

CASE Studies

Case Study #1

Speeding 16 to 25 MPH over 55 MPH Limit

VC 22349(b) Infraction

Basic distribution template

VEHICLE CODE

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VEHICLE CODE SECTION 22348-22366

22348. (a) Notwithstanding subdivision (b) of Section 22351, a person shall not drive a vehicle upon a highway with a speed limit established pursuant to Section 22349 or 22356 at a speed greater than that speed limit.

(b) A person who drives a vehicle upon a highway at a speed greater than 100 miles per hour is guilty of an infraction punishable, as follows:

(1) Upon a first conviction of a violation of this subdivision, by a fine of not to exceed five hundred dollars (\$500). The court may

also suspend the privilege of the person to operate a motor vehicle for a period not to exceed 30 days pursuant to Section 13200.5.

(2) Upon a conviction under this subdivision of an offense that occurred within three years of a prior offense resulting in a conviction of an offense under this subdivision, by a fine of not to exceed seven hundred fifty dollars (\$750). The person's privilege to operate a motor vehicle shall be suspended by the Department of Motor Vehicles pursuant to subdivision (a) of Section 13355.

(3) Upon a conviction under this subdivision of an offense that occurred within five years of two or more prior offenses resulting in convictions of offenses under this subdivision, by a fine of not to exceed one thousand dollars (\$1,000). The person's privilege to operate a motor vehicle shall be suspended by the Department of Motor Vehicles pursuant to subdivision (b) of Section 13355.

(c) A vehicle subject to Section 22406 shall be driven in a lane designated pursuant to Section 21655, or if a lane has not been so designated, in the right-hand lane for traffic or as close as practicable to the right-hand edge or curb. When overtaking and passing another vehicle proceeding in the same direction, the driver shall use either the designated lane, the lane to the immediate left of the right-hand lane, or the right-hand lane for traffic as permitted under this code. If, however, specific lane or lanes have not been designated on a divided highway having four or more clearly marked lanes for traffic in one direction, a vehicle may also be driven in the lane to the immediate left of the right-hand lane, unless otherwise prohibited under this code. This subdivision does not apply to a driver who is preparing for a left- or right-hand turn or who is in the process of entering into or exiting from a highway or to a driver who is required necessarily to drive in a lane other than the right-hand lane to continue on his or her intended route.

22349. (a) Except as provided in Section 22356, no person may drive a vehicle upon a highway at a speed greater than 65 miles per hour.

(b) Notwithstanding any other provision of law, no person may drive a vehicle upon a two-lane, undivided highway at a speed greater than 55 miles per hour unless that highway, or portion thereof, has been posted for a higher speed by the Department of Transportation or appropriate local agency upon the basis of an engineering and traffic survey. For purposes of this subdivision, the following apply:

(1) A two-lane, undivided highway is a highway with not more than one through lane of travel in each direction.

(2) Passing lanes may not be considered when determining the number of through lanes.

(c) It is the intent of the Legislature that there be reasonable signing on affected two-lane, undivided highways described in subdivision (b) in continuing the 55 miles-per-hour speed limit, including placing signs at county boundaries to the extent possible, and at other appropriate locations.

22350. No person shall drive a vehicle upon a highway at a speed greater than is reasonable or prudent having due regard for weather, visibility, the traffic on, and the surface and width of, the highway, and in no event at a speed which endangers the safety of persons or property.

22351. (a) The speed of any vehicle upon a highway not in excess of the limits specified in Section 22352 or established as authorized in this code is lawful unless clearly proved to be in violation of the basic speed law.

(b) The speed of any vehicle upon a highway in excess of the prima facie speed limits in Section 22352 or established as 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.

22352. 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:

(a) Fifteen miles per hour:

(1) When traversing a railway grade crossing, if during the last 100 feet of the approach to the crossing the driver does not have a clear and unobstructed view of the crossing and of any traffic on the railway for a distance of 400 feet in both directions along the railway. This subdivision does not apply in the case of any railway grade crossing where a human flagman is on duty or a clearly visible electrical or mechanical railway crossing signal device is installed but does not then indicate the immediate approach of a railway train or car.

(2) When traversing any intersection of highways if during the last 100 feet of the driver's approach to the intersection the driver does not have a clear and unobstructed view of the intersection and of any traffic upon all of the highways entering the intersection and a distance of 100 feet along all those highways, except at an intersection protected by stop signs or yield right-of-way signs or controlled by official traffic control signals.

(3) On any alley.

(b) Twenty-five miles per hour:

(1) On any highway other than a state highway, in any business or residence district unless a different speed is determined by local authority under procedures set forth in this code.

(2) When approaching or passing a school building or the grounds thereof, contiguous to a highway and posted with a standard "SCHOOL" warning sign, while children are going to or leaving the school either during school hours or during the noon recess period. The prima facie limit shall also apply when approaching or passing any school grounds which are not separated from the highway by a fence, gate, or other physical barrier while the grounds are in use by children and the highway is posted with a standard "SCHOOL" warning sign. For purposes of this subparagraph, standard "SCHOOL" warning signs may be placed at any distance up to 500 feet away from school grounds.

(3) When passing a senior center or other facility primarily used by senior citizens, contiguous to a street other than a state highway and posted with a standard "SENIOR" warning sign. A local authority may erect a sign pursuant to this paragraph when the local agency makes a determination that the proposed signing should be

implemented. A local authority may request grant funding from the Pedestrian Safety Account pursuant to Section 894.7 of the Streets and Highways Code, or any other grant funding available to it, and use that grant funding to pay for the erection of those signs, or may utilize any other funds available to it to pay for the erection of those signs, including, but not limited to, donations from private sources.

VEHICLE CODE SECTION 23600-23602

23600. (a) If any person is convicted of a violation of Section 23152 or 23153, the court shall not stay or suspend pronouncement of sentencing, and shall pronounce sentence in conjunction with the conviction in a reasonable time, including time for receipt of any presentence investigation report ordered pursuant to Section 23655.

(b) If any person is convicted of a violation of Section 23152 or 23153 and is granted probation, the terms and conditions of probation shall include, but not be limited to, the following:

(1) Notwithstanding Section 1203a of the Penal Code, a period of probation not less than three nor more than five years; provided, however, that if the maximum sentence provided for the offense may exceed five years in the state prison, the period during which the sentence may be suspended and terms of probation enforced may be for a longer period than three years but may not exceed the maximum time for which sentence of imprisonment may be pronounced.

(2) A requirement that the person shall not drive a vehicle with any measurable amount of alcohol in his or her blood.

(3) A requirement that the person, if arrested for a violation of Section 23152 or 23153, shall not refuse to submit to a chemical test of his or her blood, breath, or urine, pursuant to Section 23612, for the purpose of determining the alcoholic content of his or her blood.

(4) A requirement that the person shall not commit any criminal offense.

(c) The court shall not absolve a person who is convicted of a violation of Section 23152 or 23153 from the obligation of spending the minimum time in confinement, if any, or of paying the minimum fine imposed by law.

(d) In addition to any other provision of law, if any person violates paragraph (2) or (3) of subdivision (b) and the person had a blood alcohol concentration of over 0.04 percent as determined by a chemical test, the court shall revoke or terminate the person's probation as provided by Section 23602, regardless of any other proceeding, and shall only grant a new term of probation of not more than five years on the added condition that the person be confined in the county jail for not less than 48 hours for each of these violations of probation, except in unusual cases where the interests of justice would best be served if this additional condition were not

imposed.

23601. (a) Except as provided in subdivision (c), an order to pay any fine, restitution, or assessment, imposed as a condition of the grant of probation or as part of a judgment of conditional sentence for a violation of Section 23152 or 23153, may be enforced in the same manner provided for the enforcement of money judgments.

(b) A willful failure to pay any fine, restitution, or assessment during the term of probation is a violation of the terms and conditions of probation.

(c) If an order to pay a fine as a condition of probation is stayed, a writ of execution shall not be issued, and any failure to pay the fine is not willful, until the stay is removed.

23602. Except as otherwise expressly provided in this code, if a person has been convicted of a violation of Section 23152 or 23153 and the court has suspended execution of the sentence for that conviction and has granted probation, and during the time of that probation, the person is found by the court to have violated a required term or condition of that probation, the court shall revoke the suspension of sentence, revoke or terminate probation, and shall proceed in the manner provided in subdivision (c) of Section 1203.2 of the Penal Code.

PC 1463

Proceeding in Misdemeanor and Infraction Cases and Appeals From Such Cases

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1463. All fines and forfeitures imposed and collected for crimes shall be distributed in accordance with Section 1463.001.

The following definitions shall apply to terms used in this chapter:

(a) "Arrest" means any law enforcement action, including issuance of a notice to appear or notice of violation, which results in a criminal charge.

(b) "City" includes any city, city and county, district, including any enterprise special district, community service district, or community service area engaged in police protection activities as reported to the Controller for inclusion in the 1989-90 edition of the Financial Transactions Report Concerning Special Districts under the heading of Police Protection and Public Safety, authority, or other local agency (other than a county) which employs persons authorized to make arrests or to issue notices to appear or notices of violation which may be filed in court.

(c) "City arrest" means an arrest by an employee of a city, or by a California Highway Patrol officer within the limits of a city.

(d) "County" means the county in which the arrest took place.

