

- ¹ Per VC 40000.6(a): "a misdemeanor and not an infraction."
- ² Per VC 40000.6(b): "a misdemeanor and not an infraction." Per VC 1808.1(f): "punished by confinement in a county jail for not more than six months, by a fine of not more than \$1,000, or by both that confinement and fine."
- ³ Per VC 2468(c)(1): "For a first offense, by a fine of not less than \$1,000"
- ⁴ Per VC 42002.1, "A person convicted of a misdemeanor violation of Section 2800, 2801, or 2803, insofar as it affects a failure to stop and submit to inspection of equipment or for an unsafe condition endangering a person, shall be punished as follows:
 (a) By a fine not exceeding fifty dollars (\$50) or imprisonment in the county jail not exceeding five days.
 (b) For a second conviction within a period of one year, a fine not exceeding one hundred dollars (\$100) or imprisonment in the county jail not exceeding 10 days, or both that fine and imprisonment.
 (c) For a third or a subsequent conviction within a period of one year, a fine not exceeding five hundred dollars (\$500) or imprisonment in the county jail not exceeding six months, or both that fine and imprisonment."
- ⁵ Per VC 2800.3(a): "fine of not less than \$2,000 nor more than \$10,000"
- ⁶ Fine "not less than \$1,000 nor more than \$10,000."
- ⁷ Per VC 4461.3 a city or county may adopt an additional penalty of \$100. PC 1465.6 requires imposition of an assessment equal to 10 percent of the fine imposed.
- ⁸ Per VC 4461.3 a city or county may adopt an additional penalty of \$100. PC 1465.6 requires imposition of an assessment equal to 10 percent of the fine imposed. VC 4461.5 authorizes a civil penalty of not more than \$1,500 in addition to or instead of any fine imposed.
- ⁹ VC 4463.3 authorizes a civil penalty of not more than \$1,500 in addition to or instead of any fine imposed. Per VC 4463(b): "A person who, with intent to prejudice, damage, or defraud, commits any of the following acts is guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment in a county jail for six months, a fine of not less than five hundred dollars (\$500) and not more than one thousand dollars (\$1,000), or both that fine and imprisonment, which penalty shall not be suspended: (1) Forges, counterfeits, or falsifies a disabled person placard or a comparable placard relating to parking privileges for disabled persons provided for by a foreign jurisdiction, or forges, counterfeits, or falsifies a disabled person placard with intent to represent it as issued by the department. (2) Passes, or attempts to pass, as true and genuine, a false, forged, or counterfeit disabled person placard knowing it to be false, forged, or counterfeited. (3) Acquires, possesses, sells, or offers for sale a genuine or counterfeit disabled person placard."
- ¹⁰ Per VC 4463(c): "A person who, with fraudulent intent, displays or causes or permits to be displayed a forged, counterfeited, or false disabled person placard, ... is guilty of a misdemeanor punishable by imprisonment in a county jail for six months, a fine of not less than \$250 and not more than \$1,000, or both that fine and imprisonment, which penalty shall not be suspended." PC 1465.6 requires imposition of an assessment equal to 10 percent of the fine imposed.
- ¹¹ Per VC 40000.7: "Violation ... a misdemeanor and not an infraction ... when committed by a dealer or any person while a dealer within the last 12 months." Per VC 5753(e), failure of licensed dealer to comply with subdivisions (c) and (d) shall result in payment to the transferee of \$25 per day for each day that the requirements of subdivisions (c) and (d) remain unsatisfied, not to exceed a maximum payment of \$2,500. If the legal owner or lessor fails to pay this amount within 60 days following written demand by the transferee, the amount shall be trebled, not to exceed a maximum payment of \$7,500, and the transferee shall be entitled to costs and reasonable attorney's fees incurred in any court action brought to collect the payment. The right to recover these payments is cumulative with and is not in substitution or derogation of any remedy otherwise available at law or equity.
- ¹² Per VC 10851(a): " ... punished by imprisonment in a county jail for not more than one year or pursuant to subdivision (h) of Section 1170 of the Penal Code or by a fine of not more than \$5,000, or by both the fine and imprisonment."
- ¹³ Per VC 40000.7: "Violation ... a misdemeanor, and not an infraction ... when committed by a dealer or any person while a dealer within the last 12 months."
- ¹⁴ Per VC 40000.7: "Violation ... a misdemeanor and not an infraction."
- ¹⁵ Per VC 40000.7: "Violation ... is a misdemeanor and not an infraction ... when committed by any person with intent to defraud."
- ¹⁶ Per VC 40000.9: "Violation ... a misdemeanor and not an infraction."
- ¹⁷ Per VC 40000.9: "Violation ... a misdemeanor and not an infraction." VC 10751 authorizes seizure, impoundment, sale, or destruction of vehicle.

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*/1 0	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	Total Bail **
			1	10/10		7	5/10	5	20%	2	40	30	1	

¹⁸ Per VC 10851.5: "any person who is a party or accessory to or an accomplice in an unauthorized taking or stealing is guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment in the county jail for not less than six months or by a fine of not less than \$1,000 or by both such fine and imprisonment."

¹⁹ Per VC 10854: "fine of not exceeding \$1,000 or imprisonment in the county jail for not exceeding 1 year or by both."

²⁰ ~~Per VC 11500(b)(2) "Notwithstanding Section 42002, a person convicted of a first violation of subdivision (a) shall be punished by a fine of not less than two hundred fifty dollars (\$250). A person convicted of a second separate violation of subdivision (a) shall be punished by a fine of not less than five hundred dollars (\$500). A person convicted of a third or subsequent violation of subdivision (a) shall be punished by a fine of not less than one thousand dollars (\$1,000)." Per VC 11500(a)(2) "Notwithstanding Section 42002, a person convicted of a first violation of subdivision (a) for any reason other than described in paragraph (3) shall be punished by a fine of not less than two hundred fifty dollars (\$250). A person convicted of a second separate violation of subdivision (a) for this reason shall be punished by a fine of not less than five hundred dollars (\$500). A person convicted of a third or subsequent violation of subdivision (a) for this reason shall be punished by a fine of not less than one thousand dollars (\$1,000)"~~

²¹ Per VC 40000.11: "Violation ... a misdemeanor and not an infraction."

²² Per VC 12110(d)(1): "... fine of not more than \$5,000"

²³ Per Vehicle Code section 40000.10, "A violation of subdivision (a) of Section 12500 shall be punished as follows:

(a) Except as provided in subdivision (b), as an infraction by a fine of one hundred dollars (\$100) for a first or second violation.

(b) As a misdemeanor or an infraction as prescribed by Section 19.8 of the Penal Code if a person has a prior driver's license suspension or revocation for a violation of subdivision (c) of Section 192 of the Penal Code, subdivision (e) of Section 12809, or of Section 13353, 13353.1, 13353.2, 23103, 23104, 23105, 23109, 23152, 23153, or 23154.

(c) As a misdemeanor or an infraction as prescribed by Section 19.8 of the Penal Code for a third or subsequent violation."

²⁴ Per VC 13004.1(b): "(1) ... fine of not less than \$250 and not more than \$1,000 and 24 hours of community service to be served when the person is not employed or is not attending school. No part of the fine or community service shall be suspended or waived. (2) In lieu of the penalties imposed under paragraph (1), the court, in its discretion, may impose a jail term of up to one year and a fine of up to \$1,000. In exercising its discretion the court shall consider the extent of the defendant's commercial motivation for the offense."

²⁵ Per VC 14601(f), VC 14601 applies to the operation of an off-highway motor vehicle on those lands to which the Chappie-Z'berg Off-Highway Motor Vehicle Law of 1971 (Division 16.5 (commencing with VC 38000)) applies as to off-highway motor vehicles, as described in VC 38001. Fine of \$300 to \$1,000 set per VC 14601(b)(1). VC 14601(e) requires that, except in the interest of justice, when the court finds it would be inappropriate, the court shall, pursuant to VC 23575, require a person convicted of violating VC 14601(a), when the prosecution agrees to a plea of guilty or nolo contendere to a charge of violating VC 14601 in satisfaction of, or as a substitute for, an original charge of a violation of VC 14601.2, to install, for a period not to exceed three years, a certified ignition interlock device on any vehicle the person owns or operates.

²⁶ Per VC 14601.2(j), VC 14601.2 applies to the operation of an off-highway motor vehicle on those lands to which the Chappie-Z'berg Off-Highway Motor Vehicle Law of 1971 (Division 16.5 (commencing with VC 38000)) applies as to off-highway motor vehicles, as described in VC 38001. Fine of \$300 to \$1,000 set per VC 14601.2(d)(1). VC 14601.2(h) requires that, pursuant to VC 23575, the court shall require a person convicted of a violation of VC 14601.2 to install a certified ignition interlock device on a vehicle the person owns or operates.

²⁷ Per VC 14601.3(f), VC 14601.3 applies to the operation of an off-highway motor vehicle on those lands to which the Chappie-Z'berg Off-Highway Motor Vehicle Law of 1971 (Division 16.5 (commencing with VC 38000)) applies as to off-highway motor vehicles, as described in VC 38001. Per VC 14601.3(e): "Any person convicted under this section of being an habitual traffic offender shall be punished as follows: (1) Upon first conviction, by imprisonment in the county jail for 30 days and by a fine of \$1,000. (2) Upon second conviction or any subsequent offense within seven years of a prior conviction under this section, by imprisonment in the county jail for 180 days and by a fine of \$2,000. (3) Any habitual traffic offender . . . who is convicted of a violation of Section 14601.2 shall be punished by imprisonment in the county jail for 180 days and by a fine of \$2,000. The penalty in this paragraph shall be consecutive to that imposed for the violation of any other law."

²⁸ Per VC 14601.4(d), VC 14601.4 applies to the operation of an off-highway motor vehicle on those lands to which the Chappie-Z'berg Off-Highway Motor Vehicle Law of 1971 (Division 16.5 (commencing with VC 38000)) applies as to off-highway motor vehicles, as described in VC 38001. Per 14601.4(b): "A person convicted under this section shall be imprisoned in the county jail and shall not be released upon work release, community service, or any other release program before the minimum period of imprisonment prescribed in Section 14601.2 is served." VC 14601.4(c) requires that, except in the interest of justice, when the court finds it would be inappropriate, the court shall, pursuant to VC 23575, require a person who is convicted of violating VC 14601.4 after the prosecution agrees to a plea of guilty or nolo contendere to a charge of violating VC 14601.4 in satisfaction of, or as a substitute for, an original charge of a violation of VC 14601.2 to install, for a period not to exceed three years, a certified ignition interlock device on a vehicle the person owns or operates.

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*/1 0	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	Total Bail **
			1	10/10		7	5/10	5	20%	2	40	30	1	
29		Per VC 14601.5(h), VC 14601.5 applies to the operation of an off-highway motor vehicle on those lands to which the Chappie-Z'berg Off-Highway Motor Vehicle Law of 1971 (Division 16.5 (commencing with VC 38000)) applies as to off-highway motor vehicles, as described in VC 38001. Fine of \$300 to \$1,000 set per VC 14601.5(d)(1). VC 14601.5(g) requires that, except in the interest of justice, when the court finds it would be inappropriate, the court shall, pursuant to VC 23575, require a person who is convicted of violating VC 14601.5(a) or VC 14601.5(b) after the prosecution agrees to a plea of guilty or nolo contendere to a charge of violating VC 14601.5(a) or VC 14601.5(b) in satisfaction of, or as a substitute for, an original charge of a violation of VC 14601.2 to install, for a period not to exceed three years, a certified ignition interlock device on a vehicle the person owns or operates.												
30		Per VC 14610.1(b): "(1) ... fine of not less than \$250 and not more than \$1,000 and 24 hours of community service to be served when the person is not employed or is not attending school. No part of the fine or community service shall be suspended or waived. (2) In lieu of the penalties imposed under paragraph (1), the court, in its discretion, may impose a jail term of up to one year and a fine of up to \$1,000. In exercising its discretion the court shall consider the extent of the defendant's commercial motivation for the offense."												
31		Per VC 15309.5(b): "A first conviction under this section is punishable as either an infraction or a misdemeanor A second or subsequent conviction is punishable as a misdemeanor"												
32		Per VC 16030: "... punishable by a fine not exceeding \$750 or imprisonment in the county jail not exceeding 30 days, or by both" Court shall suspend or restrict the driver's license for one year of persons convicted of this offense.												
33		Per VC 20001(b)(1): "... punished by imprisonment in the state prison, or in a county jail for not more than one year, or by a fine of not less than \$1,000 nor more than \$10,000, or by both that imprisonment and fine."												
34		Per VC 40000.13: "Violation ... a misdemeanor and not an infraction."												
35		Per VC 21464: "(d) Any willful violation of subdivision (a), (b), or (c) that results in injury to, or the death of a person is punishable by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code, or by imprisonment in a county jail for a period of not more than six months, and by a fine of not less than \$5,000 nor more than \$10,000. ... (f) The court shall allow the offender to perform community service designated by the court in lieu of all or part of any fine imposed under this section."												
36		Per VC 40000.13: "Violation ... a misdemeanor and not an infraction." Per VC 21651(c): "Punished by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code, or imprisonment in a county jail for a period of not more than six months."												
37		Per VC 21655.9(eg): "This section is repealed as of September 30, 2025."												
38		Per VC 21702(e).												
39		A "serious traffic violation" as defined in VC 15210 and subject to sanctions under VC 15306 or VC 15308. Per VC 15306: "No driver may operate a commercial motor vehicle for a period of 60 days if the person is convicted, on or after January 1, 1992, of a serious traffic violation involving a commercial motor vehicle and the offense occurred within three years of a separate offense of a serious traffic violation which resulted in a conviction." Per VC 15308: "No person may operate a commercial motor vehicle for a period of 120 days if the person is convicted, on or after January 1, 1992, of a serious traffic violation involving a commercial motor vehicle and the offense occurred within three years of two or more separate offenses of serious traffic violations which resulted in convictions."												
40		Per VC 22513(e): "... punishable by a fine of not more than \$2,500, or by imprisonment in a county jail for not more than three months, or by both that fine and imprisonment."												
41		Per VC 22513.1 (e) "A person who willfully violates this section is guilty of a misdemeanor, and is punishable by a fine of not more than two thousand five hundred dollars (\$2,500), or by imprisonment in a county jail for not more than three months, or by both that fine and imprisonment."												
42		Per VC 22513.1(c) (e): "... punishable by a fine of not more than \$2,500, or by imprisonment in a county jail for not more than three months, or by both that fine and imprisonment."												
43		Per VC 40000.15: "Violation ... a misdemeanor and not an infraction."												
44		Per VC 40000.15: "Violation ... a misdemeanor and not an infraction." Sen. Bill 752 (Stats. 2013, ch. 605). Per VC 22658(j)(2): "punishable by a fine of not more than \$2,500, or by imprisonment in a county jail for not more than three months, or by both that fine and imprisonment."												
45		Per VC 23103(c): "Except as provided in section 40008, ... punished by imprisonment in a county jail for not less than five days nor more than 90 days or by a fine of not less than \$145 nor more than \$1,000, or by both that fine and imprisonment, except as provided in Section 23104 or 23105."												
46		Per VC 23104(a): "imprisonment in the county jail for not less than 30 days nor more than six months or by a fine of not less than \$220 nor more than \$1,000, or by both the fine and imprisonment" for reckless driving causing bodily injury.												

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*/1 0	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	Total Bail **
			1	10/10		7	5/10	5	20%	2	40	30	1	
47		Per VC 23104(b): "Any person convicted of reckless driving which proximately causes great bodily injury, as defined in Section 12022.7 of the Penal Code, to any person other than the driver, who previously has been convicted of a violation of Section 23103, 23104, 23109, 23152, or 23153, shall be punished by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code, by imprisonment in the county jail for not less than 30 days nor more than six months or by a fine of not less than \$220 nor more than \$1,000 or by both the fine and imprisonment."												
48		Per VC 23105(a): Reckless driving causing loss of consciousness, concussion, bone fracture, protracted loss or impairment of function of a bodily member or organ, a wound requiring extensive suturing, a serious disfigurement, brain injury, or paralysis is "punished by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code, or imprisonment in a county jail for not less than 30 days nor more than six months, or by a fine of not less than \$220 nor more than \$1,000, or by both that fine and imprisonment."												
49		Per VC 23109(e)(1): "A person convicted of a violation of subdivision (a) shall be punished by imprisonment in a county jail for not less than 24 hours nor more than 90 days or by a fine of not less than \$355 nor more than \$1,000, or by both that fine and imprisonment. The person shall also be required to perform 40 hours of community service."												
50		Per VC 23109(i), "(1) A person who violates subdivision (b), (c), or (d) shall upon conviction of that violation be punished by imprisonment in a county jail for not more than 90 days, by a fine of not more than five hundred dollars (\$500), or by both that fine and imprisonment. (2) (A) Commencing July 1, 2025, the court may order the privilege to operate a motor vehicle suspended for 90 days to six months for a person who violates subdivision (c), as provided in subparagraph (B) of paragraph (8) of subdivision (a) of Section 13352, only if the violation occurred as part of a sideshow. For purposes of this section, "sideshow" is defined as an event in which two or more persons block or impede traffic on a highway, or in an offstreet parking facility, for the purpose of performing motor vehicle stunts, motor vehicle speed contests, motor vehicle exhibitions of speed, or reckless driving, for spectators. (B) The person's privilege to operate a motor vehicle may be restricted for 90 days to six months to necessary travel to and from that person's place of employment and, if driving a motor vehicle is necessary to perform the duties of the person's employment, restricted to driving in that person's scope of employment. (C) If the court is considering suspending or restricting the privilege to operate a motor vehicle pursuant to this paragraph, the court shall also consider whether a medical, personal, or family hardship exists that requires a person to have a driver's license for such limited purpose as the court deems necessary to address the hardship. This subdivision does not interfere with the court's power to grant probation in a suitable case.												
51		Per VC 23109(e)(2): "punishable by imprisonment in a county jail for not less than 30 days nor more than six months or by a fine of not less than \$500 nor more than \$1000, or by both the fine and imprisonment."												
52		Per VC 23109.1(a): a speed contest causing loss of consciousness, concussion, bone fracture, protracted loss or impairment of function of a bodily member or organ, a wound requiring extensive suturing, a serious disfigurement, brain injury, or paralysis is "punished by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code, or imprisonment in a county jail for not less than 30 days nor more than six months, or by a fine of not less than \$500 nor more than \$1,000, or by both that fine and imprisonment."												
53		Per PC 1463.14(b), the county board of supervisors may authorize an additional penalty in the amount equal to the cost of testing, less \$50 deposited with the county treasurer per PC 1463.14(a). \$390 minimum base fine per VC 23536 and VC 23538. The "Total Bail" must be distributed in accordance with statutory distribution pursuant to PC 1463.001,1463.14,1463.16, 1463.18, 1464, and 1465.7; GC 70372, 70375, 76000, 76000.5, 76104.6, and 76104.7; and the accounting guidelines contained in Chapter 5, "Revenue Distribution," of the California State Controller's Manual of Accounting and Auditing Guidelines for Trial Courts.												
54		Base fine for first offense per VC 23554 and VC 23556. Per PC 1463.14(b), the county board of supervisors may authorize an additional penalty in the amount equal to the cost of testing, less \$50 deposited with the county treasurer per PC 1463.14(a).												
55		Per VC 23224(e): "Any person convicted for a violation of subdivision (a) or (b) ... shall be punished upon conviction by a fine of not more than \$1,000 or by imprisonment in the county jail for not more than six months, or by both the fine and imprisonment."												
56		Per VC 23247(f): Punishment shall be imprisonment for not more than six months or by a fine of not more than \$5,000 or both.												
57		Per VC 23573(i): "... punished by imprisonment in the county jail for not more than six months or by a fine of not more than \$5,000 or by both that fine and imprisonment."												
58		Per VC 40000.15: "Violation ... a misdemeanor and not an infraction." Per VC 24002.5(b): " ... a fine of not less than \$1,000 and not more than \$5,000 No part of any fine imposed ... may be suspended."												
59		Per VC 40000.15: "Violation ... a misdemeanor and not an infraction." Per VC 24011.3(c)(1): "fine of not more than \$500."												

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*/1 0	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	Total Bail **
			1	10/10		7	5/10	5	20%	2	40	30	1	

⁶⁰ Per VC 40000.15: "Violation ... a misdemeanor and not an infraction."

⁶¹ Vehicle Code section 27150.1 authorizes citation as a misdemeanor. Penal Code sections 17 and 19.8 allow charging VC 27150.1 as an infraction with a fine of up to \$250.

⁶² VC 27317 limits fine amount to \$5,000. Per VC 27317 (c), a violation of subdivision (a) or (b) is a misdemeanor punishable by a fine of up to five thousand dollars (\$5,000) or by imprisonment in a county jail for up to one year, or by both the fine and imprisonment.

⁶³ Per VC 27362(a)(1): "... fine not exceeding \$400"

⁶⁴ Per VC 31404: "Any person who operates, or any owner or farm labor contractor who knowingly allows the operation of, a farm labor vehicle in violation of subdivision (b) or (d) of Section 31401 or Section 31402 or 31403 is guilty of a misdemeanor. When a person has been convicted of willfully violating those provisions, the person shall, in addition, be fined not less than \$1,000 for each violation, and no part of the fine may be suspended. If passengers are in the vehicle at the time of the violation, the person shall, in addition, be fined \$500 for each passenger, not to exceed a total of \$5,000 for each violation, and no part of this fine may be suspended. As used in this section, the terms 'knowingly' and 'willfully' have the same meaning as prescribed in Section 7 of the Penal Code."

⁶⁵ Per VC 31402(b): "... fine of not less than \$1,000 and not more than \$5,000 No part of any fine imposed ... may be suspended."

⁶⁶ Per VC 32002(b): "... a violation of this subdivision shall be punished ... by a fine of not less than \$2,000"

⁶⁷ Per VC 40000.19: "Violation ... a misdemeanor and not an infraction."

⁶⁸ Per VC 40000.22(a): A violation of "subdivision (b) or (d) of Section 34501.12 ... relating to applications for inspections is a misdemeanor and not an infraction. ... (c)This section shall become operative on January 1, 2016"

⁶⁹ Per VC 40000.21: Violation "... a misdemeanor and not an infraction." Per VC 34501.3(c) : "For a violation of paragraph (2) of subdivision (a), a first offense is punishable by a fine of not more than \$1,000; a second offense by a fine of not more than \$2,500, and a third or subsequent offense by a fine of not more than \$5,000."

⁷⁰ Per VC 40000.21: Violation "... a misdemeanor and not an infraction."

⁷¹ Per VC 42001.3(b).

⁷² Per VC 40000.22(b): Violation "... a misdemeanor and not an infraction."

⁷³ Per VC 35784, the penalty for violation is as follows:□

"(e) A violation of equipment requirements contained in Division 12 (commencing with Section 24000), by any person operating a pilot car shall not be considered a violation of any terms or conditions of a special permit under subdivision (a); (f) (1) Any person convicted of a violation of the terms and conditions of a special permit shall be punished by a fine not exceeding \$500 or by imprisonment in the county jail for a period not exceeding six months, or by both that fine and imprisonment. (2) In addition, if the violation involves weight in excess of that authorized by the permit, an additional fine shall be levied as specified in Section 42030 on the amount of weight in excess of the amount authorized by the permit."

⁷⁴ Per VC 35784.5(a): "Any person convicted of transporting an extralegal load on a highway, or causing or directing the operation of or driving on a highway any vehicle or combination of vehicles for which a permit is required pursuant to this article, without having obtained a permit issued in accordance with this article, shall be punished by a fine not exceeding \$500 or by imprisonment in the county jail for a period not exceeding six months, or by both that fine and imprisonment. (b) If the violation involves excess weight, an additional fine shall be levied as specified in Section 42030 on the amount of weight in excess of that authorized pursuant to this chapter."

⁷⁵ Fine specified by VC 42030. Per VC 40000.23: "Violation ... a misdemeanor and not an infraction."

⁷⁶ Per VC 38316(b): "... fine of not less than \$50"

⁷⁷ Fine of: "... not less than \$100 nor more than \$1,000"

⁷⁸ Fine of: "... not more than \$1,000"

⁷⁹ Per VC 4000.24, violation is: "... a misdemeanor and not an infraction"

⁸⁰ Fine of "... not more than \$10,000."

⁸¹ Per VC 40000.25: "Violation ... a misdemeanor and not an infraction."

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*/1 0	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	Total Bail **
			1	10/10		7	5/10	5	20%	2	40	30	1	

⁸² Per VC 40008(a): " ... shall be punished by imprisonment in a county jail for not more than six months and by a fine of not more than \$2,500."

⁸³ Per VC 40008(b): " ... shall be punished by imprisonment in a county jail for not more than one year and by a fine of not more than \$5,000."

