


Uniform Bail and Penalty Schedules (UBPS)

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Uniform Bail and Penalty Schedules


2022 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


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What is bail?

“Regular” bail:

- Defendants generally have a right to be released from custody before trial.
- Cash bail or a secured bail bond is used to ensure that the defendant appears in court on their case.



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Traffic Bail Under UBPS

- For certain offenses a penalty in the form of a **fine** can be “forfeited” and cancel the need for any further court proceedings (VC § 40512 emphasis added)
- Payment is treated as a conviction for the offense (VC §13103)



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What UBPS Includes

Mandatory Schedule:

- traffic infractions



Suggested Base Fines:

- traffic misdemeanors
- boating
- forestry
- fish and game
- public utilities
- parks and recreation
- business licensing

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Traffic Infraction Schedule

Infraction Category	Severity of Offense	Base Fine
1	Bicyclist, motorized scooter, pedestrian, pocket bike, vehicle registration and equipment offenses	\$25
2	Driver’s license, operation of vehicle, and size and load offenses	\$35
3	Substance abuse infractions, VC 2818 (trespassing electronic beacon), VC 20004 (reporting deaths), VC 21706.5 (operation of vehicle in emergency accident zone), VC 27375 (modified limousines)	\$70
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	Depends

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Total Bail for Infractions

Base Fine + Penalties & Surcharge + Fees = Total Bail

Category	Base Fine	Penalties & Surcharges	Fees	Total Bail/Fees
1	\$25	\$96	\$75	\$196
2	\$35	\$127	\$75	\$237
3	\$70	\$221	\$75	\$366
4	Depends on base fine			

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Total Bail Cont'd.

Suggested minimum "Total Bail" for an offense not specifically listed in the following schedules, unless a California code or regulation specifies otherwise, are:

Type of Offense	Base Fine	Penalties & Surcharges	Fees	Total Bail/Fees	
Traffic Misdemeanor	\$75	\$251	\$70	\$396	
Public Utilities	\$185	\$588	\$70	\$843	
Boating, Business Licensing, Fish & Game, Forestry, or Parks & Rec	Misdemeanor	\$100	\$310	\$70	\$480
	Infraction	\$35	\$123	\$75	\$233

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State penalty assessment ("State PA")	Penal code § 1464	\$10 assessment for every \$10 or part of \$10 fine	State penalty fund, goes to law enforcement training, restitution fund, etc.
County penalty assessment ("County PA")	Gov Code § 76000	\$7 assessment for every \$10 or part of \$10 fine	County treasury
County and state DNA funds penalty assessment ("DNA PA")	Gov Code §§ 76104.6, 76104.7	\$5 assessment for every \$10 or part of \$10 fine	DNA identification
State surcharge	Penal code § 1465.7	20% of base fine	General fund
Emergency medical services penalty assessment ("EMS PA")	Gov Code § 76000.5	\$2 assessment for every \$10 or part of \$10 fine	County emergency medical services
EMAT ("EMAT PA")	Gov Code § 76000.10(c)(1)	\$4	Emergency medical air transport
Court operations fee ("Court ops")	Pen. Code § 1465.8	\$40	Court operations
Criminal conviction assessment ("Conv. Assess")	Gov Code § 70373	\$35	Maintain adequate funding for court facilities
Night or weekend court fee ("Night court") (optional by court)	Veh. Code § 42006	\$1	Night or weekend court program
Traffic assistance program ("TAP fee") (optional by court)	Veh. Code § 11205.2(c)	Varies, but cannot exceed actual court cost of traffic assistance program	Traffic assistance program

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Page from 2022 UBPS

TRAFFIC VIOLATIONS BY PENALTY NUMBER
(See Penalty Number 201.07 for Penalties Schedule)