(e) "County arrest" means an arrest by a California Highway Patrol officer outside the limits of a city, or any arrest by a county officer or by any other state officer.

(f) "Court" means the superior court or a juvenile forum established under Section 257 of the Welfare and Institutions Code, in which the case arising from the arrest is filed.

(g) "Division of moneys" means an allocation of base fine proceeds between agencies as required by statute, including, but not limited to, Sections 1463.003, 1463.9, 1463.23, and 1463.26 of this code, Sections 13001, 13002, and 13003 of the Fish and Game Code, and Section 11502 of the Health and Safety Code.

(h) "Offense" means any infraction, misdemeanor, or felony, and any act by a juvenile leading to an order to pay a financial sanction by reason of the act being defined as an infraction, misdemeanor, or felony, whether defined in this or any other code, except any parking offense as defined in subdivision (i).

(i) "Parking offense" means any offense charged pursuant to Article 3 (commencing with Section 40200) of Chapter 1 of Division 17 of the Vehicle Code, including registration and equipment offenses included on a notice of parking violation.

(j) "Penalty allocation" means the deposit of a specified part of moneys to offset designated processing costs, as provided by Section 1463.16 of this code and by Section 68090.8 of the Government Code.

(k) "Total parking penalty" means the total sum to be collected for a parking offense, whether as fine, forfeiture of bail, or payment of penalty to the Department of Motor Vehicles (DMV). It may include the following components:

(1) The base parking penalty as established pursuant to Section 40203.5 of the Vehicle Code.

(2) The DMV fees added upon the placement of a hold pursuant to Section 40220 of the Vehicle Code.

(3) The surcharges required by Section 76000 of the Government Code.

(4) The notice penalty added to the base parking penalty when a notice of delinquent parking violations is given.

(l) "Total fine or forfeiture" means the total sum to be collected upon a conviction, or the total amount of bail forfeited or deposited as cash bail subject to forfeiture. It may include, but is not limited to, the following components as specified for the particular offense:

(1) The "base fine" upon which the state penalty and additional county penalty is calculated.

(2) The "county penalty" required by Section 76000 of the Government Code.

- (3) The "DNA penalty" required by Sections 76104.6 and 76104.7 of the Government Code.
 - (4) The "emergency medical services penalty" authorized by Section 76000.5 of the Government Code.
 - (5) The "service charge" permitted by Section 853.7 of the Penal Code and Section 40508.5 of the Vehicle Code.
 - (6) The "special penalty" dedicated for blood alcohol analysis, alcohol program services, traumatic brain injury research, and similar purposes.
 - (7) The "state penalty" required by Section 1464.
- 1463.001. Except as otherwise provided in this section, all fines and forfeitures imposed and collected for crimes other than parking offenses resulting from a filing in a court shall as soon as practicable after receipt thereof, be deposited with the county treasurer, and each month the total fines and forfeitures which have accumulated within the past month shall be distributed, as follows:
- (a) The state penalties, county penalties, special penalties, service charges, and penalty allocations shall be transferred to the proper funds as required by law.
 - (b) The base fines shall be distributed, as follows:
 - (1) Any base fines which are subject to specific distribution under any other section shall be distributed to the specified funds of the state or local agency.
 - (2) Base fines resulting from county arrest not included in paragraph (1), shall be transferred into the proper funds of the county.
 - (3) Base fines resulting from city arrests not included in paragraph (1), an amount equal to the applicable county percentages set forth in Section 1463.002, as modified by Section 1463.28, shall be transferred into the proper funds of the county. Until July 1, 1998, the remainder of base fines resulting from city arrests shall be divided between each city and county, with 50 percent deposited to the county's general fund, and 50 percent deposited to the treasury of the appropriate city, and thereafter the remainder of base fines resulting from city arrests shall be deposited to the treasury of the appropriate city.
 - (4) In a county that had an agreement as of March 22, 1977, that provides for city fines and forfeitures to accrue to the county in exchange for sales tax receipts, base fines resulting from city arrests not included in paragraph (1) shall be deposited into the proper funds of the county.
 - (c) Each county shall keep a record of its deposits to its treasury and its transmittal to each city treasury pursuant to this section.
 - (d) The distribution specified in subdivision (b) applies to all funds subject thereto distributed on or after July 1, 1992, regardless of whether the court has elected to allocate and distribute funds pursuant to Section 1464.8.
 - (e) Any amounts remitted to the county from amounts collected by the Franchise Tax Board upon referral by a county pursuant to Article 6 (commencing with Section 19280) of Chapter 5 of Part 10.2 of Division 2 of the Revenue and Taxation Code shall be allocated pursuant to this section.

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

County and city	Percentage
Alameda	18
Alameda	18
Albany	29
Berkeley	19
Emeryville	13
Hayward	10
Livermore	7
Oakland	22
Piedmont	44
Pleasanton	17
San Leandro	9
County percentage	21
Amador	
Amador	
Amador	25
Ione	25
Jackson	25
Plymouth	25
Sutter Creek	25
County percentage	29
Butte	
Butte	
Biggs	75
Chico	22
Gridley	49
Oroville	9
County percentage	20
Calaveras	
Calaveras	
Angels	62
County percentage	62
Colusa	
Colusa	
Colusa	13
Williams	17
County percentage	16
Contra Costa	
Antioch	11
Brentwood	24
Concord	18
El Cerrito	19
Hercules	14
Martinez	22
Pinole	22
Pittsburg	5
Richmond	14
San Pablo	12
Walnut Creek	24
County percentage	14
Del Norte	
Crescent City	19
County percentage	19
El Dorado	
Placerville	14
County percentage	14
Fresno	
Fresno	
Clovis	23
Coalinga	21
Firebaugh	16
Fowler	34
Fresno	26
Huron	24
Kerman	14

Kingsburg	34
Mendota	11
Orange Cove	24
Parlier	21
Reedley	30
Sanger	29
San Joaquin	15
Selma	14
County percentage	14
Glenn	24
Orland	27
Willows	36
County percentage	32
Humboldt	
Arcata	9
Blue Lake	26
Eureka	11
Ferndale	30
Fortuna	17
Trinidad	11
County percentage	11
Imperial	
Brawley	8
Calexico	10
Calipatria	30
El Centro	5
Holtville	16
Imperial	6
Westmorland	12
County percentage	8
Inyo	
Bishop	25
County percentage	25
Kern	
Bakersfield	10
Delano	13
Maricopa	36
Shafter	15
Taft	19
Tehachapi	12
Wasco	28
County percentage	12
Kings	
Corcoran	31
Hanford	21
Lemoore	25
County percentage	25
Lake	
Lakeport	33
County percentage	33
Lassen	
Susanville	21
County percentage	21
Los Angeles	
Alhambra	13
Arcadia	11
Avalon	54
Azusa	11
Bell	11
Beverly Hills	14
Burbank	14
Claremont	5
Compton	16

Covina	11
Culver City	10
El Monte	11
El Segundo	11
Gardena	22
Glendale	16
Glendora	12
Hawthorne	7
Hermosa Beach	14
Huntington Park	12
Inglewood	16
La Verne	14
Long Beach	14
Los Angeles	8
Lynwood	9
Manhattan Beach	13
Maywood	15
Monrovia	11
Montebello	11
Monterey Park	11
Palos Verdes Estates	10
Pasadena	9
Pomona	12
Redondo Beach	15
San Fernando	17
San Gabriel	16
San Marino	5
Santa Monica	11
Sierra Madre	11
Signal Hill	24
South Gate	13
South Pasadena	9
Torrance	16
Vernon	25
West Covina	11
Whittier	11
County percentage	11
Madera	
Chowchilla	17
Madera	16
County percentage	17
Marin	
Belvedere	16
Corte Madera	12
Fairfax	30
Larkspur	30
Mill Valley	13
Ross	18
San Anselmo	11
San Rafael	13
Sausalito	21
County percentage	16
Mendocino	
Fort Bragg	19
Point Arena	40
Ukiah	10
Willits	24
County percentage	17
Merced	
Atwater	23
Dos Palos	21
Gustine	23
Livingston	14

Los Banos	13
Merced	18
County percentage	18
Modoc	
Alturas	42
County percentage	42
Monterey	
Carmel	17
Gonzales	10
Greenfield	13
King City	36
Monterey	13
Pacific Grove	22
Salinas	36
Soledad	16
County percentage	23
Napa	
Calistoga	37
Napa	11
St. Helena	12
County percentage	14
Nevada	
Grass Valley	7
Nevada City	17
County percentage	9
Orange	
County percentage	15
Placer	
Auburn	18
Colfax	8
Lincoln	26
Rocklin	16
Roseville	10
County percentage	14
Plumas	
Portola	19
County percentage	19
Riverside	
Banning	35
Beaumont	15
Blythe	9
Coachella	12
Corona	12
Elsinore	10
Hemet	35
Indio	16
Palm Springs	35
Perris	14
Riverside	16
San Jacinto	41
County percentage	35
Sacramento	
Folsom	31
Galt	25
Isleton	13
North Sacramento	10
Sacramento	21
County percentage	26
San Benito	
Hollister	9
San Juan Bautista	28
County percentage	11
San Bernardino	