**APPENDIX OF ENHANCED PENALTY AMOUNTS PER VEHICLE CODE SECTION 42009
 VIOLATIONS COMMITTED IN HIGHWAY CONSTRUCTION OR MAINTENANCE AREA**

(*See Preface, Sections III and IV.C.2) (**See Preface, Section IV)

(Vehicle Code)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA* /10	Surcharge*	EMS PA* /10	Fine Surcharge & PA Subtotal	Court OPS	Conv.Assess. Night Court	TAP Fee	Total Bail **	Category	DMV Points
				1	10/10	7	5/10	5	20%	2		40	1	0			
21367	(b,c)	I	Failure to Obey Traffic Control/Devices at Construction Site	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21451	(a,b)	I	"Green" Signal-Vehicular Responsibilities	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21453	(a,c)	I	"Red" Signal-Vehicular Responsibilities	135	140	98	70	70	27	28	568	40	35	1	0	644	4b 1
21453	(b)	I	"Red" Signal-Vehicular Responsibilities With Right Turn	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21454	(c)	I	Lane Use-Red Control Signals	135	140	98	70	70	27	28	568	40	35	1	0	644	4b 1
21454	(d)	I	Lane Use-Flashing Yellow Control Signals	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21455		I	Traffic Control Signal at Other Than Intersection	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21457	(a)	I	Actions Required at Flashing Red Signals	135	140	98	70	70	27	28	568	40	35	1	0	644	4b 1
21457	(b)	I	Actions Required at Flashing Yellow Signals	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21460	(a-c)	I	Improper Turn Over Double Lines Prohibited	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21460.5	(c)	I	Improper Turn From Two-Way Left-Turn Lane	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21461	(a)	I	Driver Failure to Obey Signs/Signals	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21462	(a)	I	Disobedience of Driver or Streetcar Motorist to Traffic Control Signals	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21464	(a)	I	Unauthorized Interference With Traffic Device Prohibited	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 0
21464	(b)	I	Unauthorized Use of Traffic Interference Device	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 0
21464	(c)	I	Unauthorized Possession of Traffic Interference Device	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 0
21464	(e)	I	Willful Interference With Traffic Device or Willful Use, Possession, or Distribution of Traffic Interference Device That Does Not Result in Injury	535	540	378	270	270	107	108	2208	40	35	1	0	2284	4b 0
21466.5		I	Light Impairing Driver's Vision Prohibited	35	40	28	20	20	7	8	158	40	35	1	0	234	1b 0
21650		I	Failure to Keep to Right Side of Road	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1

**APPENDIX OF ENHANCED PENALTY AMOUNTS PER VEHICLE CODE SECTION 42009
 VIOLATIONS COMMITTED IN HIGHWAY CONSTRUCTION OR MAINTENANCE AREA**

(*See Preface, Sections III and IV.C.2) (**See Preface, Section IV)

(Vehicle Code)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA* /10	Surcharge*	EMS PA* /10	Fine Surcharge & PA Subtotal	Court OPS	Conv.Assess. Night Court	TAP Fee	Total Bail **	Category	DMV Points
				1	10/10	7	5/10	5	20%	2		40	1	0			
21651	(a)	I	Driving Across Dividing Section on Freeway Prohibited	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21652		I	Improperly Entering Highway From Service Road	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21654	(a)	I	Slow-Moving Vehicles—Keep to Right Edge of Roadway	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21655	(b)	I	Failure to Use Designated Lanes	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21655.5	(b)	I	Improper Use of Preferential Lanes	135	140	98	70	70	27	28	568	40	35	1	0	644	4b 0
21655.8	(a)	I	Driving Over Double Lines of Preferential Lanes	135	140	98	70	70	27	28	568	40	35	1	0	644	4b 1
21656		I	Failure of Slow-Moving Vehicles to Turn Out	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21657		I	Driving Against One-Way Traffic Patterns	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21658	(a,b)	I	Lane Straddling/Failure to Use Specified Lanes	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21659		I	Unsafe Driving on Three-Lane Highway	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21660		I	Failure of Approaching Vehicles to Pass to the Right	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21661		I	Right-of-Way Rule—Narrow Grades	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21662	(a,b)	I	Mountains—Keep to Right—Use Horn	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21663		I	Driving on Sidewalk Prohibited	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21664		I	Failure to Use Designated Freeway On-/Off-ramp Properly	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21700		I	Load/Passengers Not to Obstruct Driver's View	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21703		I	Following Too Closely Prohibited	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21704	(a)	I	Trucks/Trailers Following Too Closely Prohibited	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21705		I	Caravans Following Too Closely Prohibited	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21706		I	Following Emergency Vehicles Too Closely Prohibited	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1

**APPENDIX OF ENHANCED PENALTY AMOUNTS PER VEHICLE CODE SECTION 42009
 VIOLATIONS COMMITTED IN HIGHWAY CONSTRUCTION OR MAINTENANCE AREA**

(*See Preface, Sections III and IV.C.2) (**See Preface, Section IV)

(Vehicle Code)

Section	Notes Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA* /10	Surcharge*	EMS PA* /10	Fine Surcharge & PA Subtotal	Court OPS	Conv.Assess. Night Court	TAP Fee	Total Bail **	Category	DMV Points
			1	10/10	7	5/10	5	20%	2		40	1	0			
21706.5 (b)	I	Operation of Vehicle in Unsafe Manner in an Emergency Incident Zone	105	110	77	55	55	21	22	445	40	35	1	0	521	4b 1
21707	I	Driving Within 300 Feet of Fire Areas Prohibited	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21708	I	Running Over Unprotected Fire/Chemical Hose Prohibited	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 0
21709	I	Driving Within Safety Zone Prohibited	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21710	I	Coasting in Neutral on Downgrade Prohibited	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 0
21711	I	Whipping or Swerving Towed Vehicle Prohibited	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21712 (a)	I	Allowing Riding on Portion of Vehicle Not Designed for Passenger Use Prohibited	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21712 (b)	I	Unlawful Riding on Vehicle Prohibited	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 0
21712 (c)	I	Driver Permitting Riding in Trunk of Vehicle	135	140	98	70	70	27	28	568	40	35	1	0	644	4b 1
21712 (d)	I	Riding in Trunk of Vehicle	135	140	98	70	70	27	28	568	40	35	1	0	644	4b 0
21712 (g)	I	Towing Trailer Coach, Camp Trailer, or Trailer Carrying Vessel That Contains Passenger	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21712 (h)	I	Driving While Towing Person Riding on Motorcycle, Motorized Bicycle, Bicycle, Coaster, Roller Skates, Sled, Skis, or Toy Vehicle	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21714 (a)	I	Use of Three-Wheeled Vehicle in HOV Lane	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21714 (b)	I	Use of Three-Wheeled Vehicle in Lane Adjacent to Striping or Area Between Two or More Vehicles Traveling in Adjacent Traffic Lanes	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21715 (a,b)	I	Exceeding Passenger Vehicle Towing Combination Limits	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1

**APPENDIX OF ENHANCED PENALTY AMOUNTS PER VEHICLE CODE SECTION 42009
 VIOLATIONS COMMITTED IN HIGHWAY CONSTRUCTION OR MAINTENANCE AREA**

(*See Preface, Sections III and IV.C.2) (**See Preface, Section IV)

(Vehicle Code)

Section	Notes Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA* /10	Surcharge* /10	EMS PA*	Fine Surcharge & PA Subtotal	Court OPS	Conv.Assess. Night Court	TAP Fee	Total Bail **	Category	DMV Points
			1	10/10	7	5/10	5	20%	2		40	1	0			
21720	I	Unlawful Operation of Pocket Bike	35	40	28	20	20	7	8	158	40	35	1	0	234	2b 0
21750	I	Overtaking and Passing Unsafely	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21751	I	Passing Without Sufficient Clearance	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21752	(a,b,d)	I Driving Left of Center Prohibited	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21752	(c)	I Driving Left of Center—Within 100 Feet or When Traversing Railroad Grade Crossing—Prohibited	135	140	98	70	70	27	28	568	40	35	1	0	644	4b 1
21753	I	Failure to Yield to Overtaking Vehicle	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21754	(a-e)	I Improper Passing on Right Prohibited	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21755	I	Unsafe Passing on Right Shoulder	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21758	I	Unsafe Passing on Grades Prohibited	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21760	(b)	I Overtaking or Passing Bicycle Unsafely	70	70	49	35	35	14	14	287	40	35	1	0	363	4b 1
21760	(b)	I Causing Bodily Injury to a Bicycle Operator From Collision While Overtaking or Passing Bicycle Unsafely	255	260	182	130	130	51	52	1060	40	35	1	0	1136	4b 1
21760	(c)	I Overtaking or Passing Bicycle at Distance of Less Than Three Feet, Move Over Slow Down Exception	70	70	49	35	35	14	14	287	40	35	1	0	363	4b 1
21760	(c)	I Causing Bodily Injury to a Bicycle Operator From Collision While Overtaking or Passing Bicycle at Distance of Less Than Three Feet	255	260	182	130	130	51	52	1060	40	35	1	0	1136	4b 1
21760	(d)	I Overtaking or Passing Bicycle Without Slowing to Reasonable Speed	70	70	49	35	35	14	14	287	40	35	1	0	363	4b 1
21760	(d)	I Causing Bodily Injury to a Bicycle Operator From Collision While Overtaking or Passing Bicycle Without Slowing to Reasonable Speed	255	260	182	130	130	51	52	1060	40	35	1	0	1136	4b 1
21800	(a-c)	I Violation of Right-of-Way/Uncontrolled Intersection	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21800	(d)(1,2)	I Violation of Right-of-Way/Controlled Intersection With Inoperative Control Signals	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1

**APPENDIX OF ENHANCED PENALTY AMOUNTS PER VEHICLE CODE SECTION 42009
 VIOLATIONS COMMITTED IN HIGHWAY CONSTRUCTION OR MAINTENANCE AREA**

(*See Preface, Sections III and IV.C.2) (**See Preface, Section IV)
 (Vehicle Code)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA* /10	Surcharge*	EMS PA* /10	Fine Surcharge & PA Subtotal	Court OPS	Conv.Assess. Night Court	TAP Fee	Total Bail **	Category	DMV Points
				1	10/10	7	5/10	5	20%	2		40	1	0			
21801	(a,b)	I	Violation of Right-of-Way–Left Turn	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21802	(a,b)	I	Violation of Right-of-Way–Entering Through Highway	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21803	(a,b)	I	Violation of "Yield" Sign	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21804	(a,b)	I	Entering Highway From Alley or Driveway	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21806	(a,b)	I	Failure to Yield to Emergency Vehicle	135	140	98	70	70	27	28	568	40	35	1	0	644	4b 1
21807		I	Driving Authorized Emergency Vehicle Without Due Regard for Safety of Persons and Property	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
21809	(a)	I	Failure to Slow Down or Change Lane When Approaching and Passing Stationary Emergency Vehicle or Tow Truck Displaying Specific Lights	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
22100	(a,b)	I	Turn at Intersection From Wrong Position	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
22100.5		I	U-Turn at Controlled Intersection	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
22101	(d)	I	Violating Special Traffic Control Markers	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
22102		I	Illegal U-Turn in Business District	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
22103		I	Illegal U-Turn in Residential District	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
22104		I	Illegal U-Turn Near Fire Station	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
22105		I	Illegal U-Turn on Highway Without Unobstructed View	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
22106		I	Unsafe Starting or Backing on Highway	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
22107		I	Unsafe Turn or Lane Change Prohibited	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
22108		I	Signal Required Before Turning or Changing Lanes	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
22109		I	Sudden Stopping Without Signaling	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
22110	(a,b)	I	Hand/Lamp Signal Not Given	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1
22348	(b)	I	Speeding Over 100 MPH Prohibited	235	240	168	120	120	47	48	978	40	35	1	0	1054	4b 2
22348	(c)	I	Failure of Vehicles Subject to VC 22406 to Use Designated Lane	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 1

**APPENDIX OF ENHANCED PENALTY AMOUNTS PER VEHICLE CODE SECTION 42009
 VIOLATIONS COMMITTED IN HIGHWAY CONSTRUCTION OR MAINTENANCE AREA
 (*See Preface, Sections III and IV.C.2) (**See Preface, Section IV)
 (Vehicle Code)**

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA* /10	Surcharge*	EMS PA* /10	Fine Surcharge & PA Subtotal	Court OPS	Conv.Assess. Night Court	TAP Fee	Total Bail **	Category	DMV Points
				1	10/10	7	5/10	5	20%	2		40		1	0		
22349	(a)	I	Exceeding Maximum Speed Limit of 65 MPH						[See Speed Chart]							4b	1
22349	(b)	I	Exceeding Maximum Speed Limit of 55 MPH on a Two-Lane Undivided Highway						[See Speed Chart]							4b	1
22350		I	Unsafe Speed for Prevailing Condition						[See Speed Chart]							4b	1
22351	(a,b)	I	Driving in Excess of Prima Facie Speed Limits Established in VC 22352						[See Speed Chart]							4b	1
22352	(a)(1)	I	Operating Vehicle in Excess of 15 MPH at Railroad Crossing						[See Speed Chart]							4b	1
22352	(a)(2)	I	Operating Vehicle in Excess of 15 MPH at Freeway Intersection With No Clear Field of Vision						[See Speed Chart]							4b	1
22352	(a)(3)	I	Operating Vehicle in Excess of 15 MPH on Any Alley						[See Speed Chart]							4b	1
22352	(b)(1)	I	Operation Vehicle in Excess of 25 MPH in Business District						[See Speed Chart]							4b	1
22352	(b)(2)	I	Operating Vehicle in Excess of 25 MPH by School						[See Speed Chart]							4b	1
22352	(b)(3)	I	Operating Vehicle in Excess of 25 MPH by Senior Center						[See Speed Chart]							4b	1
22354		I	Failure to Abide by Speed Limits Set by the State Department of Transportation (DOT) on State Highways						[See Speed Chart]							4b	1
22355		I	Failure to Abide by Variable Speed Limits Set by the State Department of Transportation (DOT)						[See Speed Chart]							4b	1
22357		I	Violation of Prima Facie Local Speed Limit						[See Speed Chart]							4b	1
22358		I	Violation of Local Speed Limit						[See Speed Chart]							4b	1
22358.3		I	Violation of Local Speed Limit on Narrow Street						[See Speed Chart]							4b	1

**APPENDIX OF ENHANCED PENALTY AMOUNTS PER VEHICLE CODE SECTION 42009
 VIOLATIONS COMMITTED IN HIGHWAY CONSTRUCTION OR MAINTENANCE AREA**

(*See Preface, Sections III and IV.C.2) (**See Preface, Section IV)
 (Vehicle Code)

Section	Notes Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA* /10	Surcharge*	EMS PA* /10	Fine Surcharge & PA Subtotal	Court OPS	Conv.Assess. Night Court	TAP Fee	Total Bail **	Category	DMV Points	
			1	10/10	7	5/10	5	20%	2		40		1	0			
22358.4	I	Violation of Prima Facie Local Speed Limit													4b	1	
22360	I	Violation of Local Speed Limits Between Business and Residence Districts													4b	1	
22361	I	Violation of Speed Limit on Multiple Lane Highways													4b	1	
22362	I	Violation of Speed Limit Surrounding Special Work Crews													4b	1	
22363	I	Violation of DOT or Local Speed Limit Set for Snow or Ice													4b	1	
22364	I	Violation of Speed Limit Set by DOT on State Highways													4b	1	
22406 (a)	I	Truck or Tractor 1–9 MPH Over 55 MPH Limit	85	90	63	45	45	17	18	363	40	35	1	0	439	4b	1
22406 (a)	I	Truck or Tractor 10 MPH or More Over 55 MPH Limit	135	140	98	70	70	27	28	568	40	35	1	0	644	4b	1
22407	I	Posted Speed for Designated Vehicles–In Excess of Speed Limit by 10 MPH or More	135	140	98	70	70	27	28	568	40	35	1	0	644	4b	1
22409	I	Speed Limit for Solid Tire Vehicle													4b	1	
22410	I	Exceeding Speed Limit for Metal Tire Vehicles	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
22413	I	Violation of Speed Limit Set by Local Authority for Steep Grades													4b	1	
22450 (a)	I	Failure to Stop at Stop Sign	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
22450 (b)	I	Failure to Stop at Stop Sign at Railroad Grade Crossing	135	140	98	70	70	27	28	568	40	35	1	0	644	4b	1
22451 (a,b)	I	Failure to Stop for Train Signals/Closed Gates	135	140	98	70	70	27	28	568	40	35	1	0	644	4b	1
22452 (b)	I	Failure of Certain Vehicles to Stop at Railroad Crossings	135	140	98	70	70	27	28	568	40	35	1	0	644	4b	1
22452 (c)	I	Failure of Commercial Vehicle to Stop at Railroad Crossings	135	140	98	70	70	27	28	568	40	35	1	0	644	4b	1

**APPENDIX OF ENHANCED PENALTY AMOUNTS PER VEHICLE CODE SECTION 42009
VIOLATIONS COMMITTED IN HIGHWAY CONSTRUCTION OR MAINTENANCE AREA**

(*See Preface, Sections III and IV.C.2) (**See Preface, Section IV)

(Vehicle Code)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA* /10	Surcharge* /10	EMS PA*	Fine Surcharge & PA Subtotal	Court OPS	Conv.Assess. Night Court	TAP Fee	Total Bail **	Category	DMV Points
				1	10/10	7	5/10	5	20%	2	40	1	0				
22454	(a)	I	Passing School Bus With Flashing Signals	185	190	133	95	95	37	38	773	40	35	1	0	849	4b 1
22455	(a)	I	Vending From Vehicle Without Coming to a Complete Stop or Parking the Vehicle Lawfully	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 0
22456	(e)(1-3)	I	Vending From an Ice Cream Truck Under Prohibited Conditions	70	70	49	35	35	14	14	287	40	35	1	0	363	2b 0
23109	(c)	¹ I	Engaging In/Abetting Exhibition of Speed Prohibited	110	110	77	55	55	22	22	451	40	35	1	0	527	2b 2
23154	(a)	I	Driving With Blood Alcohol Level of .01 or Greater While on Probation for Violation of VC 23152 or VC 23153	105	110	77	55	55	21	22	445	40	35	1	0	521	3b 0
23220	(a)	I	Drinking Alcoholic Beverage, Smoking or Ingesting Marijuana Product While Driving Off-Highway Prohibited	105	110	77	55	55	21	22	445	40	35	1	0	521	3b 0
23221	(a)	I	Drinking Alcoholic Beverage, Smoking or Ingesting Marijuana Product by Driver Prohibited	105	110	77	55	55	21	22	445	40	35	1	0	521	3b 1
23221	(b)	I	Drinking Alcoholic Beverage, Smoking or Ingesting Marijuana Product by Passenger Prohibited	105	110	77	55	55	21	22	445	40	35	1	0	521	3b 0
23222	(a)	I	Possession of Open Container While Driving Prohibited	105	110	77	55	55	21	22	445	40	35	1	0	521	3b 1
23222	(b)	I	Possession of Open Container of Cannabis by Driver	105	110	77	55	55	21	22	445	40	35	1	0	521	3b 1
23223	(a)	² I	Possession of Open Container by Driver Prohibited	105	110	77	55	55	21	22	445	40	35	1	0	521	3b 0
23223	(b)	² I	Possession of Open Container by Passenger Prohibited	105	110	77	55	55	21	22	445	40	35	1	0	521	3b 0
23225	(a)(1)	² I	Storage of Open Container Restricted	105	110	77	55	55	21	22	445	40	35	1	0	521	3b 0
23226	(a)	I	Storage by Driver of Open Container in Passenger Compartment Prohibited	105	110	77	55	55	21	22	445	40	35	1	0	521	3b 0
23226	(b)	I	Storage by Passenger of Open Container in Passenger Compartment Prohibited	105	110	77	55	55	21	22	445	40	35	1	0	521	3b 0

**APPENDIX OF ENHANCED PENALTY AMOUNTS PER VEHICLE CODE SECTION 42009
 VIOLATIONS COMMITTED IN HIGHWAY CONSTRUCTION OR MAINTENANCE AREA**

(*See Preface, Sections III and IV.C.2) (**See Preface, Section IV)
 (Vehicle Code)

Section	Notes Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA* /10	Surcharge*	EMS PA* /10	Fine Surcharge & PA Subtotal	Court OPS	Conv.Assess. Night Court	TAP Fee	Total Bail **	Category	DMV Points
			1	10/10	7	5/10	5	20%	2		40	1	0			
22406.1	M	Maximum Speed for Commercial Vehicles— In Excess of Speed Limit by 15 MPH or More	600	600	420	300	300	120	120	2460	40	30	1	2531		1.5
23103	(a,b)	M Reckless Driving	290	290	203	145	145	58	58	1189	40	30	1	1260		2
23104	(a)	M Reckless Driving—Bodily Injury	700	700	490	350	350	140	140	2870	40	30	1	2941		2
23104	(b)	M Reckless Driving—Great Bodily Injury	1000	1000	700	500	500	200	200	4100	40	30	1	4171		2
23105	(a)	M Reckless Driving—Specific Injury	1500	1500	1050	750	750	300	300	6150	40	30	1	6221		2
23109	(a)	M Engaging in Speed Contests Prohibited	720	720	504	360	360	144	144	2952	40	30	1	3023		2
23109	(b)	M Abetting Speed Contest Prohibited	200	200	140	100	100	40	40	820	40	30	1	891		1
23109	(c)	M Engage In/Abet Exhibition of Speed Prohibited	200	200	140	100	100	40	40	820	40	30	1	891		2
23109	(d)	M Placing Barricades or Obstructions Prohibited	200	200	140	100	100	40	40	820	40	30	1	891		1
23109	(e)(2) ³	M Engaging in Speed Contest and Causing Bodily Injury	1000	1000	700	500	500	200	200	4100	40	30	1	4171		2
23109.1	M	Engaging in Speed Contest—Specific Injury	1500	1500	1050	750	750	300	300	6150	40	30	1	6221		2
23152	(a,b)	M Driving Under Influence of Alcohol	780	780	546	390	390	156	156	3198	40	30	1	3269		2
23152	(c)	M Driving While Addicted to Drug	780	780	546	390	390	156	156	3198	40	30	1	3269		2
23152	(d)	M Driving Commercial Vehicle Under Influence of Alcohol	900	900	630	450	450	180	180	3690	40	30	1	3761		3
23152	(e)	Driving a Motor Vehicle When a Passenger for Hire Is a Passenger in the Vehicle at the Time of the Offense with a .04 or Higher BAC.	780	780	546	390	390	156	156	3198	40	30	1	3269		2
23152	(f)	M Driving Under Influence of Drug	780	780	546	390	390	156	156	3198	40	30	1	3269		2
23152	(g)	M Driving Under Influence of Alcohol and Drug	780	780	546	390	390	156	156	3198	40	30	1	3269		2
23153	(a,b)	M Driving Under Influence of Alcohol While Causing Injury	1000	1000	700	500	500	200	200	4100	40	30	1	4171		2

**APPENDIX OF ENHANCED PENALTY AMOUNTS PER VEHICLE CODE SECTION 42009
 VIOLATIONS COMMITTED IN HIGHWAY CONSTRUCTION OR MAINTENANCE AREA**

(*See Preface, Sections III and IV.C.2) (**See Preface, Section IV)
 (Vehicle Code)

Section	Notes Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA* /10	Surcharge*	EMS PA* /10	Fine Surcharge & PA Subtotal	Court OPS	Conv.Assess. Night Court	TAP Fee	Total Bail **	Category	DMV Points
			1	10/10	7	5/10	5	20%	2		40	1	0			
23153	(d)	M Driving Commercial Vehicle Under Influence of Alcohol While Causing Injury	1000	1000	700	500	500	200	200	4100	40	30	1	4171		3
23153	(e)	Driving a Motor Vehicle When a Passenger for Hire Is a Passenger in the Vehicle at the Time of the Offense with a .04 or Higher BAC and Causing Injury.	1000	1000	700	500	500	200	200	4100	40	30	1	4171		2
23153	(f)	M Driving Under Influence of Drug While Causing Injury	1000	1,000	700.00	500	500	200	200	4100	40	30	1	4,171.00		2
23153	(g)	M Driving Under Influence of Alcohol and Drug While Causing Injury	1000	1,000	700.00	500	500	200	200	4100	40	30	1	4,171.00		2
23224	(a,b)	M Possession of Alcohol by Minor Prohibited	200	200	140.00	100	100	40	40	820	40	30	1	891.00		0

Notes

¹ Per PC 19.8: VC 23109(c) charged as an infraction is subject to fine "... not to exceed \$250"

² Per VC 40000.20: a third or subsequent violation relating to "a driver of any vehicle used to provide transportation services on a prearranged services, operating under a valid certificate or permit pursuant to the Passenger Charter-party Carriers' Act (Chapter 8 (commencing with Section 5351) of Division 2 of the public Utilities Code), is a misdemeanor.

³ Per VC 23109(e)(2): "punishable by imprisonment in a county jail for not less than 30 days nor more than six months or by a fine of not less than \$500 nor more than \$1000, or by both the fine and imprisonment."

TRAFFIC INFRACTION FIXED PENALTY SCHEDULE
 (*See Preface, Sections III and IV.C.2) (**See Preface, Section IV)
 (Vehicle Code)

ENHANCED PENALTY SPEED CHART AMOUNTS PER VEHICLE CODE SECTION 42009
VIOLATIONS COMMITTED IN HIGHWAY CONSTRUCTION OR MAINTENANCE AREA
(FOR ALL SPEED LIMITS)

MPH Over Limit	Bail	State PA*	County PA*/10	DNA PA*	Court Facility Const. PA*/10	Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv.Assess.	Night Court	TAP Fee	Total Bail **
	1	10/10	7	5/10	5	20%	2		40	35	1	0	
1–15	\$70	\$70	\$49	\$35	\$35	\$14	\$14	\$287	\$40	\$35	\$1	\$0	\$363
16–25	\$105	\$110	\$77	\$55	\$55	\$21	\$22	\$445	\$40	\$35	\$1	\$0	\$521
26 and over ¹	\$135	\$140	\$98	\$70	\$70	\$27	\$28	\$568	\$40	\$35	\$1	\$0	\$644

¹ Per VC 42000.5: "Every person convicted of an infraction for a violation of Section 22350, 22406, or 22407 while operating a bus, motor truck, or truck tractor having three or more axles, or any motor truck or truck tractor drawing any other vehicle, shall be punished by a fine not exceeding \$100 for a first conviction, except that if a person has exceeded the specified speed limit by 10 miles per hour or more, the fine shall not exceed \$200 for a first conviction and not exceeding \$300 for a second or subsequent conviction."

