Case Studies
Basic Distributions Session A

Case Study #1: Speeding

San Diego Court Case Information:

- Violation Date: 1/16/2021
- Disposition Date: 3/25/2021
- Arresting Agency= Coronado Police Department
  --% Split between County and City (Refer to PC 1463.002)
- Violation = VC § 22349(b); 1-15 MPH Over 55 MPH Limit
- Violation Type = Infraction
- Disposition = Bail forfeiture
- Prior VC Conviction = 1

Local BOS Penalties:

- LCCF = $2
- LCJF = $2
- EMS = $1.50
- DNA = $.50
- Auto Fingerprint = $1
- Additional EMS = $2
- EMAT Fee GC § 76000.10(c) = $4

Additional Court Fees:

- PC § 1465.8 Court Operations Assessment = $40
- GC § 70373 – Criminal Conviction Assessment = $30 for Misd/Fel or $35 for Infractions
- DMV Administrative Fee = $10
- VC § 42006 — Night Court Fee = $1
- PC § 1205(e)— Installment fee (Actual Costs) or AR fee (up to $30)

Case Studies
Basic Distributions Session A

Case Study #1: Speeding. UB&PS

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

Section		Notes	Offense	Base Fine/ Fee	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10	EMAT PA*	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points
					10/10	7	5/10	5	20%	2	4		40	35	1	0			
22349	(b)		Speeding ≥ 26 MPH Over 55 MPH Limit	100	100	70	50	50	20	20	4	414	40	35	1	0	490	4a	1
22349	(b)		Speeding 1–15 MPH Over 55 MPH Limit	35	40	28	20	20	7	8	4	162	40	35	1	0	238	4a	1
22349	(b)		Speeding 16–25 MPH Over 55 MPH Limit	70	70	49	35	35	14	14	4	291	40	35	1	0	367	4a	1
22350			Unsafe Speed for Prevailing Conditions ≥ 26 MPH Over Limit	100	100	70	50	50	20	20	4	414	40	35	1	0	490	4a	1
22350			Unsafe Speed for Prevailing Conditions 1–15 MPH Over Limit	35	40	28	20	20	7	8	4	162	40	35	1	0	238	4a	1
22350			Unsafe Speed for Prevailing Conditions 16–25 MPH Over Limit	70	70	49	35	35	14	14	4	291	40	35	1	0	367	4a	1
22351	(a,b)		Driving in Excess of Prima Facie Speed Limits Established in VC 22352				[See Speed Chart]											4a	1
22352	(a) (1)		Operating Vehicle in Excess of 15 MPH at Railroad Crossing				[See Speed Chart]											4a	1

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

Subtotal includes base fine plus state and local penalty assessments, and surcharge.

Total includes Court Operations, Criminal Conviction, and Night Court Assessments.

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

1463.002.
The base fine amounts from city arrests shall be subject to distribution according to the following schedule:

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

With respect to any city arrest from a city which is not set forth in the above schedule, the county percentage shall apply.

Case Studies
Basic Distributions Session A

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

VII. Prior Convictions

A. The base fine for one Vehicle Code moving violation that is assessed "points" on a current arrest or citation 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.

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

Section		Notes	Offense	Base Fine/ Fee	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10	EMAT PA*	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points
					10/10	7	5/10	5	20%	2	4		40	35	1	0			
21805	(b)		Violation of Right-of-Way at Equestrian Crossing	35	40	28	20	20	7	8	4	162	40	35	1	0	238	2a	1
21805	(c)		Violation of Right-of-Way by Rider–Posing Hazard	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
21806	(a,b)	[32]	Failure to Yield to Emergency Vehicle	100	100	70	50	50	20	20	4	414	40	35	1	0	490	4a	1
21806	(c)	[32]	Failure to Yield to Emergency Vehicle–Pedestrian	100	100	70	50	50	20	20	4	414	40	35	1	0	490	4a	0
21807			Driving Authorized Emergency Vehicle Without Due Regard for Safety of Persons and Property	35	40	28	20	20	7	8	4	162	40	35	1	0	238	2a	1
21809	(a)	[33]	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	4	162	40	35	1	0	238	2a	1
21950	(a,c)		Driver to Yield Right-of-Way at Crosswalks	35	40	28	20	20	7	8	4	162	40	35	1	0	238	2a	1
21950	(b)		Pedestrian Right-of-Way at Crosswalks Regulated	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
21951		[34]	Overtaking Vehicles Stopped for Pedestrians	100	100	70	50	50	20	20	4	414	40	35	1	0	490	2a	1
21952			Failure to Yield Right-of-Way on Sidewalk to Pedestrian	35	40	28	20	20	7	8	4	162	40	35	1	0	238	2a	1
21953			Pedestrian Must Use Tunnel or Overhead Crossing	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
21954	(a)		Pedestrians Must Yield Right-of-Way Outside of Crosswalks	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
21954	(b)		Failure of Driver to Exercise Due Care for Safety of Pedestrian on Roadway	35	40	28	20	20	7	8	4	162	40	35	1	0	238	2a	1