Barstow	23
Chino	14
Colton	21
Fontana	15
Needles	33
Ontario	20
Redlands	28
Rialto	15
San Bernardino	20
Upland	14
County percentage	20
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
San Joaquin	
Lodi	18
Manteca	8
Ripon	11
Stockton	14
Tracy	15
County percentage	14
San Luis Obispo	
Arroyo Grande	9
Paso Robles	26
Pismo Beach	8
San Luis Obispo	21
County percentage	16
San Mateo	
Atherton	27
Belmont	7
Burlingame	38
Colma	40
Daily City	24
Hillsborough	75
Menlo Park	12
Millbrae	16
Redwood City	27
San Bruno	13
San Carlos	8
San Mateo	42
South San Francisco	12
County percentage	21
Santa Barbara	
Guadalupe	28
Lompoc	16
Santa Barbara	11
Santa Maria	12
County percentage	13
Santa Clara	
Alviso	75

Campbell	16
Gilroy	28
Los Altos	16
Los Gatos	30
Morgan Hill	11
Mountain View	13
Palo Alto	21
San Jose	13
Santa Clara	16
Sunnyvale	26
County percentage	16
Santa Cruz	
Capitola	21
Santa Cruz	23
Watsonville	21
County percentage	22
Shasta	
Redding	22
County percentage	22
Sierra	
Loyalton	75
County percentage	75
Siskiyou	
Dorris	18
Dunsmuir	29
Etna	18
Fort Jones	46
Montague	75
Mount Shasta	37
Tulelake	33
Yreka	30
County percentage	29
Solano	
Benicia	17
Dixon	18
Fairfield	18
Rio Vista	19
Suisun	7
Vacaville	15
Vallejo	18
County percentage	19
Sonoma	
Cloverdale	40
Cotati	40
Healdsburg	40
Petaluma	24
Rohnert Park	40
Santa Rosa	40
Sebastopol	40
Sonoma	40
County percentage	40
Stanislaus	
Ceres	14
Modesto	15
Newman	10
Oakdale	15
Patterson	20
Riverbank	18
Turlock	19
County percentage	15
Sutter	
Live Oak	17
Yuba City	17

County percentage	17
Tehama	
Corning	26
Red Bluff	39
Tehama	10
County percentage	31
Tulare	
Dinuba	21
Exeter	23
Lindsay	24
Porterville	26
Tulare	20
Visalia	17
Woodlake	15
County percentage	21
Tuolumne	
Sonora	23
County percentage	23
Ventura	
Fillmore	16
Ojai	16
Oxnard	16
Port Huememe	16
Santa Paula	16
Ventura	16
County percentage	16
Yolo	
Davis	22
Winters	19
Woodland	20
County percentage	20
Yuba	
Marysville	15
Wheatland	38
County percentage	15

With respect to any city arrest from a city which is not set forth in the above schedule, the county percentage shall apply. A county and city therein may, by mutual agreement, adjust these percentages. Where a county and a city have, prior to June 1, 1991, entered into an agreement to adjust the percentage specified in this section, or where a county and a city have entered into an agreement governing the distribution of revenue from parking penalties, those agreements shall remain in full force and effect until changed by mutual agreement.

1463.004. (a) If a sentencing judge specifies only the total fine or forfeiture, or if an automated case-processing system requires it, percentage calculations may be employed to establish the components of total fines or forfeitures, provided that the aggregate monthly distributions resulting from the calculations are the same as would be produced by strict observance of the statutory distributions.

(b) If a fund would receive less than one hundred dollars (\$100) in monthly distributions of total fines and forfeitures by a particular court for at least 11 months of each year, the court may omit that fund from the system for calculating distributions, and shall instead apply the distribution provided for by Section 1463.001.

1463.005. Notwithstanding Section 1463.001, in a county subject to Section 77202.5 of the Government Code, of base fines resulting from

arrests not subject to allocation under paragraph (1) of subdivision (b) of Section 1463.001, by a California Highway Patrol Officer on state highways constructed as freeways within the city whereon city police officers enforced the provisions of the Vehicle Code on April 1, 1965, 25 percent shall be deposited in the treasury of the appropriate city, 75 percent shall be deposited in the proper funds of the county.

1463.006. Any money deposited with the court or with the clerk thereof which, by order of the court or for any other reason, should be returned, in whole or in part, to any person, or which is by law payable to the state or to any other public agency, shall be paid to that person or to the state or to the other public agency by warrant of the county auditor, which shall be drawn upon the requisition of the clerk of the court.

All money deposited as bail which has not been claimed within one year after the final disposition of the case in which the money was deposited, or within one year after an order made by the court for the return or delivery of the money to any person, shall be apportioned between the city and the county and paid or transferred in the manner provided by statute for the apportionment and payment of fines and forfeitures. This paragraph controls over any conflicting provisions of law.

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

Section	Notes	Offense	Base		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
			Fine /Fee	State PA*														
			10/10	7.00	5/10	5.00	20%	2.00	4		40	35	1	0.00				
21966		Pedestrian Prohibited in Bicycle Lane	25	30	21.00	15	15	5	6	4	121.00	40	35	1	0.00	197.00	1a	0
21968		Motorized Skateboard Prohibited	25	30	21.00	15	15	5	6	4	121.00	40	35	1	0.00	197.00	1a	0
21970 (a)		Vehicle Stopped Unnecessarily and Blocking Crosswalk or Sidewalk	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	1
21971	32	Violating Specified Provisions and Causing Bodily Injury	220	220	154.00	110	110	44	44	4	906.00	40	35	1	0.00	982.00	4a	0
22100 (a,b)		Turn at Intersection From Wrong Position	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	1
22100.5		U-Turn at Controlled Intersection	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	1
22101 (d)		Violating Special Traffic Control Markers	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	1
22102		Illegal U-Turn in Business District	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	1
22103		Illegal U-Turn in Residential District	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	1
22104		Illegal U-Turn Near Fire Station	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	1
22105		Illegal U-Turn on Highway Without Unobstructed View	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	1
22106		Unsafe Starting or Backing on Highway	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	1
22107		Unsafe Turn or Lane Change Prohibited	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	1
22108		Signal Required Before Turning or Changing Lanes	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	1
22109		Sudden Stopping Without Signaling	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	1
22110 (a,b)		Hand/Lamp Signal Not Given	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	1
22111 (a-c)		Hand Signals Improperly Given	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	1
22112 (a-e)		School Bus Driver Misuse of Signals; Improper Stop; Failure to Escort Pupils	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	1
22348 (b)	33	Speeding Over 100 MPH Prohibited	200	200	140.00	100	100	40	40	4	824.00	40	35	1	0.00	900.00	4a	2
22348 (c)		Failure of Vehicles Subject to VC 22406 to Use Designated Lane	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	1
22349 (a)		Speeding 1-15 MPH Over 65 MPH Limit	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	4a	1
22349 (a)		Speeding 16-25 MPH Over 65 MPH Limit	70	70	49.00	35	35	14	14	4	291.00	40	35	1	0.00	367.00	4a	1
22349 (a)		Speeding ≥ 26 MPH Over 65 MPH Limit	100	100	70.00	50	50	20	20	4	414.00	40	35	1	0.00	490.00	4a	1
22349 (b)		Speeding 1-15 MPH Over 55 MPH Limit	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	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*	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	7.00	5/10	5.00	20%	2.00	4		40	35	1	0.00			
22349 (b)		Speeding 16–25 MPH Over 55 MPH Limit	70	70	49.00	35	35	14	14	4	291.00	40	35	1	0.00	367.00	4a	1
22349 (b)		Speeding ≥ 26 MPH Over 55 MPH Limit	100	100	70.00	50	50	20	20	4	414.00	40	35	1	0.00	490.00	4a	1
22350		Unsafe Speed for Prevailing Conditions 1–15 MPH Over Limit	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	4a	1
22350		Unsafe Speed for Prevailing Conditions 16–25 MPH Over Limit	70	70	49.00	35	35	14	14	4	291.00	40	35	1	0.00	367.00	4a	1
22350		Unsafe Speed-for Prevailing Conditions ≥ 26 MPH Over Limit	100	100	70.00	50	50	20	20	4	414.00	40	35	1	0.00	490.00	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		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 Maximum Speed Limit of 70 MPH, 1–15 MPH Over Limit	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	4a	1

Information for Speeding Case Example #1

Court Case Information:

- Violation Date = 11/10/2014
- Disposition Date = 12/10/2014
- Arresting Agency = County Sherriff
 - % Split between County and City (Refer to PC 1463.002)
- Violation = VC 22349(b) 16 to 25 MPH Over 55 MPH Limit
 - Court Base Fine Assessed = \$100
- Violation Type = Infraction
- Disposition = Bail Forfeiture
- Prior VC Conviction = 0 No Priors

Information for Speeding Case #1

Local BOS Penalties:

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

Court Fees:

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

Court Distributions: Enter on spreadsheet from court CMS
see handout

9 - Speeding Bail Forfeiture -

As of: January 2014

CASE INFORMATION			
Case Number	0	COUNT 1	BASE FINE 0
Violation Date		Violation Description	Priors
Disposition Date		Violation Type	Enhanced BASE 0
Arresting Agency		Disposition	Bail Forfeiture
County %	100%	COUNT 2 (if any)	BASE FINE 0
City %	0%	Violation Description	Priors
TOTAL Enhanced Base	\$0.00	Violation Type	Enhanced BASE 0
Portion of 10	0	Disposition	GC 76000 7