**APPENDIX OF ENHANCED PENALTY AMOUNTS PER VEHICLE CODE SECTION 42010
VIOLATIONS COMMITTED IN SAFETY ENHANCEMENT-DOUBLE FINE ZONES**

(*See Preface, Sections III and IV.C.3) (**See Preface, Section IV)

Vehicle Code Section	Notes Level	Offense	Base Fine	State PA*	County		Court PA*/10	Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv.Assess. Night Court	TAP Fee	Total Bail **	Category	DMV Points	
					PA*/10	DNA PA*											
			1	10/10	7	5/10	5	20%	2		40	1	0				
21650	I	Failure to Keep to Right Side of Road	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21651 (a)	I	Driving Across Dividing Section on Freeway Prohibited	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21652	I	Improperly Entering Highway From Service Road	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21654 (a)	I	Slow-Moving Vehicles Keep to Right Edge of Roadway	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21655 (b)	I	Failure to Use Designated Lanes	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21655.5 (b)	I	Improper Use of Preferential Lanes	135	100	70	50	50	27	20	452	40	35	1	0	528	4b	0
21655.8 (a)	I	Driving Over Double Lines of Preferential Lanes	135	100	70	50	50	27	20	452	40	35	1	0	528	4b	1
21656	I	Failure of Slow-Moving Vehicles to Turn Out	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21657	I	Driving Against One-Way Traffic Patterns	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21658 (a,b)	I	Lane Straddling/Failure to Use Specified Lanes	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21659	I	Unsafe Driving on Three-Lane Highway	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21660	I	Failure of Approaching Vehicles to Pass to the Right	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21661	I	Right-of-Way Rule-Narrow Grades	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21662 (a,b)	I	Mountains-Keep to Right-Use Horn	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21663	I	Driving on Sidewalk Prohibited	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21664	I	Failure to Use Designated Freeway On-/Off-ramp Properly	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21700	I	Load/Passengers Not to Obstruct Driver's View	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21703	I	Following Too Closely Prohibited	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21704 (a)	I	Trucks/Trailers Following Too Closely Prohibited	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21705	I	Caravans Following Too Closely Prohibited	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1

**APPENDIX OF ENHANCED PENALTY AMOUNTS PER VEHICLE CODE SECTION 42010
VIOLATIONS COMMITTED IN SAFETY ENHANCEMENT-DOUBLE FINE ZONES**

(*See Preface, Sections III and IV.C.3) (**See Preface, Section IV)

Vehicle Code Section	Notes Level	Offense	Base Fine	State PA*	County PA* /10	DNA PA*	Court PA* /10	Surcharge*	EMS PA* /10	Fine Surcharge & PA Subtotal	Court OPS	Conv.Assess. Night Court	TAP Fee	Total Bail **	Category	DMV Points
			1	10/10	7	5/10	5	20%	2		40	1	0			
21706	I	Following Emergency Vehicles Too Closely Prohibited	70	40	28	20	20	14	8	200	40	35	1	0	276	2b 1
21706.5 (b)	I	Operation of Vehicle in Unsafe Manner in an Emergency Incident Zone	105	70	49	35	35	21	14	329	40	35	1	0	405	2b 1
21707	I	Driving Within 300 Feet of Fire Areas Prohibited	70	40	28	20	20	14	8	200	40	35	1	0	276	2b 1
21708	I	Running Over Unprotected Fire/Chemical Hose Prohibited	70	40	28	20	20	14	8	200	40	35	1	0	276	2b 0
21709	I	Driving Within Safety Zone Prohibited	70	40	28	20	20	14	8	200	40	35	1	0	276	2b 1
21710	I	Coasting in Neutral on Downgrade Prohibited	70	40	28	20	20	14	8	200	40	35	1	0	276	2b 0
21711	I	Whipping or Swerving Towed Vehicle Prohibited	70	40	28	20	20	14	8	200	40	35	1	0	276	2b 1
21712 (a)	I	Allowing Riding on Portion of Vehicle Not Designed for Passenger Use Prohibited	70	40	28	20	20	14	8	200	40	35	1	0	276	2b 1
21712 (c)	I	Driver Permitting Riding in Trunk of Vehicle	135	100	70	50	50	27	20	452	40	35	1	0	528	4b 1
21712 (d)	I	Riding in Trunk of Vehicle	135	100	70	50	50	27	20	452	40	35	1	0	528	4b 0
21712 (g)	I	Towing Trailer Coach, Camp Trailer, or Trailer Carrying Vessel That Contains Passenger	70	40	28	20	20	14	8	200	40	35	1	0	276	2b 1
21712 (h)	I	Driving While Towing Person Riding on Motorcycle, Motorized Bicycle, Bicycle, Coaster, Roller Skates, Sled, Skis, or Toy Vehicle	70	40	28	20	20	14	8	200	40	35	1	0	276	2b 1
21714 (a)	I	Use of Three-Wheeled Vehicle in HOV Lane	70	40	28	20	20	14	8	200	40	35	1	0	276	2b 1
21714 (b)	I	Use of Three-Wheeled Vehicle in Lane Adjacent to Striping or Area Between Two or More Vehicles Traveling in Adjacent Traffic Lanes	70	40	28	20	20	14	8	200	40	35	1	0	276	2b 1

**APPENDIX OF ENHANCED PENALTY AMOUNTS PER VEHICLE CODE SECTION 42010
VIOLATIONS COMMITTED IN SAFETY ENHANCEMENT-DOUBLE FINE ZONES**

(*See Preface, Sections III and IV.C.3) (**See Preface, Section IV)

Vehicle Code Section	Notes Level	Offense	Base Fine	State PA*	County PA* /10	DNA PA*	Court PA* /10	Surcharge*	EMS PA* /10	Fine Surcharge & PA Subtotal	Court OPS	Conv.Assess. Night Court	TAP Fee	Total Bail **	Category	DMV Points	
			1	10/10	7	5/10	5	20%	2		40	1	0				
21715 (a,b)	I	Exceeding Passenger Vehicle Towing Combination Limits	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21716	I	Golf Cart Operation Restricted	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	0
21717	I	Turning Across Bicycle Lane	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21720	I	Unlawful Operation of Pocket Bike	35	30	21	0	15	7	0	108	40	35	1	0	184	1b	0
21750	I	Overtaking and Passing Unsafely	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21751	I	Passing Without Sufficient Clearance	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21752 (a,b,d)	I	Driving Left of Center Prohibited	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21752 (c)	I	Driving Left of Center-Within 100 Feet or When Traversing Railroad Grade Crossing-Prohibited	135	100	70	50	50	27	20	452	40	35	1	0	528	4a	1
21753	I	Failure to Yield to Overtaking Vehicle	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21754	I	Improper Passing on Right Prohibited	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21755	I	Unsafe Passing on Right Shoulder	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21758	I	Unsafe Passing on Grades Prohibited	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21760 (b)	I	Overtaking or Passing Bicycle Unsafely	70	40	28	20	20	14	8	200	40	35	1	0	276	4b	1
21760 (b)	I	Causing Bodily Injury to a Bicycle Operator From Collision While Overtaking or Passing Bicycle Unsafely	255	220	154	110	110	51	44	944	40	35	1	0	1020	4b	1
21760 (c)	I	Overtaking or Passing Bicycle at Distance of Less Than Three Feet, Move Over Slow Down Exception	70	40	28	20	20	14	8	200	40	35	1	0	276	4b	1
21760 (c)	I	Causing Bodily Injury to a Bicycle Operator From Collision While Overtaking or Passing Bicycle at Distance of Less Than Three Feet	255	220	154	110	110	51	44	944	40	35	1	0	1020	4b	1
21760 (d)	I	Overtaking or Passing Bicycle Without Slowing to Reasonable Speed	70	40	28	20	20	14	8	200	40	35	1	0	276	4b	1
21760 (d)	I	Causing Bodily Injury to a Bicycle Operator From Collision While Overtaking or Passing Bicycle Without Slowing to Reasonable Speed	255	220	154	110	110	51	44	944	40	35	1	0	1020	4b	1

**APPENDIX OF ENHANCED PENALTY AMOUNTS PER VEHICLE CODE SECTION 42010
VIOLATIONS COMMITTED IN SAFETY ENHANCEMENT-DOUBLE FINE ZONES**

(*See Preface, Sections III and IV.C.3) (**See Preface, Section IV)

Vehicle Code Section	Notes Level	Offense	Base Fine	State PA*	County PA* /10	DNA PA*	Court PA* /10	Surcharge*	EMS PA* /10	Fine Surcharge & PA Subtotal	Court OPS	Conv.Assess. Night Court	TAP Fee	Total Bail **	Category	DMV Points	
			1	10/10	7	5/10	5	20%	2		40	1	0				
22348 (b)	I	Speeding Over 100 MPH Prohibited	235	200	140	100	100	47	40	862	40	35	1	0	938	4b	2
22348 (c)	I	Failure of Vehicles Subject to VC 22406 to Use Designated Lane	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
22349 (a)	I	Exceeding Maximum Speed Limit of 65 MPH						[See Speed Chart]								4b	1
22349 (b)	I	Exceeding Maximum Speed Limit of 55 MPH on a Two-Lane Undivided Highway						[See Speed Chart]								4b	1
22350	I	Unsafe Speed for Prevailing Conditions						[See Speed Chart]								4b	1
22351 (a,b)	I	Driving in Excess of Prima Facie Speed Limits Established in VC 22352						[See Speed Chart]								4b	1
22352 (a)(1)	I	Operating Vehicle in Excess of 15 MPH at Railroad Crossing						[See Speed Chart]								4b	1
22352 (a)(2)	I	Operating Vehicle in Excess of 15 MPH at Freeway Intersection With No Clear Field of Vision						[See Speed Chart]								4b	1
22352 (a)(3)	I	Operating Vehicle in Excess of 15 MPH on Any Alley						[See Speed Chart]								4b	1
22352 (b)(1)	I	Operation Vehicle in Excess of 25 MPH in Business District						[See Speed Chart]								4b	1
22352 (b)(2)	I	Operating Vehicle in Excess of 25 MPH by School						[See Speed Chart]								4b	1
22352 (b)(3)	I	Operating Vehicle in Excess of 25 MPH by Senior Center						[See Speed Chart]								4b	1
22354	I	Failure to Abide by Speed Limits Set by the State Department of Transportation (DOT) on State Highways						[See Speed Chart]								4b	1
22355	I	Failure to Abide by Variable Speed Limits Set by the State Department of Transportation (DOT)						[See Speed Chart]								4b	1

**APPENDIX OF ENHANCED PENALTY AMOUNTS PER VEHICLE CODE SECTION 42010
VIOLATIONS COMMITTED IN SAFETY ENHANCEMENT-DOUBLE FINE ZONES**

(*See Preface, Sections III and IV.C.3) (**See Preface, Section IV)

Vehicle Code Section	Notes Level	Offense	Base Fine	State PA*	County PA* /10	DNA PA*	Court PA* /10	Surcharge*	EMS PA* /10	Fine Surcharge & PA Subtotal	Court OPS	Conv.Assess. Night Court	TAP Fee	Total Bail **	Category	DMV Points	
			1	10/10	7	5/10	5	20%	2		40	1	0				
22356 (b)	I	Exceeding Maximum Speed Limit of 70 MPH Where Posted						[See Speed Chart]							4b	1	
22357	I	Violation of Prima Facie Local Speed Limit						[See Speed Chart]							4b	1	
22358	I	Violation of Local Speed Limit						[See Speed Chart]							4b	1	
22358.3	I	Violation of Local Speed Limit on Narrow Street						[See Speed Chart]							4b	1	
22358.4	I	Violation of Prima Facie Local Speed Limit						[See Speed Chart]							4b	1	
22360	I	Violation of Local Speed Limits Between Business and Residence Districts						[See Speed Chart]							4b	1	
22361	I	Violation of Speed Limit on Multiple Lane Highways						[See Speed Chart]							4b	1	
22362	I	Violation of Speed Limit Surrounding Special Work Crews						[See Speed Chart]							4b	1	
22363	I	Violation of DOT or Local Speed Limit Set for Snow or Ice						[See Speed Chart]							4b	1	
22364	I	Violation of Speed Limit Set by DOT on State Highways						[See Speed Chart]							4b	1	
22400 (a,b)	I	Minimum Speed Law-Impeding Traffic Flow	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
22405 (a)	I	Exceeding Maximum Posted Speeds on Bridge or in Tube or Tunnel						[See Speed Chart]							4b	1	
22406 (a)	I	Truck or Tractor 1-9 MPH Over 55 MPH Limit	85	50	35	25	25	17	10	247	40	35	1	0	323	4b	1
22406 (a)	I	Truck or Tractor 10 MPH or More Over 55 MPH Limit	135	100	70	50	50	27	20	452	40	35	1	0	528	4b	1
22406 (b-f)	I	Maximum Speed for Designated Vehicles	85	50	35	25	25	17	10	247	40	35	1	0	323	4b	1
22406 (b-f)	I	Maximum Speed for Designated Vehicles-In Excess of Speed Limit by 10 MPH or More	135	100	70	50	50	27	20	452	40	35	1	0	528	4b	1

**APPENDIX OF ENHANCED PENALTY AMOUNTS PER VEHICLE CODE SECTION 42010
 VIOLATIONS COMMITTED IN SAFETY ENHANCEMENT-DOUBLE FINE ZONES**

(*See Preface, Sections III and IV.C.3) (**See Preface, Section IV)

Vehicle Code Section	Notes Level	Offense	Base Fine	State PA*	County		Court PA*	Surcharge*	EMS PA*	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess. Night Court	TAP Fee	Total Bail **	Category	DMV Points	
					PA*	DNA PA*											
			1	10/10	7	5/10	5	20%	2		40	1	0				
22406.5	I	Driving Tank Vehicle at Excessive Speed	535	500	350	250	250	107	100	2092	40	35	1	0	2168	4b	1
22407	I	Posted Speed for Designated Vehicles	85	50	35	25	25	17	10	247	40	35	1	0	323	4b	1
22407	I	Posted Speed for Designated Vehicles– In Excess of Speed Limit by 10 MPH or More	135	100	70	50	50	27	20	452	40	35	1	0	528	4b	1
22409	I	Speed Limit for Solid Tire Vehicle								[See Speed Chart]						4b	1
22410	I	Exceeding Speed Limit for Metal Tire Vehicle	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
22413	I	Violation of Speed Limit Set by Local Authority for Steep Grades								[See Speed Chart]						4b	1
23109 (c)	I	Engage in/Abet Exhibition of Speed Prohibited	110	80	56	40	40	22	16	364	40	35	1	0	440	2b	2
23154 (a)	I	Driving With Blood Alcohol Level of .01 or Greater While on Probation for Violation of VC 23152 or VC 23153	105	70	49	35	35	21	14	329	40	35	1	0	405	3b	0
23220 (a)	I	Drinking Alcoholic Beverage, Smoking or Ingesting Marijuana Product While Driving Off-Highway Prohibited	105	70	49	35	35	21	14	329	40	35	1	0	405	3b	0
23221 (a)	I	Drinking Alcoholic Beverage, Smoking or Ingesting Marijuana Product by Driver Prohibited	105	70	49	35	35	21	14	329	40	35	1	0	405	3b	1
23221 (b)	I	Drinking Alcoholic Beverage, Smoking or Ingesting Marijuana Product by Passenger Prohibited	105	70	49	35	35	21	14	329	40	35	1	0	405	3b	0
23222 (a)	I	Possession of Open Container While Driving Prohibited	105	70	49	35	35	21	14	329	40	35	1	0	405	3b	1
23222 (b)	I	Possession of Open Container of Cannabis by Driver	105	70	49	35	35	21	14	329	40	35	1	0	405	3b	1
23223 (a)	¹ I	Possession of Open Container by Driver Prohibited	105	70	49	35	35	21	14	329	40	35	1	0	405	3b	0

**APPENDIX OF ENHANCED PENALTY AMOUNTS PER VEHICLE CODE SECTION 42010
VIOLATIONS COMMITTED IN SAFETY ENHANCEMENT-DOUBLE FINE ZONES**

(*See Preface, Sections III and IV.C.3) (**See Preface, Section IV)

Vehicle Code Section	Notes	Level	Offense	Base Fine	State PA*	County PA* /10	DNA PA*	Court PA* /10	Surcharge*	EMS PA* /10	Fine Surcharge & PA Subtotal	Court OPS	Conv.Assess.	Night Court	TAP Fee	Total Bail **	Category	DMV Points
				1	10/10	7	5/10	5	20%	2		40		1	0			
23223 (b)	I		Possession of Open Container by Passenger Prohibited	105	70	49	35	35	21	14	329	40	35	1	0	405	3b	0
23225 (a)(1)	¹ I		Storage of Open Container While Driving Restricted	105	70	49	35	35	21	14	329	40	35	1	0	405	3b	0
23226 (a)	I		Storage by Driver of Open Container in Passenger Compartment Prohibited	105	70	49	35	35	21	14	329	40	35	1	0	405	3b	0
23226 (b)	I		Storage by Passenger of Open Container in Passenger Compartment Prohibited	105	70	49	35	35	21	14	329	40	35	1	0	405	3b	0
22406.1	M		Maximum Speed for Commercial Vehicles-In Excess of Speed Limit by 15 MPH or More	600	300	210	150	150	120	60	1590	40	30	1		1661		2
23103 (a,b)	M		Reckless Driving	290	150	105	75	75	58	30	783	40	30	1		854		2
23104 (a)	M		Reckless Driving-Bodily Injury	700	350	245	175	175	140	70	1855	40	30	1		1926		2
23104 (b)	M		Reckless Driving-Great Bodily Injury	1000	500	350	250	250	200	100	2650	40	30	1		2721		2
23105 (a)	M		Reckless Driving-Specific Injury	1500	750	525	375	375	300	150	3975	40	30	1		4046		2
23109 (a)	M		Engaging in Speed Contests Prohibited	720	360	252	180	180	144	72	1908	40	30	1		1979		2
23109 (b)	M		Abetting Speed Contest Prohibited	200	100	70	50	50	40	20	530	40	30	1		601		1
23109 (c)	M		Engage In/Abet Exhibition of Speed Prohibited	200	100	70	50	50	40	20	530	40	30	1		601		2
23109 (d)	M		Placing Barricades or Obstructions Prohibited	200	100	70	50	50	40	20	530	40	30	1		601		1
23109 (e)	M		Engaging in Speed Contest and Causing Bodily Injury	1000	500	350	250	250	200	100	2650	40	30	1		2721		1
23109.1	M		Engaging in Speed Contest-Specific Injury	1500	750	525	375	375	300	150	3975	40	30	1		4046		2
23152 (a,b)	M		Driving Under Influence of Alcohol	780	390	273	195	195	156	78	2067	40	30	1		2138		2
23152 (c)	M		Driving While Addicted to Drug	780	390	273	195	195	156	78	2067	40	30	1		2138		2
23152 (d)	M		Driving Commercial Vehicle Under Influence of Alcohol	900	450	315	225	225	180	90	2385	40	30	1		2456		3
23152 (e)	M		Driving a Motor Vehicle When a Passenger for Hire Is a Passenger in the Vehicle at the Time of the Offense with a .04 or Higher BAC.	780	390	273	195	195	156	78	2067	40	30	1		2138		2

**APPENDIX OF ENHANCED PENALTY AMOUNTS PER VEHICLE CODE SECTION 42010
VIOLATIONS COMMITTED IN SAFETY ENHANCEMENT-DOUBLE FINE ZONES**

(*See Preface, Sections III and IV.C.3) (**See Preface, Section IV)

Vehicle Code Section	Notes Level	Offense	Base Fine	State PA*	County PA* /10	DNA PA*	Court PA* /10	Surcharge*	EMS PA* /10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess.	Night Court	TAP Fee	Total Bail **	Category	DMV Points
			1	10/10	7	5/10	5	20%	2		40		1	0			
23152 (f)	M	Driving Under Influence of Drug	780	390	273	195	195	156	78	2067	40	30	1		2138		2
23152 (g)	M	Driving Under Influence of Alcohol and Drug	780	390	273	195	195	156	78	2067	40	30	1		2138		2
23153 (a,b)	M	Driving Under Influence of Alcohol While Causing Injury	1000	500	350	250	250	200	100	2650	40	30	1		2721		2
23153 (d)	M	Driving Commercial Vehicle Under Influence of Alcohol While Causing Injury	1000	500	350	250	250	200	100	2650	40	30	1		2721		3
23153 (e)	M	Driving a Motor Vehicle When a Passenger for Hire Is a Passenger in the Vehicle at the Time of the Offense with a .04 or Higher BAC and Causing Injury.	1000	500	350	250	250	200	100	2650	40	30	1		2721		2
23153 (f)	M	Driving Under Influence of Drug While Causing Injury	1000	500	350	250	250	200	100	2650	40	30	1		2721		2
23153 (g)	M	Driving Under Influence of Alcohol and Drug While Causing Injury	1000	500	350	250	250	200	100	2650	40	30	1		2721		2
23224 (a,b)	M	Possession of Alcohol by Minor Prohibited	200	100	70	50	50	40	20	530	40	30	1		601		0

¹ Per VC 40000.20: a third or subsequent violation relating to "a driver of any vehicle used to provide transportation services on a prearranged services, operating under a valid certificate or permit pursuant to the Passenger Charter-party Carriers' Act (Chapter 8 (commencing with Section 5351) of Division 2 of the public Utilities Code), is a misdemeanor.

TRAFFIC INFRACTION FIXED PENALTY SCHEDULE
 (*See Preface, Sections III and IV.C.3) (**See Preface, Section IV)
 (Vehicle Code sections)

ENHANCED PENALTY SPEED CHART AMOUNTS PER VEHICLE CODE SECTION 42010 ¹
VIOLATIONS COMMITTED IN SAFETY ENHANCEMENT-DOUBLE FINE ZONES
(FOR ALL SPEED LIMITS)

MPH Over Limit	Bail	State PA*	County PA*/10	DNA PA*	Court Facility Const. PA*/10	Court Surcharge* Surcharge	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **
	1	10/10	7	5/10	5	20%	2		40	35	1	0	
1-15	70	40	28	20	20	14	8	200	40	35	1	0	276
16-25	105	70	49	35	35	21	14	329	40	35	1	0	405
26 and over ²	135	100	70	50	50	27	20	452	40	35	1	0	528

¹ Per VC 42010(d)(2), any additional penalty, forfeiture, or assessment imposed by any other statute shall be based on the amount of the base fine before enhancement or doubling and shall not be based on the amount of the enhanced fine imposed per VC 42010.

² Per VC 42000.5: "... if a person has exceeded the specified speed limit by 10 miles per hour or more, the fine shall not exceed \$200 for a first conviction"

BOATING BAIL AND PENALTY SCHEDULE
(*See Preface, Section III) (Preface, Section IV)**

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge* Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	1	
(Harbors and Navigation Code)															
131	1	M	Obstructing Navigable Waters	250	250	175	125	125	50	50	1025	40	30		1095
133	2	M	Discharging Oil	250	250	175	125	125	50	50	1025	40	30		1095
300	3	M	Willful Damage to or Setting Adrift a Vessel Under 10 Tons	250	250	175	125	125	50	50	1025	40	30		1095
301	3	M	Willful Damage to or Setting Adrift a Vessel of 10 Tons or More	500	500	350	250	250	100	100	2050	40	30		2120
303	3	M	Damage to or Setting Adrift Log/Lumber Raft	250	250	175	125	125	50	50	1025	40	30		1095
307	(a)	4	I	Mooring to or Hanging on With a Vessel to Buoy or Beacon	50	50	35	25	25	10	205	40	35		280
307	(b)	3	M	Removing, Damaging, or Destroying Buoy or Beacon	250	250	175	125	125	50	1025	40	30		1095
308		3	M	Mooring to or Damaging Federal Buoy or Beacon	500	500	350	250	250	100	2050	40	30		2120
505.5	(b-c)	5	M	Obtaining Possession of Vessel by Fraud, Trick, or Device	250	250	175	125	125	50	1025	40	30		1095
525	(a)	6	I	Abandonment of Vessel	1000	1000	700	500	500	200	4100	40	35		4175
571		7	M	Unlawful Taking or Possession of Wrecked Property	250	250	175	125	125	50	1025	40	30		1095
652	(c)	8	I	Vessel Does Not Meet Standards	50	50	35	25	25	10	205	40	35		280
652	(d)	9	M	Failure to Obey Termination Order	250	250	175	125	125	50	1025	40	30		1095
652.5	(c)	10	I	Blue Light—Unauthorized Use	50	50	35	25	25	10	205	40	35		280
652.5	(d)	10	I	Failure to Yield to Blue Light or Siren	50	50	35	25	25	10	205	40	35		280
652.5	(e)	10	I	Failure of Cable Ferry Operator to Provide Clear Course for Law Enforcement	50	50	35	25	25	10	205	40	35		280
654	(b)	8	I	Improper Mufflers/Use of Cutouts	50	50	35	25	25	10	205	40	35		280
654.05	(a)(1-3)	8	I	Motorized Vessel—Noise Level	50	50	35	25	25	10	205	40	35		280
654.06		8	I	Motorized Vessel for Sale—Noise Level	50	50	35	25	25	10	205	40	35		280
655	(a)	11	I	Reckless or Negligent Operation by Riding on Bow, Gunwale, or Transom of Vessel Propelled by Machinery	50	50	35	25	25	10	205	40	35		280

BOATING BAIL AND PENALTY SCHEDULE
(*See Preface, Section III) (Preface, Section IV)**

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge* Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS Court OPS	Conv. Assess Conv. Assess	Night Court Night Court	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	1	
655	(a)	⁹ M	Reckless or Negligent Operation	300	300	210	150	150	60	60	1230	40	30		1300
655	(b)	¹² M	Reckless or Negligent Operation—Under Influence of Liquor or Drugs	650	650	455	325	325	130	130	2665	40	30		2735
655	(c)	¹² M	Operation of Recreation Vessel or Manipulation of Skis/Aquaplane If Blood Alcohol .08 or More	500	500	350	250	250	100	100	2050	40	30		2120
655	(d)	¹² M	Operation of Vessel Other Than Recreational Vessel If Blood Alcohol .04 or More	300	300	210	150	150	60	60	1230	40	30		1300
655	(e)	¹² M	Operation of Vessel/Manipulation of Water Skis/Aquaplane and Addicted to Drug	300	300	210	150	150	60	60	1230	40	30		1300
655	(f)	¹³ M	Operation of Vessel/Manipulation of Water Skis/Aquaplane While Under Influence of Alcohol or Any Drug	250	250	175	125	125	50	50	1025	40	30		1095
655.05		⁹ M	Violation of 24-hour Nonoperation of Vessel Order	250	250	175	125	125	50	50	1025	40	30		1095
655.2	(a)	¹⁴ I	Power Boats—Speed Restrictions	50	50	35	25	25	10	10	205	40	35		280
655.3		¹⁵ I	Equipment on Vessels	50	50	35	25	25	10	10	205	40	35		280
655.3		¹⁵ M	Use of Vessels	75	80	56	40	40	15	16	322	40	30		392
655.4		¹⁶ M	Crew Member Under Influence of Liquor/Drugs Causes Death/Serious Injury	400	400	280	200	200	80	80	1640	40	30		1710
655.7	(a-d)	¹⁷ I	Operation of Personal Watercraft	50	50	35	25	25	10	10	205	40	35		280
656	(a)	⁹ M	Hit and Run/Assist at Collision	300	300	210	150	150	60	60	1230	40	30		1300
656	(d)	⁹ M	Accident or Collision Report Required	200	200	140	100	100	40	40	820	40	30		890
656.1		⁹ M	Operator of Vessel Involved in Accident Resulting in Property Damage	250	250	175	125	125	50	50	1025	40	30		1095
656.2		¹⁸ M	Operator of Vessel Involved in Accident Resulting in Personal Injury	1000	1000	700	500	500	200	200	4100	40	30		4170
656.3		¹⁸ M	Operator of Vessel Involved in Accident Resulting in Death or Disappearance	2000	2000	1400	1000	1000	400	400	8200	40	30		8270
658	(a)	¹⁹ I	Operation of Vessels Towing Persons on Water Skis or Aquaplanes—Requirement for Person 12 Years of Age or Older to Be Aboard in Addition to Driver	80	80	56	40	40	16	16	328	40	30		398

BOATING BAIL AND PENALTY SCHEDULE
(*See Preface, Section III) (Preface, Section IV)**