Case Studies
Basic Distributions Session A

Case Study #2: DUI. Case Information.

Yolo Court Case Information:

- Violation Date: 9/12/2020
- Disposition Date: 12/3/2020
- Arresting Agency= County Arrest
- Violation= VC §23152(a, b) Driving under the influence of alcohol
- Violation Type= Misdemeanor
- Disposition = Bail Forfeiture

Local BOS Penalties:

- LCCF = $2
- LCJF = $2
- EMS = $1.50
- DNA = $.50
- Auto Fingerprint = $1
- Additional EMS = $2

Court and local Fees (for training purpose, maximum authorized amount assessed):

- PC § 1463.14(b) - DUI Lab Test Penalty (BOS: up to $50)
- PC § 1463.25 - Alcohol Edu Penalty (up to $50)
- PC § 1205(e)— Installment fee (Actual Costs) or AR fee (up to $30)
- Night Court Fee = $1

Case Study #2: DUI. UB&PS.

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

Section		Notes	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10	EMAT PA*	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	Total Bail **
					10/10	7	5/10	5	20%	2	4		40	30	1	
23152	(a,b)	58	Driving Under Influence of Alcohol	390	390	273	195	195	78	78	4	1603	40	30	1	1674
23152	(c)	58	Driving While Addicted to Drug	390	390	273	195	195	78	78	4	1603	40	30	1	1674
23152	(d)	58	Driving Commercial Vehicle Under Influence of Alcohol	450	450	315	225	225	90	90	4	1849	40	30	1	1920
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	4	1603	40	30	1	1674
23152	(f)		Driving Under Influence of Drug	390	390	273	195	195	78	78	4	1603	40	30	1	1674
23152	(g)		Driving Under Influence of Alcohol and Drug	390	390	273	195	195	78	78	4	1603	40	30	1	1674

Case Studies
Basic Distributions Session A

Case Study #2: DUI. Guidelines: PC § 1463.14 (a)

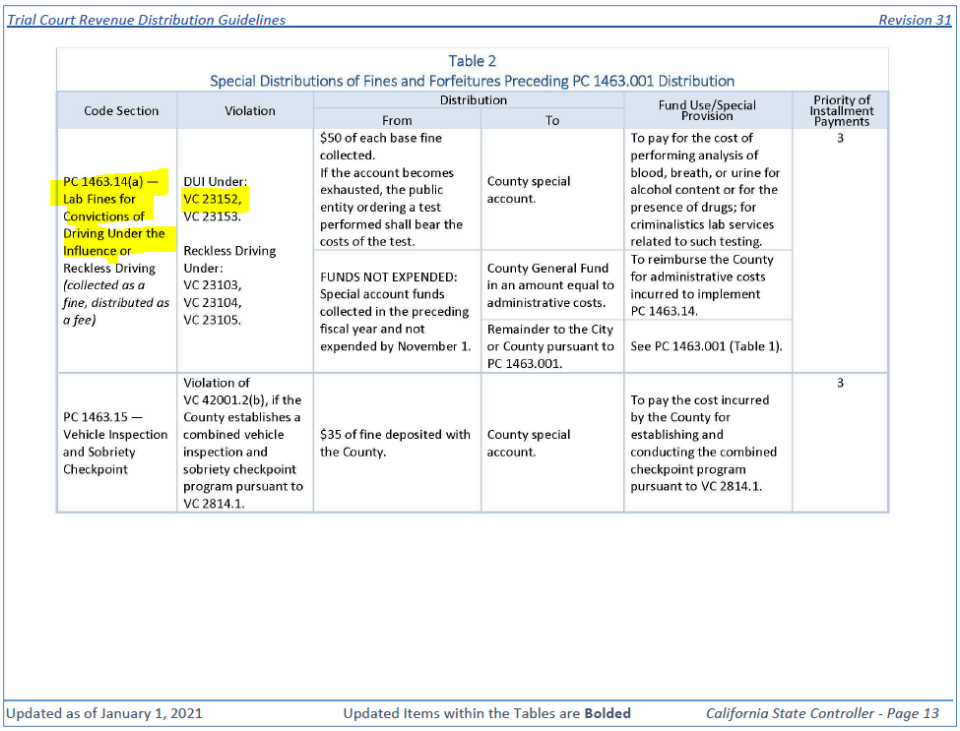

Table 2
Special Distributions of Fines and Forfeitures Preceding PC 1463.001 Distribution