TEST STEPS (color codes):	
1. Enter Case Information	
2. Enter the base fine of violation per current UBS	
3. Enter county local penalties, add IEMS, SCFCF ICNA	
4. Enter standard and Court-specific fees	
5. If case's total fine is NOT standard, enter total fine and select TOP-DOWN from drop-down list	
6. Enter Court's distribution codes & amts	
7. Tickmark any FINDINGS numerically then detail below	

\$ BY ENTITY		
Entity	BU \$	TD \$
STATE	0.00	0.00
COUNTY	0.00	0.00
CITY	0.00	0.00
COURT	0.00	0.00
CNTY or CTY	0.00	0.00
Total	0.00	0.00

2%	Per 10	DISTRIBUTION	DISTRIB ENTITY	Fund	STANDARD BASE-UP			COURT DISTRIBUTION		IAS TOP-DOWN			VARIANCE Over/ (Under)	FINDINGS	COMMENTS
					Standard-Per UBS	2% Amt	FINAL (After 2%)	DISTRIB CODE or DESCRIPTION	DISTRIB AMT	Prorate % After Fixed Amts	2% Amt	FINAL (After 2%)			
Y															
Y															
Y															
Y		PC 1463.001 - Base County	COUNTY	County	0.00	0.00	0.00	Base County	68.60	0.00	0.00	0.00	68.60		
Y		PC 1463.002 - Base City	CITY	City	0.00	0.00	0.00			0.00	0.00	0.00	0.00		
Y	7	PC 1464 - State PA - State portion (70%)	STATE	State	0.00	0.00	0.00	PC 1464 State	48.02	0.00	0.00	0.00	48.02		
Y	3	PC 1464 - State PA - County portion (30%)	COUNTY	County	0.00	0.00	0.00	PC 1464 County	20.58	0.00	0.00	0.00	20.58		
Y	1	GC 76104.6 - DNA PA (1/10)	COUNTY	County	0.00	0.00	0.00	DNA	6.86	0.00	0.00	0.00	6.86		
Y	4	GC 76104.7 - DNA Addl PA (4/10 eff 6-27-12; prev 3/10)	STATE	State DNA Identificat	0.00	0.00	0.00	DNA 2	27.44	0.00	0.00	0.00	27.44		
Y	0.00	GC 76100 - LCCF	COUNTY	County Courthous	0.00	0.00	0.00	LCCF	13.72	0.00	0.00	0.00	13.72		
Y	0.00	GC 76101 - LCIF	COUNTY	County	0.00	0.00	0.00	LCIF	13.72	0.00	0.00	0.00	13.72		
Y	0.00	GC 76104 - EMS	COUNTY	County	0.00	0.00	0.00	DMS	6.86	0.00	0.00	0.00	6.86		
Y	0.00	GC 76104.5 - DNA ID	COUNTY	County Maddy	0.00	0.00	0.00	DNA ID	6.86	0.00	0.00	0.00	6.86		
Y	0.00	GC 76102 - Auto	COUNTY	County	0.00	0.00	0.00	Auto Fingerprint	6.86	0.00	0.00	0.00	6.86		
Y	0.00	GC 76000.5 - EMS Addl PA (BOS: 2/10)	COUNTY	County Maddy	0.00	0.00	0.00	EMS 2	13.72	0.00	0.00	0.00	13.72		
Y		GC 76000.10(c) - EMAT Penalty (\$4 eff 1-1-11)	STATE	State Trial Court	0.00	0.00	0.00	EMAT	3.92	0.00	0.00	0.00	3.92		
Y	0.00	GC 70372(a): ICNA (=LCCF on 1/1/1998)	STATE	State Court	0.00	0.00	0.00	SCFCF - ICNA	13.72	0.00	0.00	0.00	13.72		
Y	5.00	GC 70372(a): SCFCF (=5/10 - ICNA)	STATE	State ICNA	0.00	0.00	0.00	SCFCF - ICNA	20.58	0.00	0.00	0.00	20.58		
N		PC 1465.7 - 20% Surcharge	STATE	State	0.00	0.00	0.00	Surcharge	14.00	0.00	0.00	0.00	14.00		
		SUBTOTAL							285.46				285.46		
N		PC 1465.8 - Court Ops Assmnt (\$40 eff 10-19-10)	STATE		0.00	0.00	0.00	Court Ops	40.00	0.00	0.00	0.00	40.00		
N		GC 70373 - Crim Conv Assmnt (\$30 for misd/\$35 for infr)	STATE	State ICNA	0.00	0.00	0.00	Crim Conviction	30.00	0.00	0.00	0.00	30.00		
N		VC 40508.6 - Priors/DMV Admin Fee (up to \$10)	COURT	County or			0.00			0.00	0.00	0.00	0.00		
N		PC 1205(e) - Install Fee (Actual Costs) OR AR Fee (up to \$30) OR VC 40510.5(g) - Install Fee (up to \$35) (DISCRETIONARY)	COURT	Court			0.00			0.00	0.00	0.00	0.00		
N		VC 42006 - Night Court Assmnt (\$1)	STATE	County	0.00	0.00	0.00	Night Court	1.00	0.00	0.00	0.00	1.00		
N		GC 68090.8 - 2% State Automation (for fines, penalties & forfeitures)	STATE	State Automati			0.00	2% Automation	4.62			0.00	4.62		
		TOTAL FINE	TOTAL		0.00	0.00		TOTAL	361.08		0.00		361.08		

FINDINGS

Case No 1 version 4

- Court facilities change:
 - Transfers are 100%
 - LCCF monies have been sent to the State
 - There is no debt.
- What happens to the distribution?
- Data: GC 76000 \$7/\$10 ; GC 76000(e) \$5/\$10
 - Sq footage of court facilities transferred from the county to the state = 600,000
 - Total court facility square footage in the county = 800,000

Case No 1 version 4

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Case No 1 version 4

GC 70375.

- (a) This article shall take effect on January 1, 2003, and the fund, penalty, and fee assessment established by this article shall become operative on January 1, 2003, except as otherwise provided in this article.
- (b) The authority for all of the following shall expire proportionally on the June 30th following the date of transfer of responsibility for facilities from the county to the Judicial Council, except so long as money is needed to pay for construction provided for in those sections and undertaken prior to the transfer of responsibility for facilities from the county to the Judicial Council: (1) An additional penalty for a local courthouse construction fund established pursuant to Section 76100. (2) A filing fee surcharge in the County of Riverside established pursuant to Section 70622. (3) A filing fee surcharge in the County of San Bernardino established pursuant to Section 70624. (4) A filing fee surcharge in the City and County of San Francisco established pursuant to Section 70625.
- (c) For purposes of subdivision (c), the term "proportionally" means that proportion of the fee or surcharge that shall expire upon the transfer of responsibility for a facility that is the same proportion as the square footage that facility bears to the total square footage of court facilities in that county.

Case No 1 version 4

- UB&PS III E pg. iv
- In counties with bonded indebtedness for court facilities, the count 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.

Case Study No. 2

- DUI causing injury
- VC 23152 Misdemeanor
- County arrest
- Basic distribution template

DUI

Penal Code

1463.18. (a) Notwithstanding the provisions of Section 1463, moneys which are collected for a conviction of a violation of Section 23152 or 23153 of the Vehicle Code and which are required to be deposited with the county treasurer pursuant to Section 1463 shall be allocated as follows:

(1) The first twenty dollars (\$20) of any amount collected for a conviction shall be transferred to the Restitution Fund. This amount shall be aggregated by the county treasurer and transferred to the State Treasury once per month for deposit in the Restitution Fund.

(2) The balance of the amount collected, if any, shall be deposited by the county treasurer pursuant to Section 1463.

(b) The amount transferred to the Restitution Fund pursuant to this section shall be in addition to any amount of any additional fine or assessment imposed pursuant to Sections 1202.4 and 1203.04, as operative on or before August 3, 1995, or Section 13967, as operative on or before September 28, 1994, of the Government Code.

The amount deposited to the Restitution Fund pursuant to this section shall be used for the purpose of indemnification of victims pursuant to Section 13965 of the Government Code, with priority given to victims of alcohol-related traffic offenses.