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	1	
658	(b)	¹⁹ I	Prohibited Hours	80	80	56	40	40	16	16	328	40	30		398
658	(d)	⁹ M	Cause Collision	400	400	280	200	200	80	80	1640	40	30		1710
658	(e)	⁹ M	Dangerous Operation	400	400	280	200	200	80	80	1640	40	30		1710
658.3	(a)	¹⁷ I	Children Under 13 Years Required to Wear Personal Flotation Device	50	50	35	25	25	10	10	205	40	35		280
658.5	(a)	²⁰ I	Person Under 16 Years of Age Operating a Motor Vessel as Prohibited	50	50	35	25	25	10	10	205	40	35		280
658.5	(b)	²⁰ I	Person Under 16 Years of Age Operating a Vessel as Prohibited	50	50	35	25	25	10	10	205	40	35		280
658.5	(d)	²⁰ I	Permitting Person Under 16 Years of Age to Operate a Vessel as Prohibited	50	50	35	25	25	10	10	205	40	35		280
658.7	(a)	I	Ski Flag Requirement	15	20	14	10	10	3	4	76	40	35		151
659		¹⁷ I	Unlawful Marking of Waters	50	50	35	25	25	10	10	205	40	35		280
660	(b)	⁹ M	Violation of Special Rules and Regulations	250	250	175	125	125	50	50	1025	40	30		1095
660	(c)(1)	⁹ M	Violation of Local Emergency Rules and Regulations	250	250	175	125	125	50	50	1025	40	30		1095
663.6		⁹ M	Vessel to Stop on Lawful Order	300	300	210	150	150	60	60	1230	40	30		1300
665		⁹ M	Violation of Promise to Appear	100	100	70	50	50	20	20	410	40	30		480
673		¹⁷ I	Boat Livery Recordkeeping	50	50	35	25	25	10	10	205	40	35		280
674		¹⁷ I	Livery Boat Equipment Requirements	50	50	35	25	25	10	10	205	40	35		280
678.11	A	²¹ I	Operation of Vessel on Water Without Certification Card (First Offense)	35	40	28	20	20	7	8	158	40	35		233
678.11	B	²¹ I	Operation of Vessel on Water Without Certification Card (First Offense)	25	0	0	0	0	0	0	25	0	0	0	25
678.15	(b)(2)	²¹ I	Operation of Vessel on Water Without Certification Card (Second Offense)	50	50	35	25	25	10	10	205	40	35		280
678.15	(b)(3)	²¹ I	Operation of Vessel on Water Without Certification Card (Three or More Offenses)	100	100	70	50	50	20	20	410	40	35		485
681	(a)	²² I	Operation or Idling of Motorized Vessel While Person Is Teak Surfing, Platform Dragging, or Bodysurfing Behind the Vessel	50	50	35	25	25	10	10	205	40	35		280

BOATING BAIL AND PENALTY SCHEDULE
(*See Preface, Section III) (Preface, Section IV)**

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge* Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS Court OPS	Conv. Assess Conv. Assess	Night Court Night Court	Total Bail **
681	(b)	22 I	Operation or Idling of Motorized Vessel While Person Is on or Holding Onto Swim Platform, Swim Deck, Swim Step, or Swim Ladder of the Vessel	50	10/10	35	5/10	25	20%	10	205	40	35	1	280
754		17 I	Record of Stored Vessels	50	50	35	25	25	10	10	205	40	35		280
759.14		M	For-Hire Vessel Company Failure to Procure Insurance	100	100	70	50	50	20	20	410	40	30		480
761		M	License Required–For-Hire Vessel	100	100	70	50	50	20	20	410	40	30		480
780	(a)	23 M	Illegal Discharge of Sewage	300	300	210	150	150	60	60	1230	40	30		1300
780	(b)(1-2)	24 I	Illegal Discharge of Sewage in No-discharge Area	150	150	105	75	75	30	30	615	40	35		690
780	(b)(1-2)	25 M	Illegal Discharge of Sewage in No-discharge Area	300	300	210	150	150	60	60	1230	40	30		1300
(California Code of Regulations, Title 13)															
190.00	(a,b)	A	I	Number Display	25	30	21	15	15	5	117	40	35		192
190.00	(a)	B	I	Number Display	25	0	0	0	0	0	25	0	0	0	25
190.01		A	I	Registration Stickers	25	30	21	15	15	5	117	40	35		192
190.01		B	I	Registration Stickers	25	0	0	0	0	0	25	0	0	0	25
190.08	(c)		I	Dealer Number Display	25	30	21	15	15	5	117	40	35		192
190.15			I	Hull Identification Numbers	25	30	21	15	15	5	117	40	35		192
(California Code of Regulations, Title 14)															
6555-6575			I	Equipment Requirements	35	40	28	20	20	7	158	40	35		233
6576			I	Use of Liquefied Petroleum Gas	35	40	28	20	20	7	158	40	35		233
6600.1		26 I	I	Pilot Rules/Rules of the Road	50	50	35	25	25	10	205	40	35		280
6692			I	Visual Distress Signals Required	35	40	28	20	20	7	158	40	35		233
6695		27 I	I	Blinding Lights	50	50	35	25	25	10	205	40	35		280
7003			I	Unlawful Placement of Diver Precaution Markers	50	50	35	25	25	10	205	40	35		280
7008	(c)		I	Diver Markers–Precaution	50	50	35	25	25	10	205	40	35		280
7008	(d)		I	Diver Markers–Improper Display	25	30	21	15	15	5	117	40	35		192
7009	(c)		I	Ski Flag–Precaution	50	50	35	25	25	10	205	40	35		280

BOATING BAIL AND PENALTY SCHEDULE
(*See Preface, Section III) (Preface, Section IV)**

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	1	
7009	(d)	I	Ski Flag–Improper Display	25	30	21	15	15	5	6	117	40	35		192
7504	(a)	M	For-Hire Operator's License Terms and Conditions of Use	100	100	70	50	50	20	20	410	40	30		480
7504	(b)	M	For-Hire Operator's License Terms and Conditions of Use–Change of Address	35	40	28	20	20	7	8	158	40	30		228
7504	(c)	M	For-Hire Operator's License Terms and Conditions of Use–Possession	35	40	28	20	20	7	8	158	40	30		228
(Vehicle Code)															
9850	A	28 I	Numbering of Undocumented Vessel	25	30	21	15	15	5	6	117	40	35	1	193
9850	B	28 I	Numbering of Undocumented Vessel	25	0	0	0	0	0	0	25	0	0	0	25
9853	(a)	I	Application for/Display of Number	25	30	21	15	15	5	6	117	40	35	1	193
9853	(c)(3)	A	Operating a Recreational Vessel in Nonmarine Waters Without a Valid State-Issued Quagga and Zebra Mussel Infestation Prevention Sticker	25	30	21	15	15	5	6	117	40	35	1	193
9853	(c)(3)	B	Operating a Recreational Vessel in Nonmarine Waters Without a Valid State-Issued Quagga and Zebra Mussel Infestation Prevention Sticker	25	0	0	0	0	0	0	25	0	0	0	25
9853.2	A	28 I	Number Display/Certificate of Number	25	30	21	15	15	5	6	117	40	35	1	193
9853.2	B	28 I	Number Display/Certificate of Number	25	0	0	0	0	0	0	25	0	0	0	25
9853.3		28 I	Retention of Certificate	25	30	21	15	15	5	6	117	40	35	1	193
9853.4	(b)	I	Display of Registration Other than Vessel for which it Was Issued	25	30	21	15	15	5	6	117	40	35	1	193
9853.8		29 I	Illegal Operation of Vessel Without Required Numbering or in Noncompliance With Emission Standards	250	250	175	125	125	50	50	1025	40	35	1	1101
9855		28 I	Change of Ownership	25	30	21	15	15	5	6	117	40	35	1	193
9864		28 I	Wrecking/Junking/Destruction/Abandonment of Undocumented Vessel	25	30	21	15	15	5	6	117	40	35	1	193
9865		28 I	Change of Address	25	30	21	15	15	5	6	117	40	35	1	193
9866		28 I	Display of Other Numbers	25	30	21	15	15	5	6	117	40	35	1	193
9871		28 I	Hull Identification Number	25	30	21	15	15	5	6	117	40	35	1	193

BOATING BAIL AND PENALTY SCHEDULE
 (*See Preface, Section III) (**Preface, Section IV)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	Total Bail **
9872		M	Defacing, Destroying, or Altering Hull Identification Number	80	10/10	56	5/10	40	20%	16	328	40	0	1	399

Notes

^A Violation cited on a notice to appear as not eligible for correction. (VC 40303.5, VC 40522, and VC 40610.) A citing officer may issue a noncorrectable notice to appear for an equipment, driver's license, or registration offense that is potentially eligible for correction if the officer determines that the violation presents an immediate safety hazard, there is evidence of fraud or persistent neglect, or the violator does not agree to, or cannot, promptly correct the violation.

^B Violation cited on a notice to appear as eligible for correction. (VC 40303.5, VC 40522, and VC 40610.) A potentially eligible equipment, driver's license, or registration offense may be cited as correctable on a notice to appear unless the citing officer determines that the violation presents an immediate safety hazard, there is evidence of fraud or persistent neglect, or the violator does not agree to, or cannot, promptly correct the violation.

- ¹ Per H&N 131(b): Fine: "... not to exceed \$1,000"
- ² Per H&N 133(c): Fine: "... not to exceed \$1,000"
- ³ Per H&N 309: Fine: "... not to exceed \$1,000"
- ⁴ Per H&N 307(a): Fine "... not more than \$100."
- ⁵ Per H&N 505.5(d): Fine: "... not to exceed \$1,000"
- ⁶ Per H&N 525(c): Fine: "... not less than \$1,000 nor more than \$3,000."
- ⁷ Per H&N 571(b): Fine: "... not to exceed \$1,000"
- ⁸ Per H&N 668 (a): Fine "... not more than \$250."
- ⁹ Per H&N 668(b)(3)(A): Fine "... not more than \$1,000."
- ¹⁰ Per H&N 668(b)(4): Fine "... not more than \$100."
- ¹¹ Per H&N 668(b)(3)(B): Fine "... not more than \$250."
- ¹² Per H&N 668(e) or 668(f): Fine "... not more than \$1,000."
- ¹³ Per H&N 668(g) or 668(h): Fine "... not less than \$250 or more than \$5,000."
- ¹⁴ Per H&N 668(b)(5): Fine "... not more than \$100."

BOATING BAIL AND PENALTY SCHEDULE
 (*See Preface, Section III) (**Preface, Section IV)

Section	Notes Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge* Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	Total Bail **
			1	10/10	7	5/10	5	20%	2		40	0	1	
15		Per H&N 668(b)(1)(A): Fine "... not more than \$100."												
16		Per H&N 668(e): Fine "... not more than \$1,000."												
17		Per H&N 668(a): Fine "... not more than \$250."												
18		Per H&N 668(c)(1): Fine "... not less than \$1,000 or more than \$10,000" Per H&N 668(c)(2): "In imposing the minimum fine ... the court shall take into consideration the defendant's ability to pay the fine and, in the interests of justice for reasons stated in the record, may reduce the amount of that minimum fine to less than the amount otherwise required by this subdivision."												
19		Per H&N 668(b)(2): Fine "... not more than \$200."												
20		Per H&N 668(d): Fine "... not more than \$100."												
21		Added in 2014 by SB 941, requires boaters to carry certification cards. Fines for 1st (not more than \$100), 2nd (not more than \$250), and 3rd+ (not more than \$500) offenses set by Har &Nav 678.15.												
22		Per H&N 681(g): Fine of "... up to \$100."												
23		Per H&N 780(c): Fine: "... not to exceed \$1,000"												
24		Per H&N 780(b): "The first violation of this subdivision is an infraction punishable by a fine of up to \$500."												
25		Per H&N 780(b): "A second or subsequent violation of this subdivision by any one person is a misdemeanor." Per H&N 780(c): Fine: "... not to exceed \$1,000"												
26		Per H&N 668(b)(1)(C): Fine "... not more than \$100."												
27		Per H&N 668(b)(1)(B): Fine "... not more than \$100."												
28		Per VC 9875, VC 42001(a): Fine "... not exceeding \$100."												
29		Per VC 9853.8(b): "fine of \$250."												

FORESTRY BAIL AND PENALTY SCHEDULE
(*See Preface, Section III) (See Preface, Section IV)**
(Public Resources Code)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	
4154		M	Failure to Obey Summons to Suppress Forest Fire	150	150	105	75	75	30	30	615	40	30	685
4165	(a-e)	M	Unlawful Conduct at Forest Fire	150	150	105	75	75	30	30	615	40	30	685
4255	(a)	M	Smoking or Building Fires in Hazardous Fire Area	100	100	70	50	50	20	20	410	40	30	480
4291	(a)	I	Clearance, etc., Required Around Structure	100	100	70	50	50	20	20	410	40	35	485
4292		M	Clearance Required–Power Pole	100	100	70	50	50	20	20	410	40	30	480
4293	(a-c)	M	Clearance Required–Power Line	100	100	70	50	50	20	20	410	40	30	480
4297	¹	M	Violation of Proclamation Closing Area to Hunting and Fishing	200	200	140	100	100	40	40	820	40	30	890
4331		M	Permit and Tools Required for Smoking and Building Campfires on National Forest Lands	100	100	70	50	50	20	20	410	40	30	480
4373 /4374	²	M	Clearance Required–Solid Waste Facility	100	100	70	50	50	20	20	410	40	30	480
4421		M	Burning Lands of Another	100	100	70	50	50	20	20	410	40	30	480
4422	(a,b)	M	Allowing Fire to Escape	150	150	105	75	75	30	30	615	40	30	685
4423		M	Permit Required for Burning	100	100	70	50	50	20	20	410	40	30	480
4423.2	(b)	M	Violation of Terms of Restricted Temporary Burning Permit	250	250	175	125	125	50	50	1025	40	30	1095
4423.5		M	Restricted Use of Fire	100	100	70	50	50	20	20	410	40	30	480
4426		M	Setting Backfire Without Supervision	150	150	105	75	75	30	30	615	40	30	685
4427	(a,b)	M	Clearance and Tool Requirements	100	100	70	50	50	20	20	410	40	30	480
4428	(a-c)	M	Tool Box and Seal Requirements for Industrial Operations	100	100	70	50	50	20	20	410	40	30	480
4429		M	Tools for Industrial and Agricultural Camps	100	100	70	50	50	20	20	410	40	30	480
4430		M	Force Pump/Water Requirement for Steam-Operated Equipment, etc.	100	100	70	50	50	20	20	410	40	30	480
4431		M	Tool Requirement–Portable Gasoline-Powered Tools	100	100	70	50	50	20	20	410	40	30	480
4432		M	Neglecting a Campfire	100	100	70	50	50	20	20	410	40	30	480
4433		M	Permit Required for Campfire	100	100	70	50	50	20	20	410	40	30	480

FORESTRY BAIL AND PENALTY SCHEDULE
(*See Preface, Section III) (See Preface, Section IV)**
(Public Resources Code)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	
4435		M	Causing Fire With Equipment	150	150	105	75	75	30	30	615	40	30	685
4436		M	Refusing to Fight Forest Fire	100	100	70	50	50	20	20	410	40	30	480
4437		M	Flammable Mill Waste–Disposal Required	100	100	70	50	50	20	20	410	40	30	480
4438		M	Burning Mill Waste in Enclosed Device, Permit/Clearance Required	100	100	70	50	50	20	20	410	40	30	480
4439		M	Mill Waste–Open Burning Permit and Clearance Required	100	100	70	50	50	20	20	410	40	30	480
4440	(a,b)	M	Flammable Forest Product Residue Accumulation–Clearance Required	100	100	70	50	50	20	20	410	40	30	480
4442	(a,b)	M	Spark Arrester Required, Internal Combustion Engines	100	100	70	50	50	20	20	410	40	30	480
4442.5		M	Spark Arrester Required, Public Notice Required for Sales, Lease, and Rent	100	100	70	50	50	20	20	410	40	30	480
4442.6	(a) ³	I	Sell, Offer to Sell, Lease, or Rent Specified Equipment With Internal Combustion Engine Without Required Warning Label	100	100	70	50	50	20	20	410	40	35	485
4442.6	(b) ³	I	Manufacture of Specified Equipment With Internal Combustion Engine Without Attaching Required Warning Label	100	100	70	50	50	20	20	410	40	35	485
4443		M	Internal Combustion Engines–Handheld, Portable, and Multiposition; Construction Requirements for Use	100	100	70	50	50	20	20	410	40	30	480
4445		M	Tracer Ammunition, Restricted Use	150	150	105	75	75	30	30	615	40	30	685
4446	(a-c)	M	Incinerator Standards	100	100	70	50	50	20	20	410	40	30	480
5008.10	(b,c)	I	Smoking or Disposing of Cigarette or Cigar Waste on a State Beach	25	30	21	15	15	5	6	117	40	35	192

Notes

FORESTRY BAIL AND PENALTY SCHEDULE
(*See Preface, Section III) (See Preface, Section IV)**
(Public Resources Code)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	

¹ Per PRC 4299: "... punished by a fine of not less than \$100 nor more than \$2,000 or by imprisonment in the county jail for not less than 10 days nor more than 90 days or both that fine and imprisonment."

² Per PRC 4376: "A person who maintains a solid waste facility in violation of this chapter is guilty of a misdemeanor, and shall be punished for a first conviction by a fine of not to exceed \$500, and, for a second or subsequent conviction within five years of a prior conviction of a violation of this chapter, by a fine not less than \$250 or more than \$1,000 or imprisonment in the county jail for a period not to exceed 30 days, or both that fine and imprisonment. Each and every day of violation is a separate and distinct offense."

³ Per PRC 4442.6(c): "... an infraction punishable by a fine of not more than \$100."

FISH AND GAME BAIL AND PENALTY SCHEDULE
(*See Preface, Section III) (See Preface, Section IV)**

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	
(Fish and Game Code)														
GENERAL LICENSE PROVISIONS														
1052	(a-f)	M	Unlawful Use of License or Tag	200	200	140	100	100	40	40	820	40	30	890
1054		M	False Statement to Obtain License	200	200	140	100	100	40	40	820	40	30	890
1054.2		M	License, Tag, Stamp, or Permit Requirement	200	200	140	100	100	40	40	820	40	30	890
1054.2	1	M	License, Tag, Stamp, or Permit Requirement – Trophy Deer, Elk, Antelope, or Big Horn Sheep	5000	5000	3500	2500	2500	1000	1000	20500	40	30	20570
1059	(a)	2 M	Failure of License Agent to Account for Licenses, Stamps, Tags, or Fees	300	300	210	150	150	60	60	1230	40	30	1300
TAKING AND POSSESSING														
2000	(a)	M	Unlawful Taking or Possessing of Fish or Wildlife	200	200	140	100	100	40	40	820	40	30	890
2001	(a-c)	M	Unlawful Possession After Season	200	200	140	100	100	40	40	820	40	30	890
2001	(a, c)	3 M	Unlawful Possession of Trophy Deer, Elk, Antelope. or Bighorn Sheep After Season	5000	5000	3500	2500	2500	1000	1000	20500	40	30	20570
2001	(b)	4 M	Unlawful Possession of Wild Turkey After Season	2000	2000	1400	1000	1000	400	400	8200	40	30	8270
2002		M	Unlawfully Possessing a Bird, Mammal, Fish, Reptile, Amphibian, or Part of Any of Those Animals, Taken in Violation of This Code or a Regulation Adopted Under This Code	200	200	140	100	100	40	40	820	40	30	890
2004		M	Property Damage While Hunting or Fishing	200	200	140	100	100	40	40	820	40	30	890
2005	(a-c)	M	Unlawful Use of Artificial Light	300	300	210	150	150	60	60	1230	40	30	1300
2005	(a-c)	3 M	Unlawful Use of Artificial Light to Assist in Taking of Trophy Deer, Elk, Antelope, or Bighorn Sheep	5000	5000	3500	2500	2500	1000	1000	20500	40	30	20570

FISH AND GAME BAIL AND PENALTY SCHEDULE
(*See Preface, Section III) (See Preface, Section IV)**

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	
2005	(a, c)	⁴	M Unlawful Use of Artificial Light to Assist in Taking of Wild Turkey	2000	2000	1400	1000	1000	400	400	8200	40	30	8270
2006	(a)		M Loaded Gun in Vehicle	100	100	70	50	50	20	20	410	40	30	480
2010	(a)		M Unlawful Possession or Use of a Shotgun	100	100	70	50	50	20	20	410	40	30	480
2011.5		⁵	M Unlawful Removal of Hunting Dog Collar	200	200	140	100	100	40	40	820	40	30	890
2012			M Failure to Show License, Equipment, or Game	100	100	70	50	50	20	20	410	40	30	480
2015	(a)		M Unlawful Possession of Bird, Fish, Etc., in Restaurant or Eating Establishment	300	300	210	150	150	60	60	1230	40	30	1300
2016			M Trespass While Hunting	200	200	140	100	100	40	40	820	40	30	890
2018			M Unlawful Posting or Destruction of Signs	200	200	140	100	100	40	40	820	40	30	890
2024	(c,d)	⁶	M Unlawful Removal and Commercialization of Dudleya Value under \$250	1000	1000	700	500	500	200	200	4100	40	30	4170
2024	(c,d)	⁶	M Unlawful Removal and Commercialization of Dudleya Value over \$250	5000	5000	3500	2500	2500	1000	1000	20500	40	30	20570
2080			M Importing/Taking/Possessing Any Rare or Endangered Animal	300	300	210	150	150	60	60	1230	40	30	1300
INFORMATION, TRANSPORTATION, AND SHELTERING OF RESTRICTED LIVE WILD ANIMALS														
2118			M Unlawful Possession of Prohibited Species	500	500	350	250	250	100	100	2050	40	30	2120
2121			M Allowing a Legally Imported Wild Animal to Escape	200	200	140	100	100	40	40	820	40	30	890
2361			M Importation of Salmon	200	200	140	100	100	40	40	820	40	30	890
2576			M Capturing or Transporting for Sale, or Selling Wild Rodents	100	100	70	50	50	20	20	410	40	30	480
METHODS OF TAKING														
3000			M Hunting During Closed Hours	200	200	140	100	100	40	40	820	40	30	890
3001			M Hunting While Intoxicated	350	350	245	175	175	70	70	1435	40	30	1505
3002			M Shooting From Boat, Vehicle, or Airplane	200	200	140	100	100	40	40	820	40	30	890

FISH AND GAME BAIL AND PENALTY SCHEDULE
(*See Preface, Section III) (See Preface, Section IV)**

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **			
				1	10/10	7	5/10	5	20%	2		40	0				
3003	(a)	⁵	M	Unlawful Hunting With a Gun or Device Accessed Via an Internet Connection			350	350	245	175	175	70	70	1435	40	30	1505
3003	(b)(1)	⁵	M	Owning or Operating Online Shooting Range, Site, or Gallery			350	350	245	175	175	70	70	1435	40	30	1505
3003	(b)(2)	⁵	M	Create, Maintain, or Utilize Internet Web Site or Service by Other Means for Purpose of Online Hunting			350	350	245	175	175	70	70	1435	40	30	1505
3003	(c)	⁵	M	Possession or Confinement of Bird or Mammal for Online Hunting			350	350	245	175	175	70	70	1435	40	30	1505
3003	(d)	⁵	M	Import or Export of Bird or Mammal Killed by Online Hunting			350	350	245	175	175	70	70	1435	40	30	1505
3004	(a)	⁵	M	Shooting Within 150 Yards of Dwelling			150	150	105	75	75	30	30	615	40	30	685
3004	(b)	⁵	M	Unlawful Discharge of Firearm, Arrow, or Crossbow Bolt Across a Public Road or Way			150	150	105	75	75	30	30	615	40	30	685
3004.5	(a)(1)	⁷	I	Use of Unlawful Rifle or Pistol Ammunition			500	500	350	250	250	100	100	2050	40	35	2125
3005			M	Taking Birds or Mammals With Unlawful Devices			150	150	105	75	75	30	30	615	40	30	685
3012			M	Use of Amplified Animal Sounds to Assist in Taking			100	100	70	50	50	20	20	410	40	30	480
DOMESTICATED GAME BREEDING																	
3200			M	License for Breeding			100	100	70	50	50	20	20	410	40	30	480
GENERAL PROVISIONS																	
3501			M	Unlawful Driving of Game Birds			100	100	70	50	50	20	20	410	40	30	480
3503		⁸	M	Taking, Possessing, or Destroying the Nest or Eggs of Any Birds			400	400	280	200	200	80	80	1640	40	30	1710
FULLY PROTECTED BIRDS																	

FISH AND GAME BAIL AND PENALTY SCHEDULE
 (*See Preface, Section III) (**See Preface, Section IV)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
3511	(a)(1)	M	Taking or Possession of Fully Protected Birds	500	500	350	250	250	20%	2	2050	40	30	2120
NONGAME BIRDS														
3800	8	M	Taking of One Nongame Bird	400	400	280	200	200	80	80	1640	40	30	1710
3800		M	(Each Additional Nongame Bird)	100	100	70	50	50	20	20	410	0	0	410
GAME MAMMALS														
3960	(b)	M	Unlawful to Allow Dog to Pursue Big Game Mammal During Closed Season; Protected, Rare, or Endangered Mammal; Bear or Bobcat; or Any Mammal in Game Refuge or Ecological Reserve	400	400	280	200	200	80	80	1640	40	30	1710
TRAPPING PROVISIONS														
4004	(a, c-f)	9 M	Trapping Violations	150	150	105	75	75	30	30	615	40	30	685
4004	(b)	9 M	Setting or Maintaining Trap Without Required Identifying Mark	300	300	210	150	150	60	60	1230	40	30	1300
TAKING DEER														
4304	(a)	M	Waste of Game Meat Deer	150	150	105	75	75	30	30	615	40	30	685
4304	(a)	10 M	Waste of Trophy Deer, Elk, Antelope, or Big Horn Sheep Meat	5000	5000	3500	2500	2500	1000	1000	20500	40	30	20570
4304	(b)	M	Waste of Game	150	150	105	75	75	30	30	615	40	30	685
4304	(b)	10 M	Waste of Trophy Elk, Antelope, or Big Horn Sheep	5000	5000	3500	2500	2500	1000	1000	20500	40	30	20570
4304	(ab)	10 M	Waste of Trophy Turkey Meat	2000	2000	1400	1000	1000	400	400	8200	40	30	8270
4330		M	No Deer License Tag	150	150	105	75	75	30	30	615	40	30	685
4330	10	M	No License Tag for Trophy Deer, Elk, Antelope, or Big Horn Sheep	5000	5000	3500	2500	2500	1000	1000	20500	40	30	20570

