

FINES, FEES AND PENALTY ASSESSMENTS

The following charts set forth the various penalty assessments depending on the date of the citation. Most of the penalty assessment that you will see are in the 265% and 280% and 300% range. Under the Traffic Court UCS system, the appropriate penalty assessment is indicated on the top right hand corner of the envelope. The penalty assessment and fees are statutory and must be imposed. Please use these charts in calculating the proper penalty assessment and fees once you set the appropriate fine.

If you are in doubt as to which penalty assessment applies, feel free to ask the courtroom clerk as they deal with these issues on a daily basis.

Charts are also included showing the appropriate traffic school administrative fee depending on what penalty assessment applies to the particular case. Please use the charts when setting the traffic school fees and do not deviate from them.

Remember that a party is generally eligible for traffic school level 1 every 18 months. The time period runs from **date of citation to date of citation**. The envelope will often indicate whether the person has previously taken traffic school and the applicable dates. However, this is not a complete DMV record and the person may have attended traffic school recently and it will not show up. Since the defendant will now be pleading guilty or no contest and requesting traffic school the DMV will determine eligibility and will record a confidential conviction only if the defendant is eligible. Remember also that if the defendant holds a commercial license (even if the ticket is given while driving his/her own vehicle) or the ticket was issued while the defendant was driving a commercial vehicle, under federal law the defendant **may not** attend traffic school and the DMV will not mask the conviction.

The following fees are mandatory and should be imposed for both fines and traffic school fees:

- \$40.00 Court Operations Penalty Assessment
- \$35.00 Conviction Fee per infraction conviction
- \$30.00 Conviction Fee per misdemeanor conviction
- \$49.00 Traffic School Fee per case
- \$25.00 Correction Fee per corrected violation

People v. High, 119 CA4th 1192 (2004) requires that there be a record of the fines, fees and penalty assessments that are imposed by the court. You can assist in making this record by detailing the fine, penalty assessment and fees that you are imposing. For example if you are imposing a fine in a red light case you would say: $\$100+280+10+20+35+1=\446 . The charts included will help you the High requirement. The courtroom clerks have fine breakdown sheets in the courtroom to assist if you have any questions or difficulties.