Vehicle Code

CHAPTER 12. PUBLIC OFFENSES

Article 1. Driving Offenses 23100-23135
Article 1.3. Offenses by Persons Under 21 Years of Age

Article 1.5. Involving Alcohol 23136
Article 1.7. Youthful Offenses Involving Alcohol 23140
Article 1.7. Youthful Drunk Driver Visitation Program

Article 2. Offenses Involving Alcohol and Drugs 23152-23229.1
Article 4. Ignition Interlock Device 23247

Article 5. Alcohol and Drug Problem Assessment Program 23249.50
CHAPTER 13. VEHICULAR CROSSINGS AND TOLL HIGHWAYS

Article 1. General Provisions 23250-23255
Article 2. Towing on Vehicular Crossings 23270-23273

Article 3. Tolls and Other Charges 23300-23303
Article 4. Special Traffic Regulations 23330-23336

DIVISION 11.5. SENTENCING FOR DRIVING WHILE UNDER THE INFLUENCE
CHAPTER 1. COURT-IMPOSED PENALTIES: PERSONS LESS THAN 21 YEARS OF AGE

Article 1. General Provisions 23500
Article 2. Penalties for a Violation of Section 23140 23502
Article 3. Youthful Drunk Driver Visitation Program 23509-23518.5
Article 4. Penalties for a Violation of Section 23152 or 23153 23520-23521

CHAPTER 2. COURT PENALTIES

Article 1. General Provisions 23530
Article 2. Penalties for a Violation of Section 23152 23536-23558
Article 3. Penalties for a Violation of Section 23153 23554-23562

Article 4. Additional Punishments 23572-23573
Article 5. Additional Penalties and Sanctions 23575-23582

Article 6. Additional Court-Imposed Orders and Directions ... 23592-23597
Article 7. Alternative to Alcohol or Drug Education Program 23598

CHAPTER 3. PROBATION 23600-23602
CHAPTER 4. PROCEDURES

Article 1.	General Provisions	23610-23614
Article 2.	Prior and Separate Offenses	<u>23620-23626</u>
Article 3.	Defenses	23630
Article 4.	Dismissal on the Record	23635
Article 5.	Court Restrictions	23640
Article 6.	Alcohol Assessment	23645-23650
Article 7.	Presentence Investigation	23655
Article 8.	Surrender and Notification of License Restriction	<u>23660-23662</u>
Article 9.	Delayed Suspensions and Revocations	23665
Article 10.	Conflict of Interest	23670
Article 11.	Operative Date	<u>23675</u>

23152. (a) It is unlawful for a person who is under the influence of any alcoholic beverage to drive a vehicle.

(b) It is unlawful for a person who has 0.08 percent or more, by weight, of alcohol in his or her blood to drive a vehicle.

For purposes of this article and Section 34501.16, percent, by weight, of alcohol in a person's blood is based upon grams of alcohol per 100 milliliters of blood or grams of alcohol per 210 liters of breath.

In any prosecution under this subdivision, it is a rebuttable presumption that the person had 0.08 percent or more, by weight, of alcohol in his or her blood at the time of driving the vehicle if the person had 0.08 percent or more, by weight, of alcohol in his or her blood at the time of the performance of a chemical test within three hours after the driving.

(c) It is unlawful for a person who is addicted to the use of any drug to drive a vehicle. This subdivision shall not apply to a person who is participating in a narcotic treatment program approved pursuant to Article 3 (commencing with Section 11875) of Chapter 1 of Part 3 of Division 10.5 of the Health and Safety Code.

(d) It is unlawful for a person who has 0.04 percent or more, by weight, of alcohol in his or her blood to drive a commercial motor vehicle, as defined in Section 15210.

In any prosecution under this subdivision, it is a rebuttable presumption that the person had 0.04 percent or more, by weight, of alcohol in his or her blood at the time of driving the vehicle if the person had 0.04 percent or more, by weight, of alcohol in his or her blood at the time of the performance of a chemical test within three hours after the driving.

(e) It is unlawful for a person who is under the influence of any drug to drive a vehicle.

(f) It is unlawful for a person who is under the combined influence of any alcoholic beverage and drug to drive a vehicle.

(g) This section shall become operative on January 1, 2014.

23530. This chapter applies to the imposition of penalties, sanctions, and probation upon persons convicted of violating driving while under the influence offenses that are set forth in Chapter 12 (commencing with Section 23100) of Division 11.

23536. (a) If a person is convicted of a first violation of Section 23152, that person shall be punished by imprisonment in the county jail for not less than 96 hours, at least 48 hours of which shall be continuous, nor more than six months, and by a fine of not less than

three hundred ninety dollars (\$390), nor more than one thousand dollars (\$1,000).

(b) The court shall order that a person punished under subdivision (a), who is to be punished by imprisonment in the county jail, be imprisoned on days other than days of regular employment of the person, as determined by the court. If the court determines that 48 hours of continuous imprisonment would interfere with the person's work schedule, the court shall allow the person to serve the imprisonment whenever the person is normally scheduled for time off from work. The court may make this determination based upon a representation from the defendant's attorney or upon an affidavit or testimony from the defendant.

(c) The person's privilege to operate a motor vehicle shall be suspended by the department under paragraph (1) of subdivision (a) of Section 13352 or Section 13352.1. The court shall require the person to surrender the driver's license to the court in accordance with Section 13550.

(d) Whenever, when considering the circumstances taken as a whole, the court determines that the person punished under this section would present a traffic safety or public safety risk if authorized to operate a motor vehicle during the period of suspension imposed under paragraph (1) of subdivision (a) of Section 13352 or Section 13352.1, the court may disallow the issuance of a restricted driver's license required under Section 13352.4.

23538. (a) (1) If the court grants probation to person punished under Section 23536, in addition to the provisions of Section 23600 and any other terms and conditions imposed by the court, the court shall impose as a condition of probation that the person pay a fine of at least three hundred ninety dollars (\$390), but not more than one thousand dollars (\$1,000). The court may also impose, as a condition of probation, that the person be confined in a county jail for at least 48 hours, but not more than six months.

(2) The person's privilege to operate a motor vehicle shall be suspended by the department under paragraph (1) of subdivision (a) of Section 13352 or Section 13352.1. The court shall require the person to surrender the driver's license to the court in accordance with Section 13550.

(3) Whenever, when considering the circumstances taken as a whole, the court determines that the person punished under this section would present a traffic safety or public safety risk if authorized to operate a motor vehicle during the period of suspension imposed under paragraph (1) of subdivision (a) of Section 13352 or Section 13352.1, the court may disallow the issuance of a restricted driver's license required under Section 13352.4.

(b) In any county where the board of supervisors has approved, and the State Department of Health Care Services has licensed, a program or programs described in Section 11837.3 of the Health and Safety Code, the court shall also impose as a condition of probation that the driver shall enroll and participate in, and successfully complete a driving-under-the-influence program, licensed pursuant to Section 11836 of the Health and Safety Code, in the driver's county of residence or employment, as designated by the court. For the purposes of this subdivision, enrollment in, participation in, and completion of an approved program shall be subsequent to the date of the current violation. Credit may not be given for any program activities completed prior to the date of the current violation.

(1) The court shall refer a first offender whose blood-alcohol

concentration was less than 0.20 percent, by weight, to participate for at least three months or longer, as ordered by the court, in a licensed program that consists of at least 30 hours of program activities, including those education, group counseling, and individual interview sessions described in Chapter 9 (commencing with Section 11836) of Part 2 of Division 10.5 of the Health and Safety Code.

(2) The court shall refer a first offender whose blood-alcohol concentration was 0.20 percent or more, by weight, or who refused to take a chemical test, to participate for at least nine months or longer, as ordered by the court, in a licensed program that consists of at least 60 hours of program activities, including those education, group counseling, and individual interview sessions described in Chapter 9 (commencing with Section 11836) of Part 2 of Division 10.5 of the Health and Safety Code.

(3) The court shall advise the person at the time of sentencing that the driving privilege shall not be restored until proof satisfactory to the department of successful completion of a driving-under-the-influence program of the length required under this code that is licensed pursuant to Section 11836 of the Health and Safety Code has been received in the department's headquarters.

(c) (1) The court shall revoke the person's probation pursuant to Section 23602, except for good cause shown, for the failure to enroll in, participate in, or complete a program specified in subdivision (b).

(2) The court, in establishing reporting requirements, shall consult with the county alcohol program administrator. The county alcohol program administrator shall coordinate the reporting requirements with the department and with the State Department of Health Care Services. That reporting shall ensure that all persons who, after being ordered to attend and complete a program, may be identified for either (A) failure to enroll in, or failure to successfully complete, the program, or (B) successful completion of the program as ordered.

23540. (a) If a person is convicted of a violation of Section 23152 and the offense occurred within 10 years of a separate violation of Section 23103, as specified in Section 23103.5, 23152, or 23153, that resulted in a conviction, that person shall be punished by imprisonment in the county jail for not less than 90 days nor more than one year and by a fine of not less than three hundred ninety dollars (\$390) nor more than one thousand dollars (\$1,000). The person's privilege to operate a motor vehicle shall be suspended by the department pursuant to paragraph (3) of subdivision (a) of Section 13352. The court shall require the person to surrender the driver's license to the court in accordance with Section 13550.

(b) Whenever, when considering the circumstances taken as a whole, the court determines that the person punished under this section would present a traffic safety or public safety risk if authorized to operate a motor vehicle during the period of suspension imposed under paragraph (3) of subdivision (a) of Section 13352, the court may disallow the issuance of a restricted driver's license required under Section 13352.5.

(c) This section shall become operative on September 20, 2005.

23542. (a) (1) If the court grants probation to a person punished under Section 23540, in addition to the provisions of Section 23600 and any other terms and conditions imposed by the court, the court shall impose as conditions of probation that the person be confined in county jail and fined under either of the following:

(A) For at least 10 days, but not more than one year, and pay a fine of at least three hundred ninety dollars (\$390), but not more than one thousand dollars (\$1,000).

(B) For at least 96 hours, but not more than one year, and pay a fine of at least three hundred ninety dollars (\$390), but not more than one thousand dollars (\$1,000). A sentence of 96 hours of confinement shall be served in two increments consisting of a continuous 48 hours each. The two 48-hour increments may be served nonconsecutively.

(2) The person's privilege to operate a motor vehicle shall be suspended by the department under paragraph (3) of subdivision (a) of Section 13352. The court shall require the person to surrender the driver's license to the court in accordance with Section 13550.