Section	Sub	Offense	Stat. Code	Count	ENCL. A*	Count	ENCL. B*	Count	ENCL. C*	Count	Count	Count	Count	Count	Count	Count	Count	Count	Count
			Pen. No.																
201	00	Failure to Obey Traffic of Vehicle Registration	201	100	200														
202	00	Failure to Obey Traffic of Vehicle Registration	202	100	200														
203	00	Failure to Obey Traffic of Vehicle Registration	203	100	200														
204	00	Failure to Obey Traffic of Vehicle Registration	204	100	200														
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Changes Based On:

**2022
UBPS**


- New legislation
- Suggestions from justice partners
- Technical changes

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**Significant
2022
UBPS
Changes**

- Revision of language on page IV regarding Emergency Medical Air Transportation (EMAT) penalty sunset date
- Addition of Vehicle Code section 21300(a)(b) regarding safety on an equestrian animal
- Several additions to the Boating Bail and Penalty Schedule based on new correctable violations
- Addition of Fish and Game Code section 2024, Unlawful Removal and Commercialization of Dudleya;

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Ability to Pay & Online Traffic Adjudication



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2021-22 State Budget Bill



Budget Act of 2021 funds expansion of the online ability to pay determinations pilot program and provides backfill of associated judicial branch revenue reductions.

- \$7.9 million in FY 2021-2022
- Increases over three years to \$58 million ongoing annually
- Courts onboarded quarterly in cohorts
- All 58 trial courts must offer online ability to pay by June 30, 2024

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ATP System Data

ATP Pilot Program 4/19-6/21

25,000+ requests	50% of litigants on benefits
16,000+ litigants	90% of Litigants below CA Poverty Level*
	84% of requests approved for a reduction

**defined as 250% of Fed poverty line*

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ATP System Data	
<i>ATP Pilot Program 4/19-6/21</i>	
Total Amount Owed	\$17,485,898
Average Amount Owed Per Ticket	\$693
Total Owed After Adjustment	\$7,954,530
Average Amount Owed After Adjustment	\$315

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AB 143 Trailer Bill Language	
Requirements When Determining Ability to Pay	
<ul style="list-style-type: none"> • The tool must recommend at least a 50% reduction for a defendant on benefits (listed in subdivision (a) of Section 68632). <ul style="list-style-type: none"> • Current pilot court tool recommendations vary from 50-80% for defendants on benefits. • If the defendant on benefits is granted an installment plan, it shall be no more than \$25 a month. • While statute does not mandate specific reduction recommendations for defendants <i>not on</i> benefits, pilot program policy has been to treat similarly situated defendants similarly. <ul style="list-style-type: none"> • Generally, litigants at poverty levels of 125-250% receive reduction and payment plan similar to those on benefits. 	

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AB 143 Trailer Bill Language	
General Guidance	
<ul style="list-style-type: none"> • Each court can configure their own parameters for calculator recommendations for reductions. • In all cases, judicial officers have discretion to alter tool recommendation when necessary. 	
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AB 143 Trailer Bill Language

- Courts may not impose administrative fees for payment plans, on nondelinquent and delinquent accounts, if a defendant makes an online or in-person ability-to-pay request.
 - Determination requests are offered free of charge to individual.
 - Payment plans are offered free of charge to individual.

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Administrative Fees

- Courts or counties may recover costs as part of their comprehensive collection programs, including up to \$35 per nondelinquent case.
- Administrative costs recovered:
 - **Nondelinquent:** Cost recovered up to \$35 (PC 1463.007(d)) per approved payment plan.
 - **Delinquent:** Cost recovered, up to actual, per normal collections practices.

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Backfill Funding for Amounts Reduced

- Courts that have adopted the use of MyCitations will receive backfill funding for fines and fees reduced under the ability to pay program for both electronic and paper submissions.

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Resources

- MyCitations Demo
<https://www.youtube.com/watch?v=q0z0GYTwmU&t=11s>
- Judicial Council ATP Contacts
 - Donna Newman, Budget Services – donna.newman@jud.ca.gov
 - Suzanne Schleder, Information Technology – Suzanne.Schleder@jud.ca.gov
 - Martha Wright, Criminal Justice Services – martha.wright@jud.ca.gov

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