FISH AND GAME BAIL AND PENALTY SCHEDULE
 (*See Preface, Section III) (**See Preface, Section IV)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **	
				1	10/10	7	5/10	5	20%	2		40	0		
4330	10	M	No License Tag for Trophy Turkey	2000	2000	1400	1000	1000	400	400	8200	40	30	8270	
4336	(a,b)	M	Untagged Deer	150	150	105	75	75	30	30	615	40	30	685	
BURRO															
4600	(a)	M	Unlawful Killing or Capture of Undomesticated Burro	300	300	210	150	150	60	60	1230	40	30	1300	
WILD PIG															
4657	(a)	M	Wild Pig License Tag Violation	150	150	105	75	75	30	30	615	40	30	685	
FULLY PROTECTED MAMMALS															
4700	(a)(1)	11	M	Taking or Possession of Fully Protected Mammal	5000	5000	3500	2500	2500	1000	1000	20500	40	30	20570
BEAR															
4753		M	Bear Tag License Violation	150	150	105	75	75	30	30	615	40	30	685	
4758	12	M	Sale or Purchase of Bear Meat or Parts	3250	3250	2275	1625	1625	650	650	13325	40	30	13395	
4758	13	M	Possession of Three or More Bear Gall Bladders	10000	10000	7000	5000	5000	2000	2000	41000	40	30	41070	
FULLY PROTECTED REPTILES AND AMPHIBIANS															
5000		M	Selling, Purchasing, Harming, Possessing, Transporting, or Shooting Desert Tortoise	300	300	210	150	150	60	60	1230	40	30	1300	
5050	(a)(1)	M	Taking or Possession of Fully Protected Reptile or Amphibian	500	500	350	250	250	100	100	2050	40	30	2120	
FISH - GENERAL PROVISIONS															
5508	26	I	Fish of Indeterminate Size	100	100	70	50	50	20	20	410	40	30	480	
5508	14	M	Fish of Indeterminate Size	250	250	175	125	125	50	50	1025	40	30	1095	
5508		M	(For Each Additional Fish)	20	20	14	10	10	4	4	82	0	0	82	

FISH AND GAME BAIL AND PENALTY SCHEDULE
 (*See Preface, Section III) (**See Preface, Section IV)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	
FULLY PROTECTED FISH														
5515	(a)	M	Taking or Possession of Fully Protected Fish	500	500	350	250	250	100	100	2050	40	30	2120
5517	(a)(1-4)	M	Taking of Any White Shark, Use of Shark Bait, Shark Lure, or Shark Chum to Attract a White Shark	200	200	140	100	100	40	40	820	40	30	890
5521-5521.5	(a)	¹⁵ M	Taking, Possessing, or Landing Abalone for Commercial or Recreational Purposes From Designated Waters	15000	15000	10500	7500	7500	3000	3000	61500	40	30	61570
WATER POLLUTION - GENERAL PROVISIONS														
5650		¹⁶ M	Depositing/Permitting to Pass Into Waters Deleterious Materials	500	500	350	250	250	100	100	2050	40	30	2120
5652	(a)	²⁶ I	Littering Within 150 Feet of Water	50	50	35	25	25	10	10	205	40	30	275
5652	(a)	M	Littering Within 150 Feet of Water	100	100	70	50	50	20	20	410	40	30	480
FISH PLANTING AND PROPAGATION														
6400		¹⁷ M	Unlawful Placing of Fish, Animal, or Plant in Waters	15000	15000	10500	7500	7500	3000	3000	61500	40	30	61570
SPORT FISHING - GENERAL PROVISIONS														
7121		M	Unlawful Sale or Purchase of Fish	2000	2000	1400	1000	1000	400	400	8200	40	30	8270
7121		¹⁸ M	Unlawful Sale or Purchase of Abalone	15000	15000	10500	7500	7500	3000	3000	61500	40	30	61570
SPORT FISHING LICENSES														
7145	(a)	¹⁹ I	Fishing Without a License	100	100	70	50	50	20	20	410	40	35	485
7145	(a)	I	-With Proof of Valid License to Court	25	30	21	15	15	5	6	117	40	35	192

COMMERCIAL SALMON TROLLERS ENHANCEMENT AND RESTORATION

FISH AND GAME BAIL AND PENALTY SCHEDULE
 (*See Preface, Section III) (**See Preface, Section IV)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **	
				1	10/10	7	5/10	5	20%	2		40	0		
7860	20	M	No Commercial Fishing Stamps for Salmon	200	200	140	100	100	40	40	820	40	30	890	
8603		M	Unlawful Use of Net, Trap, or Line	400	400	280	200	200	80	80	1640	40	30	1710	
COMMERCIAL FISHING - NETS															
8670	21	M	Unlawful Use or Possession of Net for Taking Certain Fish	400	400	280	200	200	80	80	1640	40	30	1710	
GILL AND TRAMMEL NETS															
8685.5		M	Prohibited Use of Gill Nets to Take Certain Fish	2000	2000	1400	1000	1000	400	400	8200	40	30	8270	
8685.6		M	Prohibited Possession/Sale of Fish Taken With Gill Net	2000	2000	1400	1000	1000	400	400	8200	40	30	8270	
8685.7		M	Prohibited Purchase of Fish Taken by Gill Net	2000	2000	1400	1000	1000	400	400	8200	40	30	8270	
REFUGES															
10500	(a-g)	21	M	Acts Unlawful in Refuge	500	500	350	250	250	100	100	2050	40	30	2120
GENERAL PROVISIONS															
12003.1	(a)	22	M	Unlawful Taking of Animal	250	250	175	125	125	50	50	1025	40	30	1095
12012	(a)	23	M	Illegal Poaching of Wildlife for Profit	10000	10000	7000	5000	5000	2000	2000	41000	40	30	41070
12013	(a)	23	M	Taking or Possessing More than Three Times the Bag or Possession Limit	10000	10000	7000	5000	5000	2000	2000	41000	40	30	41070
12013.5	(a)	24	M	Violation Committed With Use of Signal Emitting Device for Taking of Bear for Purpose of Selling or Trafficking in Bear Parts	10000	10000	7000	5000	5000	2000	2000	41000	40	30	41070
AQUACULTURE															
15202		M	Placement of Prohibited Species in Designated Waters	3000	3000	2100	1500	1500	600	600	12300	40	30	12370	
15509		M	Violation of Established Aquatic Quarantine	3000	3000	2100	1500	1500	600	600	12300	40	30	12370	

FISH AND GAME BAIL AND PENALTY SCHEDULE
(*See Preface, Section III) (See Preface, Section IV)**

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court Ops	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	
(California Code of Regulations, Title 14)														
1.17	25	I	Excess of Bag Limit–Fish	100	100	70	50	50	20	20	410	40	35	485
1.17		I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
1.17		M	Excess of Bag Limit–Fish	250	250	175	125	125	50	50	1025	40	30	1095
1.17		M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
1.62	25	I	Undersize Fish	100	100	70	50	50	20	20	410	40	35	485
1.62		I	(For Each Undersize Fish)	20	20	14	10	10	4	4	82	0	0	82
1.62		M	Undersize Fish	250	250	175	125	125	50	50	1025	40	30	1095
1.62		M	(For Each Undersize Fish)	20	20	14	10	10	4	4	82	0	0	82
1.74	25	I	Sport Fishing Report Card and Tagging Requirements	100	100	70	50	50	20	20	410	40	35	485
1.74	26	M	Sport Fishing Report Card and Tagging Requirements	300	300	210	150	150	60	60	1230	40	30	1300
2	25	I	Fishing Methods–With 2 Poles	100	100	70	50	50	20	20	410	40	35	485
2		I	–With Net	150	150	105	75	75	30	30	615	40	35	690
2		M	Fishing Methods–With 2 Poles	200	200	140	100	100	40	40	820	40	30	890
2		M	–With Net	300	300	210	150	150	60	60	1230	40	30	1300
2.1	25	I	Fishing Methods–Hooks	100	100	70	50	50	20	20	410	40	35	485
2.1		M	Fishing Methods–Hooks	200	200	140	100	100	40	40	820	40	30	890
5.8	25	I	White Sturgeon	250	250	175	125	125	50	50	1025	40	35	1100
5.8		I	(For Each Over-Limit or Illegal Size Fish)	50	50	35	25	25	10	10	205	0	0	205
5.8	26	M	White Sturgeon	500	500	350	250	250	100	100	2050	40	30	2120
5.8		M	(For Each Over-Limit or Illegal Size Fish)	100	100	70	50	50	20	20	410	0	0	410
7.40	25	I	Hatchery Trout, Hatchery Steelhead and Salmon Waters with Special Regulations	100	100	70	50	50	20	20	410	40	35	485
7.40	26	M	Hatchery Trout, Hatchery Steelhead and Salmon Waters with Special Regulations	300	300	210	150	150	60	60	1230	40	30	1300
7.50	25	I	Trout Waters with Special Fishing Regulations	100	100	70	50	50	20	20	410	40	35	485

FISH AND GAME BAIL AND PENALTY SCHEDULE
 (*See Preface, Section III) (**See Preface, Section IV)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	
7.50	26	M	Trout Waters with Special Fishing Regulations	300	300	210	150	150	60	60	1230	40	30	1300
27.6	276	I	Fin Fish Limits	100	100	70	50	50	20	20	410	40	35	485
27.6		I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
27.6		M	Fin Fish Limits	250	250	175	125	125	50	50	1025	40	30	1095
27.6		M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
27.65		I	Filleting of Fish on Vessels	100	100	70	50	50	20	20	410	40	35	485
27.65		I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
27.65		M	Filleting of Fish on Vessels	250	250	175	125	125	50	50	1025	40	30	1095
27.65		M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
27.7		I	Trout in the Ocean	100	100	70	50	50	20	20	410	40	35	485
27.7		I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
27.7		M	Trout in the Ocean	250	250	175	125	125	50	50	1025	40	30	1095
27.7		M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
27.75		I	Salmon Closures	100	100	70	50	50	20	20	410	40	35	485
27.75		I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
27.75		M	Salmon Closures	250	250	175	125	125	50	50	1025	40	30	1095
27.75		M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
27.8		I	Salmon	100	100	70	50	50	20	20	410	40	35	485
27.8		I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
27.8		M	Salmon	250	250	175	125	125	50	50	1025	40	30	1095
27.8		M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
27.85		I	Striped Bass	100	100	70	50	50	20	20	410	40	35	485
27.85		I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
27.85		M	Striped Bass	250	250	175	125	125	50	50	1025	40	30	1095
27.85		M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
27.9		I	White Sturgeon	250	250	175	125	125	50	50	1025	40	35	1100
27.9		I	(For Each Over-Limit or Illegal Size Fish)	50	50	35	25	25	10	10	205	0	0	205
27.9		M	White Sturgeon	500	500	350	250	250	100	100	2050	40	30	2120
27.9		M	(For Each Over-Limit or Illegal Size Fish)	100	100	70	50	50	20	20	410	0	0	410

FISH AND GAME BAIL AND PENALTY SCHEDULE
 (*See Preface, Section III) (**See Preface, Section IV)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	
27.91	276	I	Green Sturgeon	100	100	70	50	50	20	20	410	40	35	485
27.91		I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
27.91	276	M	Green Sturgeon	250	250	175	125	125	50	50	1025	40	30	1095
27.91		M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
27.92		I	White Sturgeon Reporting and Tagging Requirements for Ocean Waters	100	100	70	50	50	20	20	410	40	35	485
27.92		I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
27.92		M	White Sturgeon Reporting and Tagging Requirements for Ocean Waters	300	300	210	150	150	60	60	1230	40	30	1300
27.92		M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
27.95		I	Sturgeon Closure	100	100	70	50	50	20	20	410	40	35	485
27.95		I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
27.95		M	Sturgeon Closure	250	250	175	125	125	50	50	1025	40	30	1095
27.95		M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28		I	Grunion, California	100	100	70	50	50	20	20	410	40	35	485
28		I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28		M	Grunion, California	250	250	175	125	125	50	50	1025	40	30	1095
28		M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.05		I	Garibaldi	100	100	70	50	50	20	20	410	40	35	485
28.05		I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.05		M	Garibaldi	250	250	175	125	125	50	50	1025	40	30	1095
28.05		M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.06		I	White Shark	100	100	70	50	50	20	20	410	40	35	485
28.06		I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.06		M	White Shark	250	250	175	125	125	50	50	1025	40	30	1095
28.06		M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.1		I	Giant (Black) Sea Bass	100	100	70	50	50	20	20	410	40	35	485
28.1		I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.1		M	Giant (Black) Sea Bass	250	250	175	125	125	50	50	1025	40	30	1095

FISH AND GAME BAIL AND PENALTY SCHEDULE

(*See Preface, Section III) (**See Preface, Section IV)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	
28.1	M		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.12	I		Gulf Grouper and Broomtail Grouper	100	100	70	50	50	20	20	410	40	35	485
28.12	I		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.12	M		Gulf Grouper and Broomtail Grouper	250	250	175	125	125	50	50	1025	40	30	1095
28.12	M		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.15	I		Halibut, California	100	100	70	50	50	20	20	410	40	35	485
28.15	I		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.15	M		Halibut, California	250	250	175	125	125	50	50	1025	40	30	1095
28.15	M		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.2	I		Halibut, Pacific	100	100	70	50	50	20	20	410	40	35	485
28.2	I		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.2	M		Halibut, Pacific	250	250	175	125	125	50	50	1025	40	30	1095
28.2	M		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.25	I		Barracuda, California	100	100	70	50	50	20	20	410	40	35	485
28.25	I		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.25	M		Barracuda, California	250	250	175	125	125	50	50	1025	40	30	1095
28.25	M		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.26	I		California Sheephead	100	100	70	50	50	20	20	410	40	35	485
28.26	I		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.26	M		California Sheephead	250	250	175	125	125	50	50	1025	40	30	1095
28.26	M		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.27	I		Lingcod	100	100	70	50	50	20	20	410	40	35	485
28.27	I		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.27	M		Lingcod	250	250	175	125	125	50	50	1025	40	30	1095
28.27	M		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.28	I		Cabazon	100	100	70	50	50	20	20	410	40	35	485
28.28	I		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.28	M		Cabazon	250	250	175	125	125	50	50	1025	40	30	1095
28.28	M		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82

FISH AND GAME BAIL AND PENALTY SCHEDULE
(*See Preface, Section III) (See Preface, Section IV)**

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	
28.29		I	Kelp Greenling, Rock Greenling	100	100	70	50	50	20	20	410	40	35	485
28.29		I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.29		M	Kelp Greenling, Rock Greenling	250	250	175	125	125	50	50	1025	40	30	1095
28.29		M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.3		I	Kelp Bass, Barred Sand Bass, and Spotted Sand Bass	100	100	70	50	50	20	20	410	40	35	485
28.3		I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.3		M	Kelp Bass, Barred Sand Bass, and Spotted Sand Bass	250	250	175	125	125	50	50	1025	40	30	1095
28.3		M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.32		I	Pacific Bonito	100	100	70	50	50	20	20	410	40	35	485
28.32		I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.32		M	Pacific Bonito	250	250	175	125	125	50	50	1025	40	30	1095
28.32		M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.35		I	White Seabass	100	100	70	50	50	20	20	410	40	35	485
28.35		I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.35		M	White Seabass	250	250	175	125	125	50	50	1025	40	30	1095
28.35		M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.37		I	Yellowtail	100	100	70	50	50	20	20	410	40	35	485
28.37		I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.37		M	Yellowtail	250	250	175	125	125	50	50	1025	40	30	1095
28.37		M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.38	276	I	Tunas	100	100	70	50	50	20	20	410	40	35	485
28.38		I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.38	276	M	Tunas	250	250	175	125	125	50	50	1025	40	30	1095
28.38		M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.4		I	Broadbill Swordfish	100	100	70	50	50	20	20	410	40	35	485
28.4		I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.4		M	Broadbill Swordfish	250	250	175	125	125	50	50	1025	40	30	1095

FISH AND GAME BAIL AND PENALTY SCHEDULE
 (*See Preface, Section III) (**See Preface, Section IV)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	
28.4		M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.41	276	I	Sixgill Shark, Sevengill Shark	100	100	70	50	50	20	20	410	40	35	485
28.41		I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.41	276	M	Sixgill Shark, Sevengill Shark	250	250	175	125	125	50	50	1025	40	30	1095
28.41		M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.42	276	I	Shortfin Mako Shark, Thresher Shark, and Blue Shark	100	100	70	50	50	20	20	410	40	35	485
28.42		I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.42	276	M	Shortfin Mako Shark, Thresher Shark, and Blue Shark	250	250	175	125	125	50	50	1025	40	30	1095
28.42		M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.45		I	Surf Smelt (Night Smelt, Day Fish, Whitebait Smelt)	100	100	70	50	50	20	20	410	40	35	485
28.45		I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.45		M	Surf Smelt (Night Smelt, Day Fish, Whitebait Smelt)	250	250	175	125	125	50	50	1025	40	30	1095
28.45		M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.47	276	I	Petrale Sole and Starry Flounder	100	100	70	50	50	20	20	410	40	35	485
28.47		I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.47	276	M	Petrale Sole and Starry Flounder	250	250	175	125	125	50	50	1025	40	30	1095
28.47		M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.48	276	I	Pacific Sanddab, Rock Sole, Sand Sole, Butter Sole, Curlfin Sole, Rex Sole, and Flathead Sole	100	100	70	50	50	20	20	410	40	35	485
28.48		I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.48	276	M	Pacific Sanddab, Rock Sole, Sand Sole, Butter Sole, Curlfin Sole, Rex Sole, and Flathead Sole	250	250	175	125	125	50	50	1025	40	30	1095
28.48		M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82

FISH AND GAME BAIL AND PENALTY SCHEDULE

(*See Preface, Section III) (**See Preface, Section IV)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	
28.49	276	I	Soupin Shark, Dover Sole, English Sole, Arrowtooth Flounder, Spiny Dogfish, Skates, Ratfish, Grenadiers, Finescale Codling, Pacific Cod, Pacific Whiting, Sablefish and Thornyheads	100	100	70	50	50	20	20	410	40	35	485
28.49		I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.49	276	M	Soupin Shark, Dover Sole, English Sole, Arrowtooth Flounder, Spiny Dogfish, Skates, Ratfish, Grenadiers, Finescale Codling, Pacific Cod, Pacific Whiting, Sablefish and Thornyheads	250	250	175	125	125	50	50	1025	40	30	1095
28.49		M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.5		I	Marlin	100	100	70	50	50	20	20	410	40	35	485
28.5		I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.5		M	Marlin	250	250	175	125	125	50	50	1025	40	30	1095
28.5		M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.54		I	California Scorpionfish (Sculpin)	100	100	70	50	50	20	20	410	40	35	485
28.54		I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.54		M	California Scorpionfish (Sculpin)	250	250	175	125	125	50	50	1025	40	30	1095
28.54		M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.55		I	Rockfish (Sebastes)	100	100	70	50	50	20	20	410	40	35	485
28.55		I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.55		M	Rockfish (Sebastes)	250	250	175	125	125	50	50	1025	40	30	1095
28.55		M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.56		I	Leopard Shark	100	100	70	50	50	20	20	410	40	35	485
28.56		I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.56		M	Leopard Shark	250	250	175	125	125	50	50	1025	40	30	1095
28.56		M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.58		I	Ocean Whitefish	100	100	70	50	50	20	20	410	40	35	485
28.58		I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.58		M	Ocean Whitefish	250	250	175	125	125	50	50	1025	40	30	1095

FISH AND GAME BAIL AND PENALTY SCHEDULE
(*See Preface, Section III) (See Preface, Section IV)**

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	0
28.58	M		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.59	I		Surfperch	100	100	70	50	50	20	20	410	40	35	485
28.59	I		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.59	M		Surfperch	250	250	175	125	125	50	50	1025	40	30	1095
28.59	M		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.6	I		Herring Eggs	100	100	70	50	50	20	20	410	40	35	485
28.6	I		(For Each Pound Over Limit)	20	20	14	10	10	4	4	82	0	0	82
28.6	M		Herring Eggs	250	250	175	125	125	50	50	1025	40	30	1095
28.6	M		(For Each Pound Over Limit)	20	20	14	10	10	4	4	82	0	0	82
28.65	I		Fin Fish-General Gear Restrictions	100	100	70	50	50	20	20	410	40	35	485
28.65	M		Fin Fish-General Gear Restrictions	250	250	175	125	125	50	50	1025	40	30	1095
28.7	I		Weight, Power Driven Gurdies, or Power Driven Winches	100	100	70	50	50	20	20	410	40	35	485
28.7	M		Weight, Power Driven Gurdies, or Power Driven Winches	250	250	175	125	125	50	50	1025	40	30	1095
28.75	I		Baited Traps for Shiner Surfperch, Pacific Staghorn Sculpin, and Longjaw Mudsuckers	100	100	70	50	50	20	20	410	40	35	485
28.75	M		Baited Traps for Shiner Surfperch, Pacific Staghorn Sculpin, and Longjaw Mudsuckers	250	250	175	125	125	50	50	1025	40	30	1095
28.8	I		Dip Nets and Hawaiian-Type Throw Nets	100	100	70	50	50	20	20	410	40	35	485
28.8	M		Dip Nets and Hawaiian-Type Throw Nets	250	250	175	125	125	50	50	1025	40	30	1095
28.85	I		Beach Nets	100	100	70	50	50	20	20	410	40	35	485
28.85	M		Beach Nets	250	250	175	125	125	50	50	1025	40	30	1095
28.9	I		Diving, Spearfishing	100	100	70	50	50	20	20	410	40	35	485
28.9	M		Diving, Spearfishing	250	250	175	125	125	50	50	1025	40	30	1095
28.91	I		Slurp Guns	100	100	70	50	50	20	20	410	40	35	485
28.91	M		Slurp Guns	250	250	175	125	125	50	50	1025	40	30	1095
28.95	I		Spears, Harpoons, and Bow and Arrow Fishing Tackle	100	100	70	50	50	20	20	410	40	35	485

FISH AND GAME BAIL AND PENALTY SCHEDULE
 (*See Preface, Section III) (**See Preface, Section IV)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	
28.95		M	Spears, Harpoons, and Bow and Arrow Fishing Tackle	250	250	175	125	125	50	50	1025	40	30	1095
29		I	Gear Used in Taking Grunion	100	100	70	50	50	20	20	410	40	35	485
29		M	Gear Used in Taking Grunion	250	250	175	125	125	50	50	1025	40	30	1095
29.05		I	Invertebrates-General	100	100	70	50	50	20	20	410	40	35	485
29.05		M	Invertebrates-General	250	250	175	125	125	50	50	1025	40	30	1095
29.1		I	Invertebrates-General	100	100	70	50	50	20	20	410	40	35	485
29.1		M	Invertebrates-General	250	250	175	125	125	50	50	1025	40	30	1095
29.15		I	Abalone	100	100	70	50	50	20	20	410	40	35	485
29.15		I	(For Each Over-Limit Abalone)	20	20	14	10	10	4	4	82	0	0	82
29.15		M	Abalone	250	250	175	125	125	50	50	1025	40	30	1095
29.15		M	(For Each Over-Limit Abalone)	20	20	14	10	10	4	4	82	0	0	82
29.16	276	I	Abalone Report Card and Tagging Requirements	100	100	70	50	50	20	20	410	40	35	485
29.16	276	M	Abalone Report Card and Tagging Requirements	250	250	175	125	125	50	50	1025	40	30	1095
29.2		I	Clams-General	100	100	70	50	50	20	20	410	40	35	485
29.2		I	(For Each Over-Limit Clam)	20	20	14	10	10	4	4	82	0	0	82
29.2		M	Clams-General	250	250	175	125	125	50	50	1025	40	30	1095
29.2		M	(For Each Over-Limit Clam)	20	20	14	10	10	4	4	82	0	0	82
29.25		I	Gaper Clams and Washington Clams	100	100	70	50	50	20	20	410	40	35	485
29.25		I	(For Each Over-Limit Clam)	20	20	14	10	10	4	4	82	0	0	82
29.25		M	Gaper Clams and Washington Clams	250	250	175	125	125	50	50	1025	40	30	1095
29.25		M	(For Each Over-Limit Clam)	20	20	14	10	10	4	4	82	0	0	82
29.3		I	Geoduck Clams	100	100	70	50	50	20	20	410	40	35	485
29.3		I	(For Each Over-Limit Clam)	20	20	14	10	10	4	4	82	0	0	82
29.3		M	Geoduck Clams	250	250	175	125	125	50	50	1025	40	30	1095
29.3		M	(For Each Over-Limit Clam)	20	20	14	10	10	4	4	82	0	0	82
29.35		I	Littleneck Clams, Soft-Shell Clams, Chiones, Northern Quahogs, and Cockles	100	100	70	50	50	20	20	410	40	35	485
29.35		I	(For Each Over-Limit Clam)	20	20	14	10	10	4	4	82	0	0	82

FISH AND GAME BAIL AND PENALTY SCHEDULE
(*See Preface, Section III) (See Preface, Section IV)**

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	
29.35		M	Littleneck Clams, Soft-Shell Clams, Chiones, Northern Quahogs, and Cockles	250	250	175	125	125	50	50	1025	40	30	1095
29.35		M	(For Each Over-Limit Clam)	20	20	14	10	10	4	4	82	0	0	82
29.4		I	Pismo Clams	100	100	70	50	50	20	20	410	40	35	485
29.4		I	(For Each Over-Limit Clam)	20	20	14	10	10	4	4	82	0	0	82
29.4		M	Pismo Clams	250	250	175	125	125	50	50	1025	40	30	1095
29.4		M	(For Each Over-Limit Clam)	20	20	14	10	10	4	4	82	0	0	82
29.45		I	Razor Clams	100	100	70	50	50	20	20	410	40	35	485
29.45		I	(For Each Over-Limit Clam)	20	20	14	10	10	4	4	82	0	0	82
29.45		M	Razor Clams	250	250	175	125	125	50	50	1025	40	30	1095
29.45		M	(For Each Over-Limit Clam)	20	20	14	10	10	4	4	82	0	0	82
29.55		I	Mussels	100	100	70	50	50	20	20	410	40	35	485
29.55		I	(For Each Over-Limit Mussel)	20	20	14	10	10	4	4	82	0	0	82
29.55		M	Mussels	250	250	175	125	125	50	50	1025	40	30	1095
29.55		M	(For Each Over-Limit Mussel)	20	20	14	10	10	4	4	82	0	0	82
29.6		I	Rock Scallops	100	100	70	50	50	20	20	410	40	35	485
29.6		M	Rock Scallops	250	250	175	125	125	50	50	1025	40	30	1095
29.65		I	Speckled (Bay) Scallops	100	100	70	50	50	20	20	410	40	35	485
29.65		M	Speckled (Bay) Scallops	250	250	175	125	125	50	50	1025	40	30	1095
29.7		I	Squid	100	100	70	50	50	20	20	410	40	35	485
29.7		M	Squid	250	250	175	125	125	50	50	1025	40	30	1095
29.71		I	Moon Snails	100	100	70	50	50	20	20	410	40	35	485
29.71		M	Moon Snails	250	250	175	125	125	50	50	1025	40	30	1095
29.8		I	Crustacean Gear Restrictions	100	100	70	50	50	20	20	410	40	35	485
29.8		M	Crustacean Gear Restrictions	250	250	175	125	125	50	50	1025	40	30	1095
29.85		I	Crabs	100	100	70	50	50	20	20	410	40	35	485
29.85		I	(For Each Over-Limit Crab)	20	20	14	10	10	4	4	82	0	0	82
29.85		M	Crabs	250	250	175	125	125	50	50	1025	40	30	1095
29.85		M	(For Each Over-Limit Crab)	20	20	14	10	10	4	4	82	0	0	82