Code Section	Violation	Distribution From	Distribution To	Fund Use/Special Provision	Priority of Installment Payments
PC 1463.14(a) — Lab Fines for Convictions of Driving Under the Influence or Reckless Driving *(collected as a fine, distributed as a fee)*	DUI Under: VC 23152, VC 23153. Reckless Driving Under: VC 23103, VC 23104, VC 23105.	$50 of each base fine collected. If the account becomes exhausted, the public entity ordering a test performed shall bear the costs of the test.	County special account.	To pay for the cost of performing analysis of blood, breath, or urine for alcohol content or for the presence of drugs; for criminalistics lab services related to such testing.	3
		FUNDS NOT EXPENDED: Special account funds collected in the preceding fiscal year and not expended by November 1.	County General Fund in an amount equal to administrative costs.	To reimburse the County for administrative costs incurred to implement PC 1463.14.	
			Remainder to the City or County pursuant to PC 1463.001.	See PC 1463.001 (Table 1).	
PC 1463.15 — Vehicle Inspection and Sobriety Checkpoint	Violation of VC 42001.2(b), if the County establishes a combined vehicle inspection and sobriety checkpoint program pursuant to VC 2814.1.	$35 of fine deposited with the County.	County special account.	To pay the cost incurred by the County for establishing and conducting the combined checkpoint program pursuant to VC 2814.1.	3

Case Study #2: DUI. Guidelines: PC § 1463.16

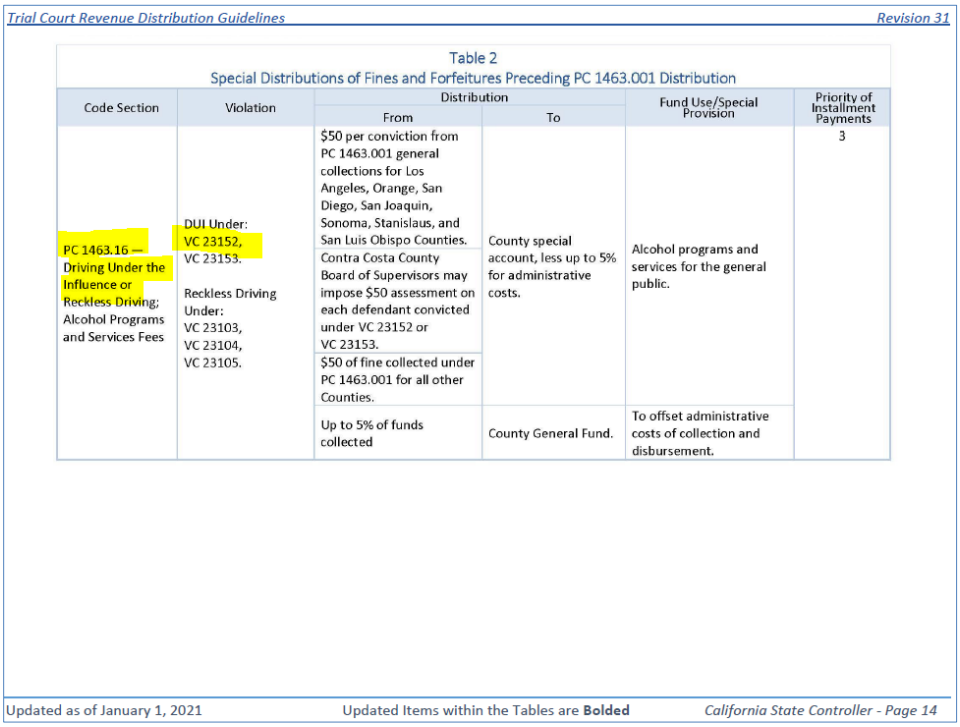

Table 2
Special Distributions of Fines and Forfeitures Preceding PC 1463.001 Distribution