(b) In addition to the conditions specified in subdivision (a), the court shall require the person to do either of the following:

(1) Enroll and participate, for at least 18 months subsequent to the date of the underlying violation and in a manner satisfactory to the court, in a driving-under-the-influence program licensed pursuant to Section 11836 of the Health and Safety Code, as designated by the court. The person shall complete the entire program subsequent to, and shall not be given any credit for any program activities completed prior to, the date of the current violation. The program shall provide for persons who cannot afford the program fee pursuant to paragraph (2) of subdivision (b) of Section 11837.4 of the Health and Safety Code in order to enable those persons to participate.

(2) Enroll and participate, for at least 30 months subsequent to the date of the underlying violation and in a manner satisfactory to the court, in a driving-under-the-influence program licensed pursuant to Section 11836 of the Health and Safety Code. The person shall complete the entire program subsequent to, and shall not be given any credit for any program activities completed prior to, the date of the current violation.

(c) The court shall advise the person at the time of sentencing that the driving privilege shall not be restored until proof satisfactory to the Department of Motor Vehicles of successful completion of a driving-under-the-influence program of the length required under this code licensed pursuant to Section 11836 of the Health and Safety Code has been received in the department's headquarters.

(d) Whenever, when considering the circumstances taken as a whole, the court determines that the person punished under this section would present a traffic safety or public safety risk if authorized to operate a motor vehicle during the period of suspension imposed under paragraph (3) of subdivision (a) of Section 13352, the court may disallow the issuance of a restricted driver's license required under Section 13352.5.

(e) This section shall become operative on September 20, 2005.

23546. (a) If a person is convicted of a violation of Section 23152 and the offense occurred within 10 years of two separate violations of Section 23103, as specified in Section 23103.5, 23152, or 23153, or any combination thereof, that resulted in convictions, that person shall be punished by imprisonment in the county jail for not less

than 120 days nor more than one year and by a fine of not less than three hundred ninety dollars (\$390) nor more than one thousand dollars (\$1,000). The person's privilege to operate a motor vehicle shall be revoked by the Department of Motor Vehicles as required in paragraph (5) of subdivision (a) of Section 13352. The court shall require the person to surrender his or her driver's license to the court in accordance with Section 13550.

(b) A person convicted of a violation of Section 23152 punishable under this section shall be designated as a habitual traffic offender for a period of three years, subsequent to the conviction. The person shall be advised of this designation pursuant to subdivision (b) of Section 13350.

23548. (a) (1) If the court grants probation to any person punished under Section 23546, in addition to the provisions of Section 23600 and any other terms and conditions imposed by the court, the court shall impose as conditions of probation that the person be confined in the county jail for at least 120 days but not more than one year and pay a fine of at least three hundred ninety dollars (\$390) but not more than one thousand dollars (\$1,000).

(2) The person's privilege to operate a motor vehicle shall be revoked by the department under paragraph (5) of subdivision (a) of Section 13352. The court shall require the person to surrender the driver's license to the court in accordance with Section 13550.

(b) In addition to subdivision (a), if the court grants probation to any person punished under Section 23546, the court may order as a condition of probation that the person participate, for at least 30 months subsequent to the underlying conviction and in a manner satisfactory to the court, in a driving-under-the-influence program licensed pursuant to Section 11836 of the Health and Safety Code. In lieu of the minimum term of imprisonment specified in subdivision (a), the court shall impose as a condition of probation under this subdivision that the person be confined in the county jail for at least 30 days but not more than one year. The court shall not order the treatment prescribed by this subdivision unless the person makes a specific request and shows good cause for the order, whether or not the person has previously completed a treatment program pursuant to paragraph (4) of subdivision (b) of Section 23542 or paragraph (4) of subdivision (b) of Section 23562. In order to enable all required persons to participate, each person shall pay the program costs commensurate with the person's ability to pay as determined pursuant to Section 11837.4 of the Health and Safety Code. No condition of probation required pursuant to this subdivision is a basis for reducing any other probation requirement in this section or Section 23600 or for avoiding the mandatory license revocation provisions of paragraph (5) of subdivision (a) of Section 13352.

(c) In addition to the provisions of Section 23600 and subdivision (a), if the court grants probation to any person punished under Section 23546 who has not previously completed a treatment program pursuant to paragraph (4) of subdivision (b) of Section 23542 or paragraph (4) of subdivision (b) of Section 23562, and unless the person is ordered to participate in and complete a driving-under-the-influence program under subdivision (b), the court shall impose as a condition of probation that the person, subsequent to the date of the current violation, enroll and participate, for at least 18 months and in a manner satisfactory to the court, in a driving-under-the-influence program licensed pursuant to Section 11836 of the Health and Safety Code, as designated by the court. The

person shall complete the entire program subsequent to, and shall not be given any credit for program activities completed prior to, the date of the current violation. Any person who has previously completed a 12-month or 18-month program licensed pursuant to Section 11836 of the Health and Safety Code shall not be eligible for referral pursuant to this subdivision unless a 30-month licensed driving-under-the-influence program is not available for referral in the county of the person's residence or employment. The program shall provide for persons who cannot afford the program fee pursuant to paragraph (2) of subdivision (b) of Section 11837.4 of the Health and Safety Code in order to enable those persons to participate. No condition of probation required pursuant to this subdivision is a basis for reducing any other probation requirement in this section or Section 23600 or for avoiding the mandatory license revocation provisions of paragraph (5) of subdivision (a) of Section 13352.

(d) The court shall advise the person at the time of sentencing that the driving privilege may not be restored until the person provides proof satisfactory to the department of successful completion of a driving-under-the-influence program of the length required under this code that is licensed pursuant to Section 11836 of the Health and Safety Code.

(e) This section shall become operative on September 20, 2005.

23550. (a) If a person is convicted of a violation of Section 23152 and the offense occurred within 10 years of three or more separate violations of Section 23103, as specified in Section 23103.5, or Section 23152 or 23153, or any combination thereof, that resulted in convictions, that person shall be punished by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code, or in a county jail for not less than 180 days nor more than one year, and by a fine of not less than three hundred ninety dollars (\$390) nor more than one thousand dollars (\$1,000). The person's privilege to operate a motor vehicle shall be revoked by the Department of Motor Vehicles pursuant to paragraph (7) of subdivision (a) of Section 13352. The court shall require the person to surrender the driver's license to the court in accordance with Section 13550.

(b) A person convicted of a violation of Section 23152 punishable under this section shall be designated as a habitual traffic offender for a period of three years, subsequent to the conviction. The person shall be advised of this designation pursuant to subdivision (b) of Section 13350.

23550.5. (a) A person is guilty of a public offense, punishable by imprisonment in the state prison or confinement in a county jail for not more than one year and by a fine of not less than three hundred ninety dollars (\$390) nor more than one thousand dollars (\$1,000) if that person is convicted of a violation of Section 23152 or 23153, and the offense occurred within 10 years of any of the following:

(1) A separate violation of Section 23152 that was punished as a felony under Section 23550 or this section, or both, or under former Section 23175 or former Section 23175.5, or both.

(2) A separate violation of Section 23153 that was punished as a felony.

(3) A separate violation of paragraph (1) of subdivision (c) of Section 192 of the Penal Code that was punished as a felony.

(b) Each person who, having previously been convicted of a

violation of subdivision (a) of Section 191.5 of the Penal Code, a felony violation of subdivision (b) of Section 191.5, or a violation of subdivision (a) of Section 192.5 of the Penal Code, is subsequently convicted of a violation of Section 23152 or 23153 is guilty of a public offense punishable by imprisonment in the state prison or confinement in a county jail for not more than one year and by a fine of not less than three hundred ninety dollars (\$390) nor more than one thousand dollars (\$1,000).

(c) The privilege to operate a motor vehicle of a person convicted of a violation that is punishable under subdivision (a) or (b) shall be revoked by the department pursuant to paragraph (7) of subdivision (a) of Section 13352, unless paragraph (6) of subdivision (a) of Section 13352 is also applicable, in which case the privilege shall be revoked under that provision. The court shall require the person to surrender the driver's license to the court in accordance with Section 13550.

(d) A person convicted of a violation of Section 23152 or 23153 that is punishable under this section shall be designated as a habitual traffic offender for a period of three years, subsequent to the conviction. The person shall be advised of this designation under subdivision (b) of Section 13350.

23552. (a) (1) If the court grants probation to a person punished under Section 23550, in addition to the provisions of Section 23600 and any other terms and conditions imposed by the court, the court shall impose as conditions of probation that the person be confined in a county jail for at least 180 days but not more than one year and pay a fine of at least three hundred ninety dollars (\$390) but not more than one thousand dollars (\$1,000).

(2) The person's privilege to operate a motor vehicle shall be revoked by the department under paragraph (7) of subdivision (a) of Section 13352. The court shall require the person to surrender the driver's license to the court in accordance with Section 13550.

(b) In addition to subdivision (a), if the court grants probation to any person punished under Section 23550, the court may order as a condition of probation that the person participate, for at least 30 months subsequent to the underlying conviction and in a manner satisfactory to the court, in a driving-under-the-influence program licensed pursuant to Section 11836 of the Health and Safety Code. In lieu of the minimum term of imprisonment in subdivision (a), the court shall impose as a condition of probation under this subdivision that the person be confined in the county jail for at least 30 days but not more than one year. The court shall not order the treatment prescribed by this subdivision unless the person makes a specific request and shows good cause for the order, whether or not the person has previously completed a treatment program pursuant to subdivision (b) of Section 23542 or paragraph (4) of subdivision (b) of Section 23562. In order to enable all required persons to participate, each person shall pay the program costs commensurate with the person's ability to pay as determined pursuant to Section 11837.4 of the Health and Safety Code. No condition of probation required pursuant to this subdivision is a basis for reducing any other probation requirement in this section or Section 23600 or for avoiding the mandatory license revocation provisions of paragraph (7) of subdivision (a) of Section 13352.