FISH AND GAME BAIL AND PENALTY SCHEDULE
(*See Preface, Section III) (See Preface, Section IV)**

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	
29.86		I	Bay Shrimp (Grass Shrimp)	100	100	70	50	50	20	20	410	40	35	485
29.86		M	Bay Shrimp (Grass Shrimp)	250	250	175	125	125	50	50	1025	40	30	1095
29.87		I	Ghost Shrimp and Blue Mud Shrimp	100	100	70	50	50	20	20	410	40	35	485
29.87		M	Ghost Shrimp and Blue Mud Shrimp	250	250	175	125	125	50	50	1025	40	30	1095
29.88		I	Coonstripe Shrimp	100	100	70	50	50	20	20	410	40	35	485
29.88		M	Coonstripe Shrimp	250	250	175	125	125	50	50	1025	40	30	1095
29.9		I	Spiny Lobsters	100	100	70	50	50	20	20	410	40	35	485
29.9		I	(For Each Over-Limit Lobster)	20	20	14	10	10	4	4	82	0	0	82
29.9		M	Spiny Lobsters	250	250	175	125	125	50	50	1025	40	30	1095
29.9		M	(For Each Over-Limit Lobster)	20	20	14	10	10	4	4	82	0	0	82
29.91	276	I	Spiny Lobster Report Card Requirements	100	100	70	50	50	20	20	410	40	35	485
29.91	276	M	Spiny Lobster Report Card Requirements	250	250	175	125	125	50	50	1025	40	30	1095
30		I	Kelp-General	100	100	70	50	50	20	20	410	40	35	485
30		M	Kelp-General	250	250	175	125	125	50	50	1025	40	30	1095
30.1		I	Prohibited Marine Plant Species	100	100	70	50	50	20	20	410	40	35	485
30.1		M	Prohibited Marine Plant Species	250	250	175	125	125	50	50	1025	40	30	1095
100	26	M	Abalone-Unlawful Taking for Commercial Purposes	15000	15000	10500	7500	7500	3000	3000	61500	40	30	61570
106-182.1	26	I	Violation of Commercial Fishing Regulations	100	100	70	50	50	20	20	410	40	30	480
106-182.1		M	Violation of Commercial Fishing Regulations	200	200	140	100	100	40	40	820	40	30	890
251		M	Prohibition on Pursuing or Shooting Birds and Mammals from Motor Driven Air or Land Vehicles	200	200	140	100	100	40	40	820	40	30	890
257.5	276	M	Hunting Over Bait	200	200	140	100	100	40	40	820	40	30	890
257.5	276	M	Hunting Over Bait – Trophy Deer, Elk, Antelope, or Big Horn Sheep	5000	5000	3500	2500	2500	1000	1000	20500	40	30	20570
257.5	276	M	Hunting Over Bait – Trophy Turkey	2000	2000	1400	1000	1000	400	400	8200	40	30	8270
300		M	Pheasants-Season and Area	200	200	140	100	100	40	40	820	40	30	890
300		M	(For Each Over-Limit Bird)	20	20	14	10	10	4	4	82	0	0	82

FISH AND GAME BAIL AND PENALTY SCHEDULE
(*See Preface, Section III) (See Preface, Section IV)**

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	
307	26	I	Tree Squirrels–Season and Area	100	100	70	50	50	20	20	410	40	35	485
307		I	(For Each Over-Limit Animal)	20	20	14	10	10	4	4	82	0	0	82
307		M	Tree Squirrels–Season and Area	200	200	140	100	100	40	40	820	40	30	890
307		M	(For Each Over-Limit Animal)	20	20	14	10	10	4	4	82	0	0	82
308	25	I	Rabbits–Season and Area	100	100	70	50	50	20	20	410	40	35	485
308		I	(For Each Over-Limit Animal)	20	20	14	10	10	4	4	82	0	0	82
308	26	M	Rabbits–Season and Area	200	200	140	100	100	40	40	820	40	30	890
308		M	(For Each Over-Limit Animal)	20	20	14	10	10	4	4	82	0	0	82
310		M	Shooting Hours–Small Game Animal	200	200	140	100	100	40	40	820	40	30	890
310.5		M	Shooting Hours–Game Birds	200	200	140	100	100	40	40	820	40	30	890
311	25	I	Weapons or Methods Authorized	100	100	70	50	50	20	20	410	40	35	485
311	25	M	Weapons or Methods Authorized	200	200	140	100	100	40	40	820	40	30	890
352		M	Shooting Hours–Big Game	200	200	140	100	100	40	40	820	40	30	890
353		M	Methods–Big Game	200	200	140	100	100	40	40	820	40	30	890
360	(a,b)	M	Deer–Season and Area	500	500	350	250	250	100	100	2050	40	30	2120
360	(c)	M	(For Each Over-Limit Deer)	200	200	140	100	100	40	40	820	0	0	820
365	(a,b)	M	Bear–Season and Area	500	500	350	250	250	100	100	2050	40	30	2120
365	(c)	M	(For Each Over-Limit Bear)	250	250	175	125	125	50	50	1025	0	0	1025
365	(e)	M	Method of Take	250	250	175	125	125	50	50	1025	40	30	1095
502	(a)	M	Migratory Waterfowl–Season and Area	200	200	140	100	100	40	40	820	40	30	890
502	(b)	M	(For Each Over-Limit Bird)	20	20	14	10	10	4	4	82	0	0	82
550	(d)	²⁸⁶ I	Failure to Obtain Special Use Permit for Department Lands	100	100	70	50	50	20	20	410	40	35	485
550	(d)	²⁸⁶ M	Failure to Obtain Special Use Permit for Department Lands	200	200	140	100	100	40	40	820	40	30	890
550	(g)	²⁸⁶ I	Destruction of Natural Resources on Department Lands	100	100	70	50	50	20	20	410	40	35	485
550	(g)	M	Destruction of Natural Resources on Department Lands	200	200	140	100	100	40	40	820	40	30	890

FISH AND GAME BAIL AND PENALTY SCHEDULE
(*See Preface, Section III) (See Preface, Section IV)**

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	
550	(h)	286	I Unlawful Fishing on Department Lands	100	100	70	50	50	20	20	410	40	35	485
550	(h)	286	M Unlawful Fishing on Department Lands	200	200	140	100	100	40	40	820	40	30	890
550	(k)	286	I Unlawful Introduction of Species on Department Lands	100	100	70	50	50	20	20	410	40	35	485
550	(k)	286	M Unlawful Introduction of Species on Department Lands	200	200	140	100	100	40	40	820	40	30	890
550	(l)	286	I Unlawful Feeding of Wildlife on Department Lands	100	100	70	50	50	20	20	410	40	35	485
550	(l)	286	M Unlawful Feeding of Wildlife on Department Lands	200	200	140	100	100	40	40	820	40	30	890
550	(m)	286	I Unlawful Bringing of Pets onto Department Lands	100	100	70	50	50	20	20	410	40	35	485
550	(m)	286	M Unlawful Bringing of Pets onto Department Lands	200	200	140	100	100	40	40	820	40	30	890
550	(n)	286	I Unlawful Use of Dogs on Department Lands	100	100	70	50	50	20	20	410	40	35	485
550	(n)	286	M Unlawful Use of Dogs on Department Lands	200	200	140	100	100	40	40	820	40	30	890
550	(o)		I Unlawful Use of Horses on Department Lands	100	100	70	50	50	20	20	410	40	35	485
550	(o)	286	M Unlawful Use of Horses on Department Lands	200	200	140	100	100	40	40	820	40	30	890
550	(p)	286	I Unlawful Camping on Department Lands	100	100	70	50	50	20	20	410	40	35	485
550	(p)		M Unlawful Camping on Department Lands	200	200	140	100	100	40	40	820	40	30	890
550	(q)	286	I Unlawful Use of Fires on Department Lands	100	100	70	50	50	20	20	410	40	35	485
550	(q)	286	M Unlawful Use of Fires on Department Lands	200	200	140	100	100	40	40	820	40	30	890
550	(r)	286	I Hazardous Substance Deposit on Department Lands	100	100	70	50	50	20	20	410	40	35	485
550	(r)	286	M Hazardous Substance Deposit on Department Lands	200	200	140	100	100	40	40	820	40	30	890
550	(s)	286	I Unauthorized Farming or Grazing on Department Lands	100	100	70	50	50	20	20	410	40	35	485

FISH AND GAME BAIL AND PENALTY SCHEDULE
(*See Preface, Section III) (See Preface, Section IV)**

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **	
				1	10/10	7	5/10	5	20%	2		40	0		
550	(s)	²⁸⁶	M	Unauthorized Farming or Grazing on Department Lands	200	200	140	100	100	40	40	820	40	30	890
550	(t)	²⁸⁶	I	Vandalism on Department Lands	100	100	70	50	50	20	20	410	40	35	485
550	(t)	²⁸⁶	M	Vandalism on Department Lands	200	200	140	100	100	40	40	820	40	30	890
550	(u)	²⁸⁶	I	Tampering with Signs or Markers on Department Lands	100	100	70	50	50	20	20	410	40	35	485
550	(u)	²⁸⁶	M	Tampering with Signs or Markers on Department Lands	200	200	140	100	100	40	40	820	40	30	890
550	(v)	²⁸⁶	I	Littering on Department Lands	100	100	70	50	50	20	20	410	40	35	485
550	(v)	²⁸⁶	M	Littering on Department Lands	200	200	140	100	100	40	40	820	40	30	890
550	(w)	²⁸⁶	M	Possession and Use of Fireworks on Department Lands	200	200	140	100	100	40	40	820	40	30	890
550	(w)	²⁸⁶	I	Possession and Use of Fireworks on Department Lands	100	100	70	50	50	20	20	410	40	35	485
550	(x)	²⁸⁶	I	Possession and Use of Alcohol, Marijuana and Controlled Substances on Department Lands	100	100	70	50	50	20	20	410	40	35	485
550	(x)	²⁸⁶	M	Possession and Use of Alcohol, Marijuana and Controlled Substances on Department Lands	200	200	140	100	100	40	40	820	40	30	890
550	(y)	²⁸⁶	I	Unlawful Operation of Motor Vehicles on Department Lands	100	100	70	50	50	20	20	410	40	35	485
550	(y)	²⁸⁶	M	Unlawful Operation of Motor Vehicles on Department Lands	200	200	140	100	100	40	40	820	40	30	890
550	(z)	²⁸⁶	I	Unlawful Use of Boats and Swimming on Department Lands	100	100	70	50	50	20	20	410	40	35	485
550	(z)	²⁸⁶	M	Unlawful Use of Boats and Swimming on Department Lands	200	200	140	100	100	40	40	820	40	30	890
550	(aa)	²⁸⁶	I	Unauthorized Use of Aircraft on Department Lands	100	100	70	50	50	20	20	410	40	35	485

FISH AND GAME BAIL AND PENALTY SCHEDULE
(*See Preface, Section III) (See Preface, Section IV)**

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **	
				1	10/10	7	5/10	5	20%	2		40	0		
550	(aa)	²⁸⁶	M	Unauthorized Use of Aircraft on Department Lands	200	200	140	100	100	40	40	820	40	30	890
550	(bb)	²⁸⁶	I	Unauthorized Bike Riding on Department Lands	100	100	70	50	50	20	20	410	40	35	485
550	(bb)	²⁸⁶	M	Unauthorized Bike Riding on Department Lands	200	200	140	100	100	40	40	820	40	30	890
550	(cc)	²⁸⁶	I	Unlawful Possession and Use of Firearms or Archery Equipment on Department Lands	100	100	70	50	50	20	20	410	40	35	485
550	(cc)	²⁸⁶	M	Unlawful Possession and Use of Firearms or Archery Equipment on Department Lands	200	200	140	100	100	40	40	820	40	30	890
506	(a)		M	Waterfowl–Shooting	200	200	140	100	100	40	40	820	40	30	890
507		²⁵	I	Waterfowl–Method of Take	100	100	70	50	50	20	20	410	40	35	485
507		²⁵	M	Waterfowl–Method of Take	200	200	140	100	100	40	40	820	40	30	890
700	(a)	²⁹	M	Fishing License in Possession	100	100	70	50	50	20	20	410	40	30	480
700	(b)		M	Hunting License in Possession	200	200	140	100	100	40	40	820	40	30	890
700	(b)		M	Hunting License in Possession–Without Proof of Correction	300	300	210	150	150	60	60	1230	40	30	1300

Notes

- ¹ Per F&G 12013.3 (a)(6). Per F&G 12002.2(c), "If a person is charged with a violation of Section 7145 or of a regulation requiring a license to be displayed, and produces in court a lifetime sport fishing license issued in his or her name pursuant to Section 7149.2, and if the taking was otherwise lawful, in terms of season, limit, time, and area, the court may dismiss the charge."
- ² Per F&G 12002(b): "... fine of not more than \$2,000, imprisonment in a county jail for not more than one year, or both the fine and imprisonment."
- ³ Per F&G 12013.3(a): "... fine of not less than \$5,000, nor more than \$40,000"
- ⁴ Per F&G 12013.3(a): "... fine of not less than \$2,000, nor more than \$5,000"

FISH AND GAME BAIL AND PENALTY SCHEDULE
 (*See Preface, Section III) (**See Preface, Section IV)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	

⁵ Per F&G 12002(a): "...fine of not more than \$1,000, imprisonment in a county jail for not more than six months, or by both that fine and imprisonment."

⁶ Per F&G 2024 (f)(1): "For a first conviction, where the total value is two hundred fifty dollars (\$250) or more, the offense shall be a misdemeanor punishable by a fine of not less than five thousand dollars (\$5,000) and not more than fifty thousand dollars (\$50,000), imprisonment in the county jail for not more than six months, or by both the fine and imprisonment. (2) For a second or subsequent conviction, the offense shall be a misdemeanor punishable by a fine of not less than ten thousand dollars (\$10,000) and not more than five hundred thousand dollars, (\$500,000), imprisonment in the county jail for not more than six months, or by both the fine and imprisonment."

⁷ Per F&G 3004.5 "A person who violates any provision of this section is guilty of an infraction punishable by a fine of \$500." Per F&G 3004.5(gf), a second or subsequent offense shall be punished by a fine not less than \$1,000 or more than \$5,000.

⁸ Per F&G 12002(c), except as specified in F&G 12001 and 12010: "...a fine of not more than \$5,000."

⁹ Per F&G 12002(a): "... punishment for a violation of this code that is a misdemeanor is a fine of not more than \$1,000, imprisonment in the county jail for not more than six months, or by both the fine and imprisonment." Per F&G 12002(b): punishment for a violation of subdivision (b) of Section 4004 is "... a fine of not more than \$2,000, imprisonment in the county jail for not more than one year, or both the fine and imprisonment"

¹⁰ Per F&G 12013.3(a): "fine of not less than \$5,000, nor more than \$40,000."

¹¹ Per F&G 12003.2: "fine of not more than \$25,000 per unlawful taking, imprisonment in the county jail for the period prescribed in sections 12002 or 12008, or both the fine and imprisonment."

¹² Per F&G 12005(a): "punishment for each violation of Section 4758 shall include both of the following: (1) A fine of \$250 for each bear part. (2) An additional fine of not more than \$5,000, imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code, or in a county jail for not more than one year, or both that fine and imprisonment."

¹³ Per F&G 12005(c)(1), punishment for each violation of section 4758 that includes the possession of three or more bear gall bladders is punishable by both a fine of \$250 for each bear part, as required by F&G 12005(a)(1), and an additional fine of not more than \$10,000 dollars, imprisonment in a county jail for not more than one year, or both that fine and imprisonment. Per F&G 12005(c)(1)(B)(2): "If probation is granted, or execution or imposition of sentence is suspended, it shall be a condition thereof that the minimum term of three months shall be served in a county jail."

¹⁴ Per F&G 12003.1: punishment "... not less than \$250"

FISH AND GAME BAIL AND PENALTY SCHEDULE
 (*See Preface, Section III) (**See Preface, Section IV)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	
15			Per F&G 12009(a): "... except as provided in Section 12006.6, the punishment for a violation of any provision of Section 5521 or 5521.5 ... is a fine of not less than \$15,000 or more than \$40,000 and imprisonment in the county jail for a period not to exceed one year. The court shall permanently revoke any commercial fishing license, commercial fishing permit, or sport fishing license issued by the department." Per F&G 12006.6: "... in addition to Section 12009, and notwithstanding the type of fishing license or permit held, if any person is convicted of a violation of Section 5521 or 5521.5, and the offense occurs in an area closed to the taking of abalone for commercial purposes, and the person takes or possesses more than 12 abalone at one time or takes abalone in excess of the annual bag limit, that person shall be punished by ... A fine of not less than \$15,000 or more than \$40,000."											
16			Per F&G 12002(b): " ... fine of not more than \$2,000, imprisonment in a county jail for not more than one year, or both the fine and imprisonment."											
17			Per F&G 12023: " ... punishable by all of the following: (1) Imprisonment in the county jail for not less than six months or more than one year, a fine of not more than \$50,000 for each violation, or both that imprisonment and fine"											
18			Per F&G 12009(a): "... except as provided in Section 12006.6, the punishment for a violation ... of Section 7121, involving abalone, is a fine of not less than \$15,000 or more than \$40,000 and imprisonment in the county jail for a period not to exceed one year. The court shall permanently revoke any commercial fishing license, commercial fishing permit, or, sport fishing license issued by the department." Per F&G 12006.6: "... in addition to Section 12009, and notwithstanding the type of fishing license or permit held, if any person is convicted of a violation of Section 5521 or 5521.5, and the offense occurs in an area closed to the taking of abalone for commercial purposes, and the person takes or possesses more than 12 abalone at one time or more than 100 abalone during a calendar year, that person shall be punished by ... A fine of not less than \$15,000 or more than \$40,000."											
19			Per F&G 12002.2(a): " ... fine of not less than \$100 or more than \$1,000 for a first offense. If a person is convicted of a violation of Section 7145 or of a regulation requiring a license to be displayed within five years of a separate offense resulting in a conviction of a violation of Section 7145 or of a regulation requiring a license to be displayed, that person shall be punished by a fine of not less than two hundred fifty dollars (\$250) or more than one thousand dollars (\$1,000) ." Per F&G 12002.2(b), a court may reduce the fine for conviction to \$25 with proof of a license valid at time of arrest. Per F&G 12002.2(c), "If a person is charged with a violation of Section 7145 or of a regulation requiring a license to be displayed, and produces in court a lifetime sport fishing license issued in his or her name pursuant to Section 7149.2, and if the taking was otherwise lawful, in terms of season, limit, time, and area, the court may dismiss the charge."											
20			Per F&G 7863, the section shall remain in effect until 1/1/19.											
21			Per F&G 12002(b): "... fine of not more than \$2,000, imprisonment in the county jail for not more than one year, or both the fine and imprisonment."											
22			Per F&G 12003.1(a): "... not less than \$500 and imprisonment in county jail for not less than 30 days for a second subsequent violation."											

FISH AND GAME BAIL AND PENALTY SCHEDULE
(*See Preface, Section III) (See Preface, Section IV)**

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	
<p>²³ Per F&G 12012(a): "... fine of not less than \$5,000, nor more than \$40,000" Per F&G 12012 (b), "If a person is convicted of a second or subsequent violation of subdivision (a), that person shall be punished by a fine of not less than ten thousand dollars (\$10,000) nor more than fifty thousand dollars (\$50,000), or imprisonment in the county jail for not more than one year, or by both that fine and imprisonment."</p> <p>²⁴ Per F&G 12013.5(a): "fine of \$10,000 per bear part."</p> <p>²⁵ Per F&G 12000(b): " ... infraction punishable by a fine of not less than \$100 and not to exceed \$1,000"</p>														

FISH AND GAME BAIL AND PENALTY SCHEDULE
(*See Preface, Section III) (See Preface, Section IV)**

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2	40	0		

26 Per F&G 12000: "(a) Except as expressly provided otherwise in this code, any violation of this code, or of any rule, regulation, or order made or adopted under this code, is a misdemeanor. (b) Notwithstanding subdivision (a), any person who violates any of the following statutes or regulations is guilty of an infraction punishable by a fine of not less than \$100 or more than \$1,000, or of a misdemeanor: (1) Section 2009. (2) Subdivision (a) of Section 6596. (3) Section 7149.8. (4) Sections 1.14, 1.17, 1.62, 1.63, and 1.74 of Title 14 of the California Code of Regulations. (5) Sections 2.00 to 5.95, inclusive, and 7.00 to 8.00, inclusive, of Title 14 of the California Code of Regulations. (6) Sections 27.56 to 30.10, inclusive, of Title 14 of the California Code of Regulations. (7) Sections 40 to 43, inclusive, of Title 14 of the California Code of Regulations. (8) Section 251.7 of Title 14 of the California Code of Regulations. (9) Sections 307, 308, and 311 to 313, inclusive, of Title 14 of the California Code of Regulations. (10) Sections 505, 507 to 510, inclusive, and 550 to 553, inclusive, of Title 14 of the California Code of Regulations. (10)(11) Sections 630 to 630.5, inclusive, of Title 14 of the California Code of Regulations. (12) Section 632 of Title 14 of the California Code of Regulations, except if either of the following apply: (A) The person who violates the regulation holds a commercial fishing license issued pursuant to Article 3 (commencing with Section 7850) of Chapter 1 of Part 3 of Division 6 or a commercial passenger fishing boat license issued pursuant to Article 5 (commencing with Section 7920) of Chapter 1 of Part 3 of Division 6. (B) The violation of the regulation occurred within two years of a prior violation of the regulation that resulted in a conviction." Per F&G Code section 12000, "(a) Except as expressly provided otherwise in this code, any violation of this code, or of any rule, regulation, or order made or adopted under this code, is a misdemeanor. (b) Notwithstanding subdivision (a), a person who violates any of the following statutes or regulations is guilty of an infraction punishable by a fine of not less than one hundred dollars (\$100) and not to exceed one thousand dollars (\$1,000), or of a misdemeanor: (1) Section 2009. (2) Section 2353. (3) Sections 5508 and 5509. (4) Section 5652. (5) Subdivision (a) of Section 6596.1. (6) Section 7149.8. (7) Sections 7850, 7852.27, 7856, 7857, 7880, 7881, 7920, 7923, 8026, 8030 to 8036, inclusive, 8043 to 8050, inclusive, 8257, 9001, 9003, and 9004. (8) Sections 1.14, 1.17, 1.62, 1.63, and 1.74 of Title 14 of the California Code of Regulations. (9) Sections 2.00 to 5.95, inclusive, and 7.00 to 8.00, inclusive, of Title 14 of the California Code of Regulations. (10) Sections 27.56 to 30.10, inclusive, of Title 14 of the California Code of Regulations. (11) Sections 40 to 43, inclusive, of Title 14 of the California Code of Regulations. (12) Sections 90, 91, 107, 123, 132.1, 176, 180, 180.2, 180.4, 180.5, 180.6, 182, 189, 190, 195, and 197 of Title 14 of the California Code of Regulations. (13) Subdivision (e) of Section 150.16 of Title 14 of the California Code of Regulations. (14) Section 251.7 of Title 14 of the California Code of Regulations. (15) Sections 307, 308, and 311 to 313, inclusive, of Title 14 of the California Code of Regulations. (16) Sections 505, 507 to 510, inclusive, and 550 to 552, inclusive, of Title 14 of the California Code of Regulations. (17) Section 630 of Title 14 of the California Code of Regulations. (18) Section 632 of Title 14 of the California Code of Regulations, except if either of the following apply: (A) The person who violates the regulation holds a commercial fishing license issued pursuant to Article 3 (commencing with Section 7850) of Chapter 1 of Part 3 of Division 6 or the person who violates the regulation is operating a boat or vessel licensed pursuant to Article 5 (commencing with Section 7920) of Chapter 1 of Part 3 of Division 6 at the time of the violation. Except as provided in Section 12012.5, a person described in this subparagraph who violates Section 632 of Title 14 of the California Code of Regulations is guilty of a misdemeanor punishable pursuant to Section 12002. (B) The violation of the regulation occurred within two years of a prior violation of the regulation that resulted in a conviction. (19) Section 650 of Title 14 of the California Code of Regulations."

FISH AND GAME BAIL AND PENALTY SCHEDULE
 (*See Preface, Section III) (**See Preface, Section IV)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	

~~²⁷ Per F&G 12000(b)(6) a person who violates Sections 27.56 to 30.10 of Title 14 of the California Code of Regulations is guilty of an infraction punishable by a fine of not less than one hundred dollars (\$100) and not to exceed one thousand dollars (\$1,000), or of a misdemeanor.~~

~~²⁸ Per F&G 12000(b): "... a person who violates any of the following statutes or regulations is guilty of an infraction punishable by a fine of not less than one hundred dollars (\$100) and not to exceed one thousand dollars (\$1,000), or of a misdemeanor: (1)...(10) Sections ... 550 to 553, inclusive, of Title 14 of the California Code of Regulations."~~

²⁹ Per F&G 12002.2(b), a court may reduce the fine for conviction to \$25 with proof of a license valid at time of arrest. Per F&G 12002.2(c), "If a person is charged with a violation of Section 7145 or of a regulation requiring a license to be displayed, and produces in court a lifetime sport fishing license issued in his or her name pursuant to Section 7149.2, and if the taking was otherwise lawful, in terms of season, limit, time, and area, the court may dismiss the charge."