Code Section	Violation	Distribution From	Distribution To	Fund Use/Special Provision	Priority of Installment Payments
PC 1463.16 — Driving Under the Influence or Reckless Driving; Alcohol Programs and Services Fees	DUI Under: VC 23152, VC 23153. Reckless Driving Under: VC 23103, VC 23104, VC 23105.	$50 per conviction from PC 1463.001 general collections for Los Angeles, Orange, San Diego, San Joaquin, Sonoma, Stanislaus, and San Luis Obispo Counties.	County special account, less up to 5% for administrative costs.	Alcohol programs and services for the general public.	3
		Contra Costa County Board of Supervisors may impose $50 assessment on each defendant convicted under VC 23152 or VC 23153.			
		$50 of fine collected under PC 1463.001 for all other Counties.			
		Up to 5% of funds collected	County General Fund.	To offset administrative costs of collection and disbursement.	

Case Studies
Basic Distributions Session A

Case Study #2: DUI. Guidelines on PC § 1463.18

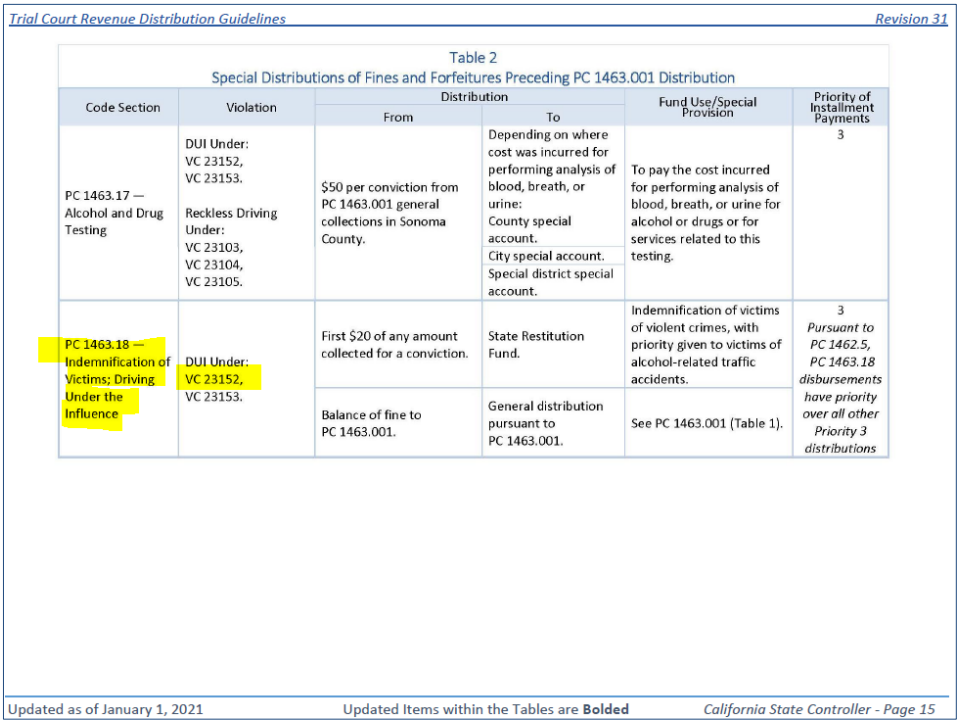

Table 2
Special Distributions of Fines and Forfeitures Preceding PC 1463.001 Distribution

Code Section	Violation	Distribution		Fund Use/Special Provision	Priority of Installment Payments
		From	To		
PC 1463.17 — Alcohol and Drug Testing	DUI Under: VC 23152, VC 23153. Reckless Driving Under: VC 23103, VC 23104, VC 23105.	$50 per conviction from PC 1463.001 general collections in Sonoma County.	Depending on where cost was incurred for performing analysis of blood, breath, or urine: County special account. City special account. Special district special account.	To pay the cost incurred for performing analysis of blood, breath, or urine for alcohol or drugs or for services related to this testing.	3
PC 1463.18 — Indemnification of Victims; Driving Under the Influence	DUI Under: VC 23152, VC 23153.	First $20 of any amount collected for a conviction.	State Restitution Fund.	Indemnification of victims of violent crimes, with priority given to victims of alcohol-related traffic accidents.	3 *Pursuant to PC 1462.5, PC 1463.18 disbursements have priority over all other Priority 3 distributions*
		Balance of fine to PC 1463.001.	General distribution pursuant to PC 1463.001.	See PC 1463.001 (Table 1).	