(c) In addition to Section 23600 and subdivision (a), if the court grants probation to any person punished under Section 23550 who has not previously completed a treatment program pursuant to subdivision

(b) of Section 23542 or paragraph (4) of subdivision (b) of Section 23562, and unless the person is ordered to participate in, and complete, a program under subdivision (b), the court shall impose as a condition of probation that the person, subsequent to the date of the current violation, enroll in and participate, for at least 18 months and in a manner satisfactory to the court, in a driving-under-the-influence program licensed pursuant to Section 11836 of the Health and Safety Code, as designated by the court. The person shall complete the entire program subsequent to, and shall not be given any credit for program activities completed prior to, the date of the current violation. A person who has previously completed a 12-month or 18-month driving-under-the-influence program licensed pursuant to Section 11836 of the Health and Safety Code shall not be eligible for referral pursuant to this subdivision unless a 30-month driving-under-the-influence program licensed pursuant to Section 11836 of the Health and Safety Code is not available for referral in the county of the person's residence or employment. A condition of probation required pursuant to this subdivision is not a basis for reducing any other probation requirement in this section or Section 23600 or for avoiding the mandatory license revocation provisions of paragraph (7) of subdivision (a) of Section 13352.

(d) The court shall advise the person at the time of sentencing that the driving privilege may not be restored until the person provides proof satisfactory to the department of successful completion of a driving-under-the-influence program of the length required under this code that is licensed pursuant to Section 11836 of the Health and Safety Code.

Case Study No. 2 – Court Data

	A	B	C	D
1	Misdemeanor DUI Fine (1st Offense)			
2	AUTHORIZED AMOUNT	AUTHORITY	AMOUNT CHARGED BY THE COURT	
3	\$390.00-\$1,000.00	*Base Fine VC 23536	\$390.00	
4	\$10.00 for every \$10.00 of every fine, penalty, or forfeiture	State Penalty Assessment PC 1464(a)	\$390.00	
5	\$5.00 for every \$10.00 of every fine, penalty or forfeiture	Facility Construction Penalty Assessment GC 70372	\$195.00	
6	Surcharge of 20% on the base fine	State Criminal Fee Surcharge PC 1465.7(a)	\$78.00	
7	\$1.00 for every \$10.00 of every fine, penalty, or forfeiture	DNA Fingerprint (Prop. 69) Fee GC 76104.6	\$39.00	
8	\$4.00 for every \$10.00 for every fine, penalty, or forfeiture	DNA ID Fund GC 76104.7	\$156.00	
9	\$4.00	Emergency Air Transport Act Fee GC 76000.10	\$4.00	
10	\$150.00-\$1,000.00	Restitution Fund Fine PC 1202.4(b)(1)	\$150.00	
11	\$40.00	Court Operations Assessment Fee PC 1465.8	\$40.00	
12	\$30.00	Criminal Conviction Assessment Fee GC 70373	\$30.00	
13	\$50.00 subject to the defendant's ability to pay	Alcohol Abuse Education and Prevention Penalty Assessment VC 23645	\$50.00	
14		TOTAL	\$1,522.00	
15	ITEMS BELOW REQUIRE A RESOLUTION/AUTHORIZATION			
16	AUTHORIZED AMOUNT	AUTHORITY	AMOUNT CHARGED BY THE COURT	RESOLUTION /AUTHORIZATION PROVIDED Y/N
17	\$7.00 for every \$10.00 of every fine, penalty, or forfeiture	County Penalty Assessment GC 76000(a)	\$273.00	Y
18	Not more than \$100.00 upon every fine, penalty, or forfeiture	Alcohol/Drug Program Penalty Assessment VC 23649	\$100.00	Y
19	\$2.00 for every \$10.00 of every fine, penalty, or forfeiture	Support of Emergency Medical Services Fee GC 76000.5	0	N (with resolution the county would receive
20	No more than \$50.00 subject to the defendant's ability to pay	Alcohol Testing Fee PC 1463.14(b)	0	N (resolution provided by county only addresses distribution & does not allow the additional \$50.00
21		GRAND TOTAL	\$1,895.00	

Case Study No. 2

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* /10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess.	Night Court	Total Bail** **	DMV Points
22658 (m)(1)	46	Failure of Tow Company to Provide Notice of Removal of Vehicle As Required	250	250	175.00	125	125	50	50	4	1,029.00	40	30	1	1,100.00	0
23103 (a,b)	50	Reckless Driving	145	150	105.00	75	75	29	30	4	613.00	40	30	1	684.00	2
23104 (a)	51	Reckless Driving--Bodily Injury	350	350	245.00	175	175	70	70	4	1,439.00	40	30	1	1,510.00	2
23104 (b)	52	Reckless Driving--Great Bodily Injury	500	500	350.00	250	250	100	100	4	2,054.00	40	30	1	2,125.00	2
23105 (a)	53	Reckless Driving--Specific Injury	750	750	525.00	375	375	150	150	4	3,079.00	40	30	1	3,150.00	2
23109 (a)	54	Engaging in Speed Contests Prohibited	360	360	252.00	180	180	72	72	4	1,480.00	40	30	1	1,551.00	2
23109 (b)	55	Abetting Speed Contest Prohibited	100	100	70.00	50	50	20	20	4	414.00	40	30	1	485.00	1
23109 (c)	55	Engaging in or Abetting Exhibition of Speed Prohibited	100	100	70.00	50	50	20	20	4	414.00	40	30	1	485.00	2
23109 (d)	55	Placing Barricades or Obstructions Prohibited	100	100	70.00	50	50	20	20	4	414.00	40	30	1	485.00	1
23109 (e)(2)	56	Engaging in Speed Contest and Causing Bodily Injury	500	500	350.00	250	250	100	100	4	2,054.00	40	30	1	2,125.00	1
23109.1	57	Engaging in Speed Contest--Specific Injury	750	750	525.00	375	375	150	150	4	3,079.00	40	30	1	3,150.00	2
23110 (a)		Throwing Substance at Vehicle Prohibited	250	250	175.00	125	125	50	50	4	1,029.00	40	30	1	1,100.00	0
23112.5 (a)		Hazardous Materials--Notification of Agency Required	2,000	2,000	1,400.00	1,000	1,000	400	400	4	8,204.00	40	30	1	8,275.00	0
23118 (f)(4)		Release of Impounded Vehicle by Legal Owner or Agent Prior to End of Impoundment Period	2,000	2,000	1,400.00	1,000	1,000	400	400	4	8,204.00	40	30	1	8,275.00	0
23127		Motor Vehicle on Riding/Hiking Trails Prohibited	50	50	35.00	25	25	10	10	4	209.00	40	30	1	280.00	1
23152 (a,b)	58	Driving Under Influence of Alcohol	390	390	273.00	195	195	78	78	4	1,603.00	40	30	1	1,674.00	2
23152 (c)	58	Driving While Addicted to Drug	390	390	273.00	195	195	78	78	4	1,603.00	40	30	1	1,674.00	2
23152 (d)	58	Driving Commercial Vehicle Under Influence of Alcohol	450	450	315.00	225	225	90	90	4	1,849.00	40	30	1	1,920.00	3

Case Study No. 3

- Disabled Parking Violation
- VC 22507.8 (a-c) Infraction
- Request is what do we assess and
- Can you build a spreadsheet for us.

VC 22507.8 (a-c)

- (a) It is unlawful for any person to park or leave standing any vehicle in a stall or space designated for disabled persons and disabled veterans pursuant to Section 22511.7 or 22511.8 of this code or Section 14679 of the Government Code, unless the vehicle displays either a special identification license plate issued pursuant to Section 5007 or a distinguishing placard issued pursuant to Section 22511.55 or 22511.59.
- (b) It is unlawful for any person to obstruct, block, or otherwise bar access to those parking stalls or spaces except as provided in subdivision (a).
- (c) It is unlawful for any person to park or leave standing any vehicle, including a vehicle displaying a special identification license plate issued pursuant to Section 5007 or a distinguishing placard issued pursuant to Section 22511.55 or 22511.59, in either of the following places: [see statute]