PUBLIC UTILITIES BAIL AND PENALTY SCHEDULE
(*See Preface, Section III) (See Preface, Section IV)**
(Public Utilities Code)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	30	
1038.5		M	Identification of Equipment, Passenger Stage Corporations	200	200	140	100	100	40	40	820	40	30	890
4669		M	Failure to Secure Liability Insurance Protection by For-Hire Vessel Operator	450	450	315	225	225	90	90	1845	40	30	1915
5371		M	Operations as a Charter-Party Carrier Without Certificate or Permit	450	450	315	225	225	90	90	1845	40	30	1915
5385		M	Identification of Equipment, Charter-Party Carrier of Passengers	200	200	140	100	100	40	40	820	40	30	890
5386		M	Advertising as a Charter-Party Carrier of Passengers Without Stating Identification Symbol	450	450	315	225	225	90	90	1845	40	30	1915
5386.5		M	Charter-Party Carrier of Passengers Advertising Its Services as a Taxicab	450	450	315	225	225	90	90	1845	40	30	1915
5387	(a)	M	Charter-Party Carrier Operating Without Permit, Vehicle Identification, and Accident Liability Protection	450	450	315	225	225	90	90	1845	40	30	1915
5411		⁴ M	Violation of Charter-Party Carrier Order, Decision, Rule, Regulation, Direction, Demand, Requirement, or Operating Permit or Certificate	1000	1000	700	500	500	200	200	4100	40	30	4170
5411.3		⁵ M	Display of Improper Vehicle Identifying Symbol	750	750	525	375	375	150	150	3075	40	30	3145
5412		⁶ M	Violation of Charter-Party Carrier Order, Decision, Rule, Regulation, Direction, Demand, Requirement, or Operating Permit or Certificate by Corporation or Person	450	450	315	225	225	90	90	1845	40	30	1915
5412.2	(a)	M	Operating as a Charter-Party Carrier of Passengers or Taxicab Without Valid Certificate/Permit	750	750	525	375	375	150	150	3075	40	45	3160

PUBLIC UTILITIES BAIL AND PENALTY SCHEDULE
(*See Preface, Section III) (See Preface, Section IV)**
(Public Utilities Code)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	30	
5414.5		M	Advertising as a Charter-Party Carrier of Passengers Without Certificate or Permit	450	450	315	225	225	90	90	1845	40	46	1931
5513	(a)	M	Failure to Secure Required Liability Insurance Protection by Hot Air Balloon Operator	450	450	315	225	225	90	90	1845	40	47	1932
5513	(b)	M	Operating as a Hot Air Balloon Operator Without a Local Permit When Required	1000	1000	700	500	500	200	200	4100	40	48	4188
99170	(a)(1)	⁷ I	Operation of or Interference with a Transit District's Vehicles	35	40	28	20	20	7	8	158	40	35	233
99170	(a)(2)	⁷ I	Interference with Transit Operator	35	40	28	20	20	7	8	158	40	35	233
99170	(a)(3)	⁷ I	Extending Body from Transit District's Vehicles	35	40	28	20	20	7	8	158	40	35	233
99170	(a)(4)	⁷ I	Throwing Objects from Transit District's Vehicle	35	40	28	20	20	7	8	158	40	35	233
99170	(a)(5)	⁷ I	Behavior Causing Injury to Person or Property	35	40	28	20	20	7	8	158	40	35	233
99170	(a)(6)	⁷ I	Violating Safety or Security Instruction	35	40	28	20	20	7	8	158	40	35	233
99170	(a)(7)	⁷ I	Providing False Information to Transit District Employee or Obstructing Issuance of Citation	35	40	28	20	20	7	8	158	40	35	233
99170	(a)(8)	⁷ I	Violating Rules Regarding Boarding Transit Vehicles with Bicycles	35	40	28	20	20	7	8	158	40	35	233

Notes

¹ Per PU 5311(b): " ... fine of not more than \$10,000"

² Per PU 5311(a): " ... fine of not more than \$2,500... ."

³ Per PU 5311(a): "for a willful violation ... fine of not more than \$10,000"

PUBLIC UTILITIES BAIL AND PENALTY SCHEDULE
(*See Preface, Section III) (See Preface, Section IV)**
(Public Utilities Code)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **	
				1	10/10		7	5/10		5	20%	2		40	30

⁴ Per PU 5411: "... fine of not less than \$1,000 and not more than \$5,000"

⁵ Per PU 5411.3: "... fine of not more than \$2,500"

⁶ Per PU 5412: "... fine of not more than \$2,000"

⁷ Per PUC section 99170 "(a) A person shall not do [1-8] with respect to the property, facilities, or vehicles of a transit district: district or the property, facilities, or vehicles upon which the San Francisco Bay Area Rapid Transit District owes policing responsibilities to a local government pursuant to an operations and maintenance agreement or similar interagency agreement." Per 99170 (c) A violation of this section is an infraction under Section 19.8 of the Penal Code punishable by a fine not exceeding seventy-five dollars (\$75), and a violation by a person after a second conviction is punishable by a fine not exceeding two hundred fifty dollars (\$250) or by community service that does not conflict with the violator's hours of school attendance or employment for a total time not to exceed 48 hours over a period not to exceed 60 days.

PARKS AND RECREATION BAIL AND PENALTY SCHEDULE

(*See Preface, Section III) (**See Preface, Section IV)

(California Code of Regulations, Title 14)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge* Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	
4302		I	Payment of Fee for Use of Facilities Required	135	140	98	70	70	27	28	568	40	35	643
4302		M	Payment of Fee for Use of Facilities Required	75	80	56	40	40	15	16	322	40	30	392
4304		I	No Aircraft Landing or Takeoff Without Authorization	100	100	70	50	50	20	20	410	40	35	485
4304		M	No Aircraft Landing or Takeoff Without Authorization	250	250	175	125	125	50	50	1025	40	30	1095
4305	(a)	I	No Hunting or Fishing in a State Park	50	50	35	25	25	10	10	205	40	35	280
4305	(a)	M	No Hunting or Fishing in a State Park	250	250	175	125	125	50	50	1025	40	30	1095
4305	(b)	I	No Taking, Killing, or Injuring Wildlife in a State Park	100	100	70	50	50	20	20	410	40	35	485
4305	(b)	M	No Taking, Killing, or Injuring Wildlife in a State Park	250	250	175	125	125	50	50	1025	40	30	1095
4305	(e)	I	No Feeding of Posted Wildlife	50	50	35	25	25	10	10	205	40	35	280
4305	(e)	M	No Feeding of Posted Wildlife	75	80	56	40	40	15	16	322	40	30	392
4306		I	No Collecting/Destroying Vegetation in a State Park	50	50	35	25	25	10	10	205	40	35	280
4306		M	No Collecting/Destroying Vegetation in a State Park	100	100	70	50	50	20	20	410	40	30	480
4307		I	No Destruction of Geological Features in a State Park + Damages	50	50	35	25	25	10	10	205	40	35	280
4307		M	No Destruction of Geological Features in a State Park + Damages	100	100	70	50	50	20	20	410	40	30	480
4308		I	No Destruction of Archaeological Features in a State Park + Damages	100	100	70	50	50	20	20	410	40	35	485
4308		M	No Destruction of Archaeological Features in a State Park + Damages	250	250	175	125	125	50	50	1025	40	30	1095
4310		I	No Littering in a State Park	50	50	35	25	25	10	10	205	40	35	280
4310	¹	M	No Littering in a State Park	100	100	70	50	50	20	20	410	40	30	480
4311	(a)	I	No Fires Except in Appropriate Stove/Fireplaces	50	50	35	25	25	10	10	205	40	35	280
4311	(a)	M	No Fires Except in Appropriate Stove/Fireplaces	100	100	70	50	50	20	20	410	40	30	480
4311	(b)	I	No Unsafe Fires	100	100	70	50	50	20	20	410	40	35	485
4311	(b)	M	No Unsafe Fires	500	500	350	250	250	100	100	2050	40	30	2120
4311	(c)	I	No Fire or Smoking Where Posted	100	100	70	50	50	20	20	410	40	35	485
4311	(c)	M	No Fire or Smoking Where Posted	250	250	175	125	125	50	50	1025	40	30	1095

PARKS AND RECREATION BAIL AND PENALTY SCHEDULE

(*See Preface, Section III) (**See Preface, Section IV)

(California Code of Regulations, Title 14)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge* Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	
4312	(a,b,d)	I	No Dog or Animal Running Loose	35	40	28	20	20	7	8	158	40	35	233
4312	(a,b,d)	M	No Dog or Animal Running Loose	75	80	56	40	40	15	16	322	40	30	392
4312	(c)	I	Keeping Noisy, Vicious, or Dangerous Dogs or Animals	100	100	70	50	50	20	20	410	40	35	485
4312	(c)	M	Keeping Noisy, Vicious, or Dangerous Dogs or Animals	250	250	175	125	125	50	50	1025	40	30	1095
4312	(e)	I	No Dogs or Cats in Area Unless on a Leash	50	50	35	25	25	10	10	205	40	35	280
4312	(e)	M	No Dogs or Cats in Area Unless on a Leash	100	100	70	50	50	20	20	410	40	30	480
4312	(f)	I	No Animals in a Unit Except Under Control	35	40	28	20	20	7	8	158	40	35	233
4312	(f)	M	No Animals in a Unit Except Under Control	75	80	56	40	40	15	16	322	40	30	392
4312	(h)	I	No Grazing Without Authorization + \$30 Per Head	50	50	35	25	25	10	10	205	40	35	280
4312	(h)	M	No Grazing Without Authorization + \$30 Per Head	100	100	70	50	50	20	20	410	40	30	480
4313		I	No Weapons or Traps Except Where Authorized	100	100	70	50	50	20	20	410	40	35	485
4313		M	No Weapons or Traps Except Where Authorized	250	250	175	125	125	50	50	1025	40	30	1095
4314		I	No Fireworks Allowed	50	50	35	25	25	10	10	205	40	35	280
4314		M	No Fireworks Allowed	100	100	70	50	50	20	20	410	40	30	480
4316		I	No Photography/Filming for Commercial Purposes Without Authorization	100	100	70	50	50	20	20	410	40	35	485
4316		M	No Photography/Filming for Commercial Purposes Without Authorization	500	500	350	250	250	100	100	2050	40	30	2120
4317		I	No Juvenile Shall Violate Posted Curfew Hours	35	40	28	20	20	7	8	158	40	35	233
4317		M	No Juvenile Shall Violate Posted Curfew Hours	75	80	56	40	40	15	16	322	40	30	392
4318		I	No Loitering About Park Restrooms, Showers, etc.	100	100	70	50	50	20	20	410	40	35	485
4318		M	No Loitering About Park Restrooms, Showers, etc.	250	250	175	125	125	50	50	1025	40	30	1095
4319		I	No Dangerous Recreational Activities	35	40	28	20	20	7	8	158	40	35	233
4319		M	No Dangerous Recreational Activities	75	80	56	40	40	15	16	322	40	30	392
4320	(a)	I	Observation of Quiet Hours Required	50	50	35	25	25	10	10	205	40	35	280
4320	(a)	M	Observation of Quiet Hours Required	100	100	70	50	50	20	20	410	40	30	480
4320	(b)	I	No Outside Machinery Operated Without Permission	50	50	35	25	25	10	10	205	40	35	280
4320	(b)	M	No Outside Machinery Operated Without Permission	100	100	70	50	50	20	20	410	40	30	480

PARKS AND RECREATION BAIL AND PENALTY SCHEDULE

(*See Preface, Section III) (**See Preface, Section IV)

(California Code of Regulations, Title 14)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge* Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	
4320	(c)	I	No Noisy Disturbance During Specified Hours	35	40	28	20	20	7	8	158	40	35	233
4320	(c)	M	No Noisy Disturbance During Specified Hours	75	80	56	40	40	15	16	322	40	30	392
4321		I	Restrictions on Assembly	50	50	35	25	25	10	10	205	40	35	280
4321		M	Restrictions on Assembly	100	100	70	50	50	20	20	410	40	30	480
4322		I	No Nudity Except Where Authorized	50	50	35	25	25	10	10	205	40	35	280
4322		M	No Nudity Except Where Authorized	100	100	70	50	50	20	20	410	40	30	480
4323	(a)	I	Restrictions on Recreational Equipment	35	40	28	20	20	7	8	158	40	35	233
4323	(a)	M	Restrictions on Recreational Equipment	75	80	56	40	40	15	16	322	40	30	392
4323	(b)	I	Restrictions on Food Storage	50	50	35	25	25	10	10	205	40	35	280
4323	(b)	M	Restrictions on Food Storage	100	100	70	50	50	20	20	410	40	30	480
4323	(c)	I	Restrictions on Tents on Beaches	35	40	28	20	20	7	8	158	40	35	233
4323	(c)	M	Restrictions on Tents on Beaches	75	80	56	40	40	15	16	322	40	30	392
4324	(a-c)	I	Requirements for Sanitation	50	50	35	25	25	10	10	205	40	35	280
4324	(a-c)	M	Requirements for Sanitation	100	100	70	50	50	20	20	410	40	30	480
4326		I	Violation of Posted Orders/Special Permits Prohibited	50	50	35	25	25	10	10	205	40	35	280
4326		M	Violation of Posted Orders/Special Permits Prohibited	100	100	70	50	50	20	20	410	40	30	480
4330		I	Restrictions for Use of Pesticides	100	100	70	50	50	20	20	410	40	35	485
4330		M	Restrictions for Use of Pesticides	500	500	350	250	250	100	100	2050	40	30	2120
4331		I	No Soliciting Without Authorization	50	50	35	25	25	10	10	205	40	35	280
4331		M	No Soliciting Without Authorization	100	100	70	50	50	20	20	410	40	30	480
4333		I	Restriction of Glass Containers Except as Authorized	50	50	35	25	25	10	10	205	40	35	280
4333		M	Restriction of Glass Containers Except as Authorized	100	100	70	50	50	20	20	410	40	30	480
4351		I	Restrictions in State Wilderness/Natural Preserves	100	100	70	50	50	20	20	410	40	35	485
4351		M	Restrictions in State Wilderness/Natural Preserves	500	500	350	250	250	100	100	2050	40	30	2120
4352		I	No Off-Highway Vehicles/Snowmobiles Unless Authorized	50	50	35	25	25	10	10	205	40	35	280
4352		M	No Off-Highway Vehicles/Snowmobiles Unless Authorized	100	100	70	50	50	20	20	410	40	30	480
4353		I	No Violations of Posted Speed Limits											[See Speed Chart]
4353		M	No Violations of Posted Speed Limits											[See Speed Chart]

PARKS AND RECREATION BAIL AND PENALTY SCHEDULE

(*See Preface, Section III) (**See Preface, Section IV)

(California Code of Regulations, Title 14)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge* Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	
4354		I	No Vehicle Operations That Endanger Persons/Animals	50	50	35	25	25	10	10	205	40	35	280
4354		M	No Vehicle Operations That Endanger Persons/Animals	100	100	70	50	50	20	20	410	40	30	480
4355		I	Restrictions on Vehicle Operation	50	50	35	25	25	10	10	205	40	35	280
4355		M	Restrictions on Vehicle Operation	75	80	56	40	40	15	16	322	40	30	392
4357		I	License Requirements to Operate Vehicle	50	50	35	25	25	10	10	205	40	35	280
4357		M	License Requirements to Operate Vehicle	75	80	56	40	40	15	16	322	40	30	392
4359	(b)	I	No Horses/Pack Animals Except in Designated Areas	50	50	35	25	25	10	10	205	40	35	280
4359	(b)	M	No Horses/Pack Animals Except in Designated Areas	75	80	56	40	40	15	16	322	40	30	392
4359	(c)	I	No Riding Horses/Pack Animals in Reckless Manner	50	50	35	25	25	10	10	205	40	35	280
4359	(c)	M	No Riding Horses/Pack Animals in Reckless Manner	100	100	70	50	50	20	20	410	40	30	480
4359	(e)	I	Gate Requirements When Riding	35	40	28	20	20	7	8	158	40	35	233
4359	(e)	M	Gate Requirements When Riding	75	80	56	40	40	15	16	322	40	30	392
4360		I	Regulations for Operation of Bicycles	50	50	35	25	25	10	10	205	40	35	280
4360		M	Regulations for Operation of Bicycles	75	80	56	40	40	15	16	322	40	30	392
4451	(a)	I	Camping in Designated Areas Only	35	40	28	20	20	7	8	158	40	35	233
4451	(a)	M	Camping in Designated Areas Only	75	80	56	40	40	15	16	322	40	30	392
4452		I	Limits on Number Occupying Camp Sites; per Extra	35	40	28	20	20	7	8	158	40	35	233
4452		M	Limits on Number Occupying Camp Sites; per Extra	75	80	56	40	40	15	16	322	40	30	392
4453		I	Camping Fees Due at Certain Times	35	40	28	20	20	7	8	158	40	35	233
4453		M	Camping Fees Due at Certain Times	75	80	56	40	40	15	16	322	40	30	392
4454		I	Occupancy Authorized Only After Fees Are Paid	35	40	28	20	20	7	8	158	40	35	233
4454		M	Occupancy Authorized Only After Fees Are Paid	75	80	56	40	40	15	16	322	40	30	392
4455		I	Camping Time Limits—Days per Year	35	40	28	20	20	7	8	158	40	35	233
4455		M	Camping Time Limits—Days per Year	75	80	56	40	40	15	16	322	40	30	392
4456		I	Vacating Campsite Requirements	35	40	28	20	20	7	8	158	40	35	233
4456		M	Vacating Campsite Requirements	75	80	56	40	40	15	16	322	40	30	392
4457		I	No Camping in Day-Use Areas Unless Authorized	35	40	28	20	20	7	8	158	40	35	233
4457		M	No Camping in Day-Use Areas Unless Authorized	75	80	56	40	40	15	16	322	40	30	392
4458		I	Nighttime Closure Requirements	50	50	35	25	25	10	10	205	40	35	280
4458		M	Nighttime Closure Requirements	100	100	70	50	50	20	20	410	40	30	480

PARKS AND RECREATION BAIL AND PENALTY SCHEDULE
(*See Preface, Section III) (See Preface, Section IV)**
(California Code of Regulations, Title 14)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	
4501	(a)	I	Hunting Requirements–Picacho State Recreational Area	100	100	70	50	50	20	20	410	40	35	485
4501	(a)	M	Hunting Requirements–Picacho State Recreational Area	250	250	175	125	125	50	50	1025	40	30	1095
4501	(b)	I	Hunting Requirements–Auburn State Recreational Area	100	100	70	50	50	20	20	410	40	35	485
4501	(b)	M	Hunting Requirements–Auburn State Recreational Area	250	250	175	125	125	50	50	1025	40	30	1095
4501	(c)	I	Hunting Requirements–San Luis Reservoir State Recreational Area	100	100	70	50	50	20	20	410	40	35	485
4501	(c)	M	Hunting Requirements–San Luis Reservoir State Recreational Area	250	250	175	125	125	50	50	1025	40	30	1095
4501	(d)	I	Hunting Requirements–Providence Mountain State Recreational Area	100	100	70	50	50	20	20	410	40	35	485
4501	(d)	M	Hunting Requirements–Providence Mountain State Recreational Area	250	250	175	125	125	50	50	1025	40	30	1095
4501	(e)	I	Hunting Requirements–Lake Oroville State Recreational Area	100	100	70	50	50	20	20	410	40	35	485
4501	(e)	M	Hunting Requirements–Lake Oroville State Recreational Area	250	250	175	125	125	50	50	1025	40	30	1095
4501	(f)	I	Hunting Requirements–Lake Perris State Recreational Area	100	100	70	50	50	20	20	410	40	35	485
4501	(f)	M	Hunting Requirements–Lake Perris State Recreational Area	250	250	175	125	125	50	50	1025	40	30	1095
4501	(g)	I	Hunting Requirements–Harry A. Merlo State Recreation Area	100	100	70	50	50	20	20	410	40	35	485
4501	(g)	M	Hunting Requirements–Harry A. Merlo State Recreation Area	250	250	175	125	125	50	50	1025	40	30	1095
4501	(h)	I	Hunting Requirements–Franks Tract State Recreational Area	100	100	70	50	50	20	20	410	40	35	485
4501	(h)	M	Hunting Requirements–Franks Tract State Recreational Area	250	250	175	125	125	50	50	1025	40	30	1095

PARKS AND RECREATION BAIL AND PENALTY SCHEDULE

(*See Preface, Section III) (**See Preface, Section IV)

(California Code of Regulations, Title 14)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge* Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	
4600	(a)	I	Restrictions–San Simeon Historical Monument–Tours	35	40	28	20	20	7	8	158	40	35	233
4600	(a)	M	Restrictions–San Simeon Historical Monument–Tours	75	80	56	40	40	15	16	322	40	30	392
4600	(b)	I	Restrictions–San Simeon Historical Monument–Objects + Damages	35	40	28	20	20	7	8	158	40	35	233
4600	(b)	M	Restrictions–San Simeon Historical Monument–Objects + Damages	75	80	56	40	40	15	16	322	40	30	392
4600	(c)	I	Restrictions–San Simeon Historical Monument–Food + Damages	35	40	28	20	20	7	8	158	40	35	233
4600	(c)	M	Restrictions–San Simeon Historical Monument–Food + Damages	75	80	56	40	40	15	16	322	40	30	392
4600	(d)	I	Restrictions–San Simeon Historical Monument–Cameras	35	40	28	20	20	7	8	158	40	35	233
4600	(d)	M	Restrictions–San Simeon Historical Monument–Cameras	75	80	56	40	40	15	16	322	40	30	392
4601	(a)	I	Restrictions–Torrey Pines, Point Lobos State Reserves, and Penasquitos Marsh Natural State Recreational Areas–Picnics	35	40	28	20	20	7	8	158	40	35	233
4601	(a)	M	Restrictions–Torrey Pines, Point Lobos State Reserves, and Penasquitos Marsh Natural State Recreational Areas–Picnics	75	80	56	40	40	15	16	322	40	30	392
4601	(b)	I	Restrictions–Torrey Pines, Point Lobos State Reserves, and Penasquitos Marsh Natural State Recreational Areas–Designated Trails	35	40	28	20	20	7	8	158	40	35	233
4601	(b)	M	Restrictions–Torrey Pines, Point Lobos State Reserves, and Penasquitos Marsh Natural State Recreational Areas–Designated Trails	75	80	56	40	40	15	16	322	40	30	392
4603	(a)	I	Restrictions–Angel Island State Park– Boat Docking	100	100	70	50	50	20	20	410	40	35	485
4603	(a)	M	Restrictions–Angel Island State Park–Boat Docking	250	250	175	125	125	50	50	1025	40	30	1095
4604		I	Restrictions–Carrizo Impact Area	100	100	70	50	50	20	20	410	40	35	485
4604		M	Restrictions–Carrizo Impact Area	500	500	350	250	250	100	100	2050	40	30	2120
4608		I	Restrictions–Mt. San Jacinto State Wilderness	50	50	35	25	25	10	10	205	40	35	280
4608		M	Restrictions–Mt. San Jacinto State Wilderness	100	100	70	50	50	20	20	410	40	30	480

PARKS AND RECREATION BAIL AND PENALTY SCHEDULE

(*See Preface, Section III) (**See Preface, Section IV)

(California Code of Regulations, Title 14)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge* Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	
4609	(b)	I	Restrictions–Pismo Dunes State Vehicular Recreational Area–Towing	50	50	35	25	25	10	10	205	40	35	280
4609	(b)	M	Restrictions–Pismo Dunes State Vehicular Recreational Area–Towing	100	100	70	50	50	20	20	410	40	30	480
4609	(b)(3)	I	Restrictions–Pismo Dunes–Off-Highway Vehicles	50	50	35	25	25	10	10	205	40	35	280
4609	(b)(3)	M	Restrictions–Pismo Dunes–Off-Highway Vehicles	100	100	70	50	50	20	20	410	40	30	480
4609	(b)(4)	I	Restrictions–Pismo Dunes–Safety Equipment	50	50	35	25	25	10	10	205	40	35	280
4609	(b)(4)	M	Restrictions–Pismo Dunes–Safety Equipment	100	100	70	50	50	20	20	410	40	30	480
4610	(a)	I	Unlicensed Driver Off-Highway Requirements	50	50	35	25	25	10	10	205	40	35	280
4610	(a)	M	Unlicensed Driver Off-Highway Requirements	100	100	70	50	50	20	20	410	40	30	480
4610	(b)	I	Unlicensed Driver Off-Highway Capabilities	50	50	35	25	25	10	10	205	40	35	280
4610	(b)	M	Unlicensed Driver Off-Highway Capabilities	100	100	70	50	50	20	20	410	40	30	480
4611	(c)	I	Rockhounding–Commercial Restrictions	50	50	35	25	25	10	10	205	40	35	280
4611	(c)	M	Rockhounding–Commercial Restrictions	100	100	70	50	50	20	20	410	40	30	480
4611	(d)	I	Rockhounding–Maximum Take Allowed 15 Pounds per Day	50	50	35	25	25	10	10	205	40	35	280
4611	(d)	M	Rockhounding–Maximum Take Allowed 15 Pounds per Day	100	100	70	50	50	20	20	410	40	30	480
4611	(e)	I	Rockhounding–Use of Tools	50	50	35	25	25	10	10	205	40	35	280
4611	(e)	M	Rockhounding–Use of Tools	100	100	70	50	50	20	20	410	40	30	480
4611	(f)	I	Rockhounding–Prohibited in Swimming/Boating Areas	50	50	35	25	25	10	10	205	40	35	280
4611	(f)	M	Rockhounding–Prohibited in Swimming/Boating Areas	100	100	70	50	50	20	20	410	40	30	480
4611	(g)	I	Rockhounding–Areas for Collecting Limited	50	50	35	25	25	10	10	205	40	35	280
4611	(g)	M	Rockhounding–Areas for Collecting Limited	100	100	70	50	50	20	20	410	40	30	480
4611	(h)	I	Rockhounding–Indian Artifact Removal Prohibited	50	50	35	25	25	10	10	205	40	35	280
4611	(h)	M	Rockhounding–Indian Artifact Removal Prohibited	100	100	70	50	50	20	20	410	40	30	480
4611	(i)	I	Rockhounding–Panning for Gold	50	50	35	25	25	10	10	205	40	35	280
4611	(i)	M	Rockhounding–Panning for Gold	100	100	70	50	50	20	20	410	40	30	480
4612		I	Restrictions–Crystal Cove Historic District	100	100	70	50	50	20	20	410	40	35	485
4612		M	Restrictions–Crystal Cove Historic District	500	500	350	250	250	100	100	2050	40	30	2120

PARKS AND RECREATION BAIL AND PENALTY SCHEDULE

(*See Preface, Section III) (**See Preface, Section IV)

(California Code of Regulations, Title 14)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge* Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	
4613	(a)	I	Restrictions—CA State Railroad Museum—Capacities	35	40	28	20	20	7	8	158	40	35	233
4613	(a)	M	Restrictions—CA State Railroad Museum—Capacities	75	80	56	40	40	15	16	322	40	30	392
4613	(b)	I	Restrictions—CA State Railroad Museum—Photography	35	40	28	20	20	7	8	158	40	35	233
4613	(b)	M	Restrictions—CA State Railroad Museum—Photography	75	80	56	40	40	15	16	322	40	30	392
4613	(c)	I	Restrictions—CA State Railroad Museum—Artifacts + Damages	35	40	28	20	20	7	8	158	40	35	233
4613	(c)	M	Restrictions—CA State Railroad Museum—Artifacts + Damages	75	80	56	40	40	15	16	322	40	30	392
4613	(d)	I	Restrictions—CA State Railroad Museum—Climbing + Damages	35	40	28	20	20	7	8	158	40	35	233
4613	(d)	M	Restrictions—CA State Railroad Museum—Climbing + Damages	75	80	56	40	40	15	16	322	40	30	392
4613	(e)	I	Restrictions—CA State Railroad Museum—Food/Drink + Damages	35	40	28	20	20	7	8	158	40	35	233
4613	(e)	M	Restrictions—CA State Railroad Museum—Food/Drink + Damages	75	80	56	40	40	15	16	322	40	30	392
4650		I	No Swimming Except in Designated Areas	50	50	35	25	25	10	10	205	40	35	280
4650		M	No Swimming Except in Designated Areas	100	100	70	50	50	20	20	410	40	30	480
4651		I	No Boating/Water Skiing in Designated Swimming Areas	100	100	70	50	50	20	20	410	40	35	485
4651		M	No Boating/Water Skiing in Designated Swimming Areas	500	500	350	250	250	100	100	2050	40	30	2120
4656		I	No Diving Allowed	50	50	35	25	25	10	10	205	40	35	280
4656		M	No Diving Allowed	100	100	70	50	50	20	20	410	40	30	480
4657		I	No Boat Launching Where Posted	50	50	35	25	25	10	10	205	40	35	280
4657		M	No Boat Launching Where Posted	100	100	70	50	50	20	20	410	40	30	480
4658		I	No Exceeding Posted Speed Limits in Boats	50	50	35	25	25	10	10	205	40	35	280
4658		M	No Exceeding Posted Speed Limits in Boats	100	100	70	50	50	20	20	410	40	30	480
4659		I	Speed Restrictions for Nighttime Boat Operation	50	50	35	25	25	10	10	205	40	35	280
4659		M	Speed Restrictions for Nighttime Boat Operation	100	100	70	50	50	20	20	410	40	30	480

PARKS AND RECREATION BAIL AND PENALTY SCHEDULE

(*See Preface, Section III) (**See Preface, Section IV)

(California Code of Regulations, Title 14)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7		5/10	5	20%		40	0	
4660	(a)	I	Vessel Overnight Stay Prohibited Except Where Permitted	50	50	35	25	25	10	10	205	40	35	280
4660	(a)	M	Vessel Overnight Stay Prohibited Except Where Permitted	100	100	70	50	50	20	20	410	40	30	480
4660	(b)	I	Vessel Restrictions Apply if Posted	50	50	35	25	25	10	10	205	40	35	280
4660	(b)	M	Vessel Restrictions Apply if Posted	100	100	70	50	50	20	20	410	40	30	480
4660	(c)	I	Abandoned Vessels Must Be Removed by Registered Owner of Notification	50	50	35	25	25	10	10	205	40	35	280
4660	(c)	M	Abandoned Vessels Must Be Removed by Registered Owner of Notification	100	100	70	50	50	20	20	410	40	30	480
4661		I	Restrictions for Disposal of Waste From Boats	50	50	35	25	25	10	10	205	40	35	280
4661		M	Restrictions for Disposal of Waste From Boats	100	100	70	50	50	20	20	410	40	30	480
4662	(a)	I	Vessel Inspection Requirements—Any Time	50	50	35	25	25	10	10	205	40	35	280
4662	(a)	M	Vessel Inspection Requirements—Any Time	100	100	70	50	50	20	20	410	40	30	480
4662	(b)	I	Vessel Inspection Requirements—Continued Use	35	40	28	20	20	7	8	158	40	35	233
4662	(b)	M	Vessel Inspection Requirements—Continued Use	75	80	56	40	40	15	16	322	40	30	392
4664	(a)	I	Restrictions on Underwater Activities—Entry Areas	35	40	28	20	20	7	8	158	40	35	233
4664	(a)	M	Restrictions on Underwater Activities—Entry Areas	75	80	56	40	40	15	16	322	40	30	392
4700		I	Requirements for Runaway Snow Skis	35	40	28	20	20	7	8	158	40	35	233
4700		M	Requirements for Runaway Snow Skis	75	80	56	40	40	15	16	322	40	30	392
4701		I	Winter Sports Allowed Only in Designated Areas	50	50	35	25	25	10	10	205	40	35	280
4701		M	Winter Sports Allowed Only in Designated Areas	100	100	70	50	50	20	20	410	40	30	480

Notes

¹ Per PR 5008.7: fine of "not less than \$100 nor more than \$1,000" for violation of any rule or regulation adopted by the Department of Parks and Recreation prohibiting the leaving, depositing, dropping, or scattering of bottles, broken glass, ashes, wastepaper, cans, or other rubbish in a state park.

PARKS AND RECREATION BAIL AND PENALTY SCHEDULE

(*See Preface, Section III) (**See Preface, Section IV)

(California Code of Regulations, Title 14)

SPEED CHART

(FOR ALL SPEED LIMITS)

MPH Over Limit	Base Fine	State PA*	County PA*/10	DNA PA*	Court Facility Const. PA*/10	Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
	1	10/10	7	5/10	5	20%	2		40	35	
1–15	35	40	28	20	20	7	8	158	40	35	233
16–25	70	70	49	35	35	14	14	287	40	35	362
26 and over	100	100	70	50	50	20	20	410	40	35	485

BUSINESS LICENSING BAIL AND PENALTY SCHEDULE
(*See Preface, Section III) (See Preface, Section IV)**
(Business and Professions Code)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge* Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
725	(a)	¹ M	Excessive Prescribing or Administering of Drugs or Treatment	100	10/10	70	5/10	50	20%	20	410	40	0	480
2225.5	(c)	² M	Multiple Failures of Licensee or Health-Care Facility to Comply With Court Order to Enforce Subpoena Mandating Release of Records	1500	1500	1050	750	750	300	300	6150	40	30	6220
2570.3		³ M	License Required to Practice Occupational Therapy	500	500	350	250	250	100	100	2050	40	30	2120
2630		⁴ I	License Required to Operate as a Physical Therapist	250	250	175	125	125	50	50	1025	40	35	1100
2630		⁵ M	License Required to Operate as a Physical Therapist	500	500	350	250	250	100	100	2050	40	30	2120
2903		⁶ I	License Required to Operate as a Psychologist	250	250	175	125	125	50	50	1025	40	35	1100
2903		⁴ M	License Required to Operate as a Psychologist	1000	1000	700	500	500	200	200	4100	40	30	4170
3535	(a)	⁷ M	Violation by Physician or Surgeon of Physician's Assistant Employment Requirements	300	300	210	150	150	60	60	1230	40	30	1300
3660	(a,b)	⁴ I	License Required to Claim to Be or Practice as a Naturopathic Doctor	250	250	175	125	125	50	50	1025	40	35	1100
3660	(a,b)	⁸ M	License Required to Claim to Be or Practice as a Naturopathic Doctor	1500	1500	1050	750	750	300	300	6150	40	30	6220
3760		⁴ I	Unauthorized Practice or Use of Title in Providing Respiratory Care	250	250	175	125	125	50	50	1025	40	35	1100
3760		⁹ M	Unauthorized Practice or Use of Title in Providing Respiratory Care	1000	1000	700	500	500	200	200	4100	40	30	4170
3761		⁴ I	License Required to Provide Respiratory Care	250	250	175	125	125	50	50	1025	40	35	1100
3761		⁹ M	License Required to Provide Respiratory Care	500	500	350	250	250	100	100	2050	40	30	2120
4825		⁴ I	License Required to Practice Veterinary Medicine	250	250	175	125	125	50	50	1025	40	35	1100
4825		¹⁰ M	License Required to Practice Veterinary Medicine	500	500	350	250	250	100	100	2050	40	30	2120
4980		⁴ I	License Required to Practice as a Marriage, Family, and Child Counselor	250	250	175	125	125	50	50	1025	40	35	1100
4980		¹¹ M	License Required to Practice as a Marriage, Family, and Child Counselor	1000	1000	700	500	500	200	200	4100	40	30	4170
4996		⁴ I	License Required to Practice as a Clinical Social Worker	250	250	175	125	125	50	50	1025	40	35	1100
4996		M	License Required to Practice as a Clinical Social Worker	500	500	350	250	250	100	100	2050	40	30	2120
5536	(a,b)	⁴ I	License Required to Operate as an Architect	250	250	175	125	125	50	50	1025	40	35	1100

BUSINESS LICENSING BAIL AND PENALTY SCHEDULE
(*See Preface, Section III) (See Preface, Section IV)**
(Business and Professions Code)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge* Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	
6451	12	I	Unsupervised Performance of Services for Consumer by Paralegal	500	500	350	250	250	100	100	2050	40	35	2125
6452	12	I	Unlawful Advertisement by Paralegal	500	500	350	250	250	100	100	2050	40	35	2125
6704	(a)	I	License Required to Operate as an Engineer	250	250	175	125	125	50	50	1025	40	35	1100
6704	(a)	13	M License Required to Operate as an Engineer	500	500	350	250	250	100	100	2050	40	30	2120
6980.10		13	I License Required to Operate as a Locksmith	250	250	175	125	125	50	50	1025	40	35	1100
6980.10		14	M License Required to Operate as a Locksmith	10000	10000	7000	5000	5000	2000	2000	41000	40	30	41070
7028	(a)	15	M License Required to Operate as a Contractor	1500	1500	1050	750	750	300	300	6150	40	30	6220
7028.16		16	M Contractor License Required to Repair Damage From Natural Disaster	1000	1000	700	500	500	200	200	4100	40	30	4170
7317		4	I License Required to Operate as a Barber or Cosmetologist or to Perform Electrolysis	250	250	175	125	125	50	50	1025	40	35	1100
7317		17	M License Required to Operate as a Barber or Cosmetologist or to Perform Electrolysis	500	500	350	250	250	100	100	2050	40	30	2120
7502		4	I License Required to Operate a Repossession Agency	250	250	175	125	125	50	50	1025	40	35	1100
7502		18	M License Required to Operate a Repossession Agency	5000	5000	3500	2500	2500	1000	1000	20500	40	30	20570
7592		4	I License Required to Provide Service as an Alarm Company Operator	250	250	175	125	125	50	50	1025	40	35	1100
7592		19	M License Required to Provide Service as an Alarm Company Operator	1000	1000	700	500	500	200	200	4100	40	30	4170
7617		4	I License Required to Operate as a Funeral Director	250	250	175	125	125	50	50	1025	40	35	1100
7617		20	M License Required to Operate as a Funeral Director	500	500	350	250	250	100	100	2050	40	30	2120
7637.1		21	M License Required to Operate as a Cemetery Broker or Salesperson	500	500	350	250	250	100	100	2050	40	30	2120
7641		4	I License Required to Operate as an Embalmer	250	250	175	125	125	50	50	1025	40	35	1100
7641		20	M License Required to Operate as an Embalmer	500	500	350	250	250	100	100	2050	40	30	2120
7673.1		22	M Storage of Cremated Remains in a Reckless Manner	1500	1500	1050	750	750	300	300	6150	40	30	6220
7713.2		23	M License Required to Engage in Activities of a Crematory Manager for a Licensed Crematory	500	500	350	250	250	100	100	2050	40	30	2120
7872	(a)	4	I License Required to Operate as a Geologist	250	250	175	125	125	50	50	1025	40	35	1100
7872	(a)	24	M License Required to Operate as a Geologist	500	500	350	250	250	100	100	2050	40	30	2120
8016		4	I License Required to Operate as a Shorthand Reporter	250	250	175	125	125	50	50	1025	40	35	1100

BUSINESS LICENSING BAIL AND PENALTY SCHEDULE
(*See Preface, Section III) (See Preface, Section IV)**
(Business and Professions Code)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge* Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	
8016	25	M	License Required to Operate as a Shorthand Reporter	500	500	350	250	250	100	100	2050	40	30	2120
8550	26	M	License Required to Practice Structural Pest Control	500	500	350	250	250	100	100	2050	40	30	2120
8725	4	I	License Required to Operate as a Land Surveyor	250	250	175	125	125	50	50	1025	40	35	1100
8725	27	M	License Required to Operate as a Land Surveyor	500	500	350	250	250	100	100	2050	40	30	2120
9840	4	I	License Required to Operate as an Electronic or Appliance Repair Dealer	250	250	175	125	125	50	50	1025	40	35	1100
9840	28	M	License Required to Operate as an Electronic or Appliance Repair Dealer	500	500	350	250	250	100	100	2050	40	30	2120
9884.6	29	M	License Required to Operate as an Automotive Repair Dealer	250	250	175	125	125	50	50	1025	40	30	1095
10085.5 (a)	30	M	Advance Fee for Loan Secured Before Borrower Becomes Obligated to Complete Loan	3000	3000	2100	1500	1500	600	600	12300	40	30	12370
10085.6 (a)	31	M	Advance Fee to Provide Services for Loan Modification or Forbearance	3000	3000	2100	1500	1500	600	600	12300	40	30	12370
10147.6 (a)	32	M	Offering Services for Loan Modification or Forbearance Services Without Making Required Written Disclosure	3000	3000	2100	1500	1500	600	600	12300	40	30	12370
17550.1 (a) 9	33	M	Violation of Provision Regulating Sellers of Travel	3000	3000	2100	1500	1500	600	600	12300	40	30	12370
19049	4	I	License Required to Operate as a Furniture, Bedding, and Thermal Insulation Manufacturer, Wholesaler, Distributor, Retailer, or Rehabilitator	250	250	175	125	125	50	50	1025	40	35	1100
19049	34	M	License Required to Operate as a Furniture, Bedding, and Thermal Insulation Manufacturer, Wholesaler, Distributor, Retailer, or Rehabilitator	500	500	350	250	250	100	100	2050	40	30	2120
19277	35	M	Violation of Household Goods Carriers Act	100	100	70	50	50	20	20	410	40	35	485
19277.1	36	M	Improper Identifying Symbol on Vehicle of Household Goods Carrier	100	100	70	50	50	20	20	410	40	35	485
19278		M	Willful Violation of Household Goods Carriers Act	100	100	70	50	50	20	20	410	40	35	485
19279.3		M	Advertising Household Goods without Permit	100	100	70	50	50	20	20	410	40	35	485
21804	37	M	Failure to Permanently Mark Optical Disc (Identification Mark)	5000	5000	3500	2500	2500	1000	1000	20500	40	30	20570
21805		M	Purchase or Sale of Optical Disc With Identification Mark Removed or False Mark	3000	3000	2100	1500	1500	600	600	12300	40	30	12370

BUSINESS LICENSING BAIL AND PENALTY SCHEDULE
(*See Preface, Section III) (See Preface, Section IV)**
(Business and Professions Code)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge* Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	
21806		M	Destroying Optical Disc Identification Mark	3000	3000	2100	1500	1500	600	600	12300	40	30	12370
22972	(a,b)	³⁸ M	License Required for Retailer to Sell Cigarettes or Tobacco Products	1500	1500	1050	750	750	300	300	6150	40	30	6220
22975	(a)	³⁸ M	License Required for Wholesaler or Distributor to Engage in Sale of Cigarettes or Tobacco Products	1500	1500	1050	750	750	300	300	6150	40	30	6220
22979.2 1		³⁸ M	License Required for Manufacturer or Importer of Tobacco Products to Engage in Sale of Tobacco Products	1500	1500	1050	750	750	300	300	6150	40	30	6220
23300		³⁹ M	Sale of Alcoholic Beverage Without a License	1000	1000	700	500	500	200	200	4100	40	30	4170
25612.5	(c)(9)	⁴⁰ I	Failure of Licensed Retailer to Create and Label "Adults Only" Area for Sale or Rental of Video Recordings of Harmful Matter	100	100	70	50	50	20	20	410	40	35	485
25623	(b)	⁴¹ I	Sale of Powdered Alcohol	35	40	28	20	20	7	8	158	40	35	233
25623.5	(b)	⁴² I	Possession of Powdered Alcohol	125	130	91	65	65	25	26	527	40	35	602
25658	(a)	⁴³ M	Furnishing an Alcoholic Beverage to a Minor	1000	1000	700	500	500	200	200	4100	40	30	4170
25658	(b)	⁴⁴ M	Purchase of Alcohol, or Consumption of Alcohol, in On-sale Premises by Someone Under 21	250	250	175	125	125	50	50	1025	40	30	1095
25658	(c)	⁴⁵ M	Furnishing an Alcoholic Beverage to a Minor (Great Bodily Injury or Death)	3000	3000	2100	1500	1500	600	600	12300	40	30	12370
25658	(d)	⁴⁶ M	On-sale Licensee Knowingly Permits a Person Under the Age of 21 to Consume Alcohol in the On-sale Premises	250	250	175	125	125	50	50	1025	40	30	1095
25662	(a)	M	Possession of Alcoholic Beverage by Person under the Age of 21 in a Public Place	250	250	175	125	125	50	50	1025	40	30	1095
26140	(a)(1)	⁴⁷ M	Sale of Cannabis or Cannabis Products to a Person Under 21 Years of Age	1000	1000	700	500	500	200	200	4100	40	30	4170
26140	(c)	⁴⁷ M	Sale of Cannabis or Cannabis Products to a Minor Without Proof of Medical Need	1000	1000	700	500	500	200	200	4100	40	30	4170

BUSINESS LICENSING BAIL AND PENALTY SCHEDULE

(*See Preface, Section III) (**See Preface, Section IV)

(Business and Professions Code)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	

Notes

- ¹ Per B&P 733: "fine of not less than \$100 nor more than \$600"
- ² Multiple acts by a licensee ... shall be punishable by a fine not to exceed \$5,000, or by imprisonment in a county jail not exceeding six months, or by both that fine and imprisonment. Multiple acts by a health care facility ... shall be punishable by a fine not to exceed \$5,000, and reported to the State Department of Health Services and shall be considered as grounds for disciplinary action with respect to licensure, including suspension or revocation of the license or certificate.
- ³ Per B&P 2570.23: "fine of not more than \$5,000"
- ⁴ Per B&P 146(d), a violation charged as an infraction under B&P 146(c) is subject to a fine of not less than \$250 and not more than \$1,000. No portion of the minimum fine may be suspended by the court unless as a condition of that suspension the defendant is required to submit proof of a current valid license, registration, or certificate for the profession or vocation which was the basis for his or her conviction.
- ⁵ Per B&P 2670, a misdemeanor violation is punishable by a fine not exceeding \$1,000 or imprisonment in a county jail not exceeding 6 months, or by both.
- ⁶ Per B&P 2970, a misdemeanor violation is punishable by imprisonment in a county jail not exceeding 6 months, or by a fine not exceeding \$2,000, or by both.
- ⁷ Per B&P 3535(b): "fine not to exceed \$1,000"
- ⁸ Per B&P 3664: " ... fine of not more than \$5,000"
- ⁹ Per B&P 3763, a misdemeanor violation is punishable by a fine not exceeding \$1,000 or imprisonment in a county jail not exceeding 6 months, or by both.
- ¹⁰ Per B&P 4831, a misdemeanor violation is punishable by a fine not less than \$500, nor more than \$2,000, or imprisonment in a county jail for not less than 30 days nor more than one year, or by both the fine and imprisonment.
- ¹¹ Per B&P 4983, a misdemeanor violation is punishable by imprisonment in a county jail not exceeding 6 months, or by a fine not exceeding \$2,500, or by both.
- ¹² Per B&P 6455: "fine of up to \$2,500 as to each consumer with respect to whom a violation occurs."
- ¹³ Per B&P 146(e), a violation charged as an infraction under B&P 146(c) is subject to a fine of not less than \$250 and not more than \$1,000. No portion of the minimum fine may be suspended by the court unless as a condition of that suspension the defendant is required to submit proof of a current valid license, registration, or certificate for the profession or vocation that was the basis for his or her conviction.
- ¹⁴ A misdemeanor violation per B&P 6980.13 is punishable by a fine of \$10,000, or by imprisonment in a county jail for not more than one year, or by both that fine and imprisonment.
- ¹⁵ Per B&P 7028: Fine " ... not exceeding \$5,000"

BUSINESS LICENSING BAIL AND PENALTY SCHEDULE
(*See Preface, Section III) (See Preface, Section IV)**
(Business and Professions Code)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	
16			Per B&P 7028.16: Fine "... up to \$10,000, or by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for 16 months, or for two or three years, or by both that fine and imprisonment, or by a fine up to \$1,000, or by imprisonment in a county jail not exceeding one year, or by both that fine and imprisonment."											
17			A misdemeanor violation per B&P 7317 is punishable under PC 19 by imprisonment in the county jail not exceeding 6 months, or by a fine not exceeding.											
18			Per B&P 7502.1, a misdemeanor violation is punishable by a fine of \$5,000, or by imprisonment in a county jail for not more than one year, or by both the fine and imprisonment.											
19			Per B&P 7592.2, a misdemeanor violation is punishable by a fine of \$1,000, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment.											
20			A misdemeanor violation per B&P 7715 is punishable under PC 19 by imprisonment in the county jail not exceeding 6 months, or by a fine not exceeding \$1,000, or by both.											
21			Per B&P 7637.6: "... punished by a fine not to exceed \$5,000."											
22			Per B&P 7673.1: "... punishable by imprisonment in a county jail not exceeding one year or by a fine not to exceed \$5,000, or by both that fine and imprisonment."											
23			Per B&P 7713.3: "... a misdemeanor ... to cremate human remains ... without a valid, unexpired crematory license."											
24			Per B&P 7872, a misdemeanor violation is punishable by a fine of not more than \$1,000, or by imprisonment not to exceed 3 months, or by both fine and imprisonment.											
25			A misdemeanor violation per B&P 8019 is punishable under PC 19 by imprisonment in the county jail not exceeding 6 months, or by a fine not exceeding \$1,000, or by both.											
26			Per B&P 8553, a misdemeanor violation is punishable by a fine of not less than \$50, nor more than \$5,000, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment.											
27			A misdemeanor violation per B&P 8792 is punishable under PC 19 by imprisonment in the county jail not exceeding 6 months, or by a fine not exceeding \$1,000, or by both.											
28			Per B&P 9850, a misdemeanor violation is punishable by a fine not exceeding \$1,000, or by imprisonment not exceeding six months, or by both such fine and imprisonment.											
29			Assem. Bill 1560 (Stats. 2001, ch. 357) amended B&P 145 and B&P 145.5 to delete B&P 9884.6 from the list of offenses that are infractions.											
30			Per B&P 10085.5(c): "punishable by a fine not exceeding \$10,000, by imprisonment in the county jail for a term not to exceed six months, or by both that fine and imprisonment, or if by a corporation, the violation is punishable by a fine not to exceed \$50,000."											
31			Per B&P 10085.6(b): Fine "... not exceeding \$10,000 ... or if by a corporation, the violation is punishable by a fine not exceeding \$50,000."											
32			Per B&P 10147.6 (c): Fine "... not exceeding \$10,000"											
33			Violation punishable "by a fine of not more than \$10,000, by imprisonment in a county jail for not more than one year, or by both"											

BUSINESS LICENSING BAIL AND PENALTY SCHEDULE

(*See Preface, Section III) (**See Preface, Section IV)

(Business and Professions Code)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	
34	Per B&P 19220, a misdemeanor violation is punishable by a fine of not less than \$500 nor more than \$1,500 or by imprisonment for not less than three nor more than six months or by both such fine and imprisonment.													
35	Per B&P 19277. (a) Every household goods carrier and every officer, director, agent, or employee of any household goods carrier who violates or who fails to comply with, or who procures, aids, or abets any violation by any household goods carrier of any provision of this chapter or any rule or regulation administered by the bureau pursuant to this chapter, or of any operating permit issued to any household goods carrier, or who procures, aids, or abets any household goods carrier in its failure to obey, observe, or comply with any such rule, regulation, or operating permit, is guilty of a misdemeanor, and is punishable by a fine of not more than two thousand five hundred dollars (\$2,500) or by imprisonment in the county jail for not more than three months, or both. If a violation is willful, each willful violation is punishable by a fine of not more than ten thousand dollars (\$10,000) or by imprisonment in the county jail for not more than one year, or both. If the violation involves operating or holding oneself out as a household goods carrier without a permit, the fine shall be not less than one thousand dollars (\$1,000). (b) Any person who violates subdivision (a) of Section 19237, is guilty of a misdemeanor, and is punishable by a fine of not more than ten thousand dollars (\$10,000), by imprisonment in the county jail for not more than one year, or both, for each violation.													
36	Per B&P 19277.1. Every household goods carrier, and every officer, director, agent, or employee of a household goods carrier, who displays on any vehicle any identifying symbol other than the symbol prescribed by the bureau pursuant to Section 19236 or who fails to remove an identifying symbol when required by the bureau, is guilty of a misdemeanor and is punishable by a fine of not more than one thousand dollars (\$1,000), by imprisonment in the county jail for not more than one year, or both.													
37	Per B&P 21804: " ... fine of not less than \$500 and not more than \$25,000 for a first offense."													
38	Per B&P 22981: " ... fine not to exceed \$5,000"													
39	Per B&P 25617: "... fine of not more than \$1,000..."													
40	Per B&P 25612.5(c)(9), failure to create and label the "adults only" area is an infraction punishable by a fine of not more than \$100.													
41	B&P 25623 sets the level of crime as an infraction and limits the base fine to \$500."													
42	B&P 25623.5 sets the level of crime as an infraction and the base fee at \$125.													
43	Per B&P 25658(e)(2): "fine of \$1,000, no part of which shall be suspended, and the person shall be required to perform not less than 24 hours of community service during hours when the person is not attending school."													
44	Per B&P 25658(e)(1): "fine of \$250, no part of which shall be suspended, or the person shall be required to perform not less than 24 hours or more than 32 hours of community service during hours when the person is not employed and is not attending school, or a combination of fine and community service as determined by the court."													
45	Per B&P 25658(e)(3): "punished by imprisonment in a county jail for a minimum term of six months not to exceed one year, by a fine of \$1,000, or by both imprisonment and fine." Per B&P 25658(e)(3), "(3) Any person who violates subdivision (c) shall be punished by imprisonment in a county jail for a minimum term of six months not to exceed one year, by a fine of three thousand dollars (\$3,000), or by both imprisonment and fine."													

BUSINESS LICENSING BAIL AND PENALTY SCHEDULE

(*See Preface, Section III) (**See Preface, Section IV)

(Business and Professions Code)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
				1	10/10	7	5/10	5	20%	2		40	0	

⁴⁶ Per B&P 25658(e)(1): "fine of \$250, no part of which shall be suspended, or the person shall be required to perform not less than 24 hours or more than 36 hours of community service during hours when the person is not employed and is not attending school, or a combination of fine and community service as determined by the court."

⁴⁷ As recommended by the Bureau of Cannabis Control, the classification and base fine for Business and Professions Code section 26140 follow that of section 25658(a), Furnishing An Alcoholic Beverage to a Minor, a misdemeanor with a base fine of \$1,000 per statute.

County Reference Worksheet

<p align="center">If County Amounts Are Different From The Amount Listed in This Row, Insert the Applicable Amount to Recalculate All Tables:</p>	<p align="center">Court Facility Construction PA GC 70372 (amended to \$5 for all counties)</p>	<p align="center">County PA GC 76000(a) GC 76000(e)</p>	<p align="center">EMS PA GC 76000.5</p>	<p align="center">Night Court VC 42006</p>	<p align="center">CAP FEE VC 11205.2</p>
	<p align="center">5</p>	<p align="center">7</p>	<p align="center">2</p>	<p align="center">1</p>	<p align="center">0</p>