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 Count	TAP Fee	"Total Bail" ** / Fee	Category	DMV Points
				10/10	7.00	5/10	5.00	20%	2.00	4		40	35	1	0.00			
22500 (i)	42	Parking in Bus Loading Area	250	250	175.00	125	125	50	50	4	1,029.00	40	35	1	0.00	1,105.00	4a	0
22500 (l)	42	Parking at Curb Constructed to Provide Wheelchair Accessibility	250	250	175.00	125	125	50	50	4	1,029.00	40	35	1	0.00	1,105.00	4a	0
22500.1		Stopping in Designated Fire Lane	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	0
22504 (a)		Unincorporated Area Stopping	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	0
22505 (b)		Unauthorized Stopping on State Highway Prohibited	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	0
22507.8 (a-c)	43	Violation of Disabled Parking Provisions	250	250	175.00	125	125	50	50	4	1,029.00	40	35	1	0.00	1,105.00	4a	0
22511.1 (a)	44	Infraction Violation for Parking/Standing in Space for Charging Electric Vehicle While Not Connected for Charging Vehicle	100	100	70.00	50	50	20	20	4	414.00	40	35	1	0.00	490.00	4a	0
22511.1 (a)	44	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	21.00	15	15	5	6	4	121.00	40	35	1	0.00	197.00	4a	0
22511.1 (b)	44	Infraction Violation for Obstructing, Blocking, or Barring Access to Space for Charging Electric Vehicle	100	100	70.00	50	50	20	20	4	414.00	40	35	1	0.00	490.00	4a	0
22511.1 (b)	44	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	21.00	15	15	5	6	4	121.00	40	35	1	0.00	197.00	4a	0
22516		Locking Vehicle With Person Inside Unable to Escape	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	0
22517		Opening Door on Traffic Side When Unsafe	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	0
22520.5 (a)		Vending on Freeway Right-of-Way Prohibited	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	0
22520.6 (a)		Unauthorized Activities at Highway Rest Area/Vista Point Prohibited	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	0
22522	45	Parking Near Sidewalk Access Ramp for Disabled	250	250	175.00	125	125	50	50	4	1,029.00	40	35	1	0.00	1,105.00	4a	0

TRAFFIC INFRACTION FIXED PENALTY SCHEDULE

(*See Preface, Section III) (**See Preface, Section IV)

(Vehicle Code)

Section	Notes	Offense	Base	County			Court	Surcharge*	EMS	EM/AT PA*	Fine	Court OPS	Conv. Assess.	Night Court	TAP Fee	"Total	Category	DMV Points
			Fine /Fee	State PA*	County PA*/10	DNA PA*	PA*/10		PA*/10	PA*/10	Surcharge & PA Subtotal					"Bail" ** /Fee		
			10/10		7.00	5/10	5.00	20%	2.00	4		40	35	1	0.00			

⁴⁵ 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."

⁴⁶ Per VC 42001.13(b)(1): "fine of not less than \$250 and not more than \$500 for the first offense." GC 70372(b) imposes an additional state court construction penalty of \$4.50. PC 1465.5 allows a board of supervisors to impose an assessment of \$2 for every \$10 of every fine. PC 1465.6 requires imposition of an additional assessment equal to 10 percent of the fine imposed. 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."

⁴⁷ Sen. Bill 286 (Stats. 2013, ch. 414). 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."

Insert Case Data and County BOS for GC 76000

- \$250 base fine
- No enhancements
- County arrest
- BOS – GC 76000 \$7 -- et al
 - GC 76100 \$2; GC 76101 \$2
 - GC 76104 \$1; GC 76104.5 \$1
 - GC 76102 \$1
- BOS - GC 76000.5 -- \$2 / \$10

CASE INFORMATION				
Case Number	0	COUNT 1	BASE FINE	
Violation Date		Violation Description	VC 22507.8 (a-c)	Priors
Disposition Date		Violation Type	Traffic Infraction	Enhanced BASE 0
Arresting Agency		Disposition	Bail Forfeiture	
County %	100%	COUNT 2 (if any)	BASE FINE	0
City %	0%	Violation Description		Priors
TOTAL Enhanced	\$0.00	Violation Type	Enhanced BASE	0
Portion of 10	0	Disposition		

TEST STEPS (color codes):
 1. Enter Case Information
 2. Enter the base fine of violation per current UBS
 3. Enter the Court's GC 76000 PA per 10 ams
 4. Enter standard and Court-specific fees
 5. If case's total fine is NOT standard, enter total fine and select TOP-DOWN from drop-down list
 6. Enter Court's distribution codes & ams
 7. Tickmark any FINDINGS numerically then detail b

\$BY ENTITY		
Entity	BU \$	TD \$
STATE	91.07	0.00
COUNTY	101.43	0.00
CITY	0.00	0.00
COURT	0.00	0.00
CITY or CTY	0.00	0.00
Total	192.50	0.00

2%	Per 10	DISTRIBUTION	DISTRIB ENTIT	STANDARD BASE-UP			COURT DISTRIBUTION		IAS TOP-DOWN			VARIANCE Over!
				Standard-Per UBS	2% Amt	FINAL (After 2%)	DISTRIB CODE or DESCRIPTION	DISTRIB AMT	Prorate 2 After Fixed	2% Amt	FINAL (After 2%)	
		PC 1463.001 - Base County	COUNT	0.00	0.00	0.00			0.00	0.00	0.00	0.00
		PC 1463.002 - Base City	CITY	0.00	0.00	0.00			0.00	0.00	0.00	0.00
	7	PC 1464 - State PA (7 of 10/10)	STATE	0.00	0.00	0.00			0.00	0.00	0.00	0.00
	3	PC 1464 - State PA (3 of 10/10)	COUNT	0.00	0.00	0.00			0.00	0.00	0.00	0.00
	1	GC 76104.6 - DNA PA (1/10)	COUNT	0.00	0.00	0.00			0.00	0.00	0.00	0.00
	4	GC 76104.7 - DNA Addl PA (4/10 eff 6-27-12, prev 3/10)	STATE	0.00	0.00	0.00			0.00	0.00	0.00	0.00
	2.00	GC 76100 - LCCF	COUNT	0.00	0.00	0.00			0.00	0.00	0.00	0.00
	2.00	GC 76101 - LCJF	COUNT	0.00	0.00	0.00			0.00	0.00	0.00	0.00
	1.00	GC 76104 - EMS	COUNT	0.00	0.00	0.00			0.00	0.00	0.00	0.00
	1.00	GC 76104.5 - DNA ID	COUNT	0.00	0.00	0.00			0.00	0.00	0.00	0.00
	1.00	GC 76102 - Auto	COUNT	0.00	0.00	0.00			0.00	0.00	0.00	0.00
	2.00	GC 76000.5 - EMS Addl PA (BOS: 2/10)	COUNT	0.00	0.00	0.00			0.00	0.00	0.00	0.00
		GC 76000.10(c) - EMAT Penalty (\$4 eff 1-1-11)	STATE	4.00	0.08	3.92			0.00	0.00	0.00	(3.92)
	3.00	GC 70372(a) - SCFCF (5/10 minus GC 70372(a) total is \$5 for every 10	STATE	0.00	0.00	0.00			0.00	0.00	0.00	0.00
	2.00	GC 70372(a) - ICNA (equal to \$5 for every 10)	STATE	0.00	0.00	0.00			0.00	0.00	0.00	0.00
		PC 1465.7 - 20% Surcharge	STATE	0.00	0.00	0.00			0.00	0.00	0.00	0.00
		PC 1465.8 - Court Ops Assmnt (\$40 eff 10-19-10)	STATE	40.00	0.00	40.00			0.00	0.00	0.00	(40.00)
		GC 70373 - Crim Conv Assmnt (\$30 for misd/\$35 for in	STATE	35.00	0.00	35.00			0.00	0.00	0.00	(35.00)
		VC 42006 - Night Court Assmnt (\$1)	STATE	1.00	0.00	1.00			0.00	0.00	0.00	(1.00)
		SUBTOTAL		80.00		79.92		0.00	0.00	0.00		(3.92)
		GC 70372(b) Added State Court Construction Penalty	STATE	4.50	0.09	4.41						(4.41)
	2.00	PC 1465.5 Parking Assessment (2 per 10 w/BOS)	COUNT	0.00	0.00	0.00						0.00
		PC 1465.6 Additional Parking Assessment (10% of	COUNT	0.00	0.00	0.00						0.00
		PC 1465.6 Additional Parking Assessment (10% of	CITY	0.00	0.00	0.00						0.00
		VC 76000.3 - Parking Infraction Penalty (\$3)	STATE	3.00	0.06	2.94						(2.94)
		VC 4461.3 - additional penalty (\$100 w/ordinance)	COUNT	100.00	2.00	98.00						(98.00)
		VC 4461.3 - additional penalty (\$100 w/ordinance)	CITY	0.00	0.00	0.00						0.00
		GC 76000(b) - GC 76100 LCCF fund \$2.50 added	COUNT	1.00	0.02	0.98						(0.98)
		(Reduced to \$1 to county if bonded indebtedness paid)	STATE	1.50	0.03	1.47						(1.47)
		GC 76000(b) - GC 76101 LCJF fund \$2.50 added penalty	COUNT	1.00	0.02	0.98						(0.98)
		(\$1 to county general fund, \$1.50 to LCJF)	COUNT	1.50	0.03	1.47						(1.47)
		PC 1205(e) - Install Fee (Actual Costs) OR AR Fee (up to \$30) OR VC 40510.5(g) - Install Fee (up to \$35)	COURT		0.00	0.00			0.00	0.00	0.00	0.00
		GC 68090.8 - 2% State Automation (for fines, penalties & forfeitures)	STATE			2.33					0.00	(2.33)
		TOTAL FINE		192.50		192.50	TOTAL	0.00		0.00		(192.50)

IF FINE IS NOT STANDARD (Not BASE-UP), ENSURE THE BASE FINE ENTERED IS DIVISIBLE BY 10 FOR A MORE ACCURATE IAS TOP-DOWN.

FINDINGS

