


<h1>Revenue Distribution Breakout Session "Hands On"</h1>	
<p>Basic Review</p> <p><b>Presented by:</b> Keri Brasil, Chief Financial Officer, Merced Superior Court Henry Mathews, Policy Analyst, State Controller's Office</p>	

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<h2>Instruction Goals and Expectations</h2>
<ul style="list-style-type: none"> <li>• Provide information on basic concepts and terms regarding distributions necessary to complete distribution worksheets.</li> <li>• Using distribution worksheets attendees will learn hands-on how to:             <ul style="list-style-type: none"> <li>• Work through actual case studies of basic distributions.</li> <li>• Change information on the cases (priors, different base fines, etc.) to see their effect on the distributions.</li> </ul> </li> </ul>

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<h1>BASIC CONCEPTS AND TERMS</h1>	
	

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## Standard Criminal/Traffic Fine Equation

$$\begin{aligned} &\text{Base Fine + Base Fine Enhancements} \\ &= \\ &\quad \text{Total Base Fine} \\ &+ \\ &\quad \text{State and Local Penalties} \\ &= \\ &\quad \text{Initial Penalty} \\ &+ \\ &\quad \text{Surcharge, Fees, and Assessments} \\ &= \\ &\quad \text{Total Bail or Fine} \end{aligned}$$

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## Base Fine or Base Bail

- The amount from which the additional penalties and surcharge required by Penal Code § 1465.7 are calculated.
- Total bail shall not exceed statutory limits and minimum statutory amounts must be imposed.
- The 'fine' amount of the total bail shall not exceed the limitations specified by statute.  
UB&PS Section IV, pg. vii

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## Countywide Bail Schedules

The Council is not the only entity required to publish a bail schedule. Each individual court is required to prepare, adopt and annually revise a uniform countywide schedule of bail for all bailable felony offenses and for all misdemeanor and infraction offenses, except Vehicle Code infractions. Thus, while the Council is required to publish the traffic infraction schedule, the counties are responsible for all others.

Rule 4.102 additionally requires that, when performing those duties, counties "give consideration to the (UBPS) approved by the Judicial Council." After adopting their countywide bail schedule, courts must send a copy of their countywide schedule to the Council "with a report stating how the revised schedule differs from the (UBPS)."

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## Base Fine Enhancements

- Enhancement for Prior Vehicle Code (VC) Convictions  
UB&PS section VII, pg. viii
- \$10 may be added to the base fine for each "prior" conviction within 36 months of the new offense. Both the current and "prior" offense must be a moving violation where a "point" was assigned per VC § 12810 or VC § 12810.2. The \$10 prior enhancements are assessed for each prior violation on a single count (assessed only once per case). Prior enhancements do not apply to traffic school cases. (Distinguished from VC § 40508.6)
- Health & Safety Code (H&S) § 11372.5 - Criminal Lab Fee  
Trial Court Revenue Distribution Guidelines (*Guidelines*)
- Base fine enhancement of \$50 for each violation of the H&S code under subdivision (b).
- H&S § 11372.7 - County Drug Program Fee *Guidelines*
- Base fine enhancement of up to \$150 for each violation of the H&S sections 11350 through 11392 except H&S § 11357(b).

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## 2% State Court Automation

- Government Code § 68090.8 - 2% State Court Automation *Guidelines*
- Transferred from all fines, penalties, and forfeitures (not on surcharges or fees) collected in criminal cases.
- So, referring to our equation, 2% applies to the:
  - Base fine
  - Base fine enhancement
  - State and local penalties

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## State Surcharge

- PC § 1465.7 – 20% State Surcharge *Guidelines*
- 20% state surcharge is calculated on total **base fines**.
- The state surcharge is **NOT** calculated on State and local penalties (PC § 1464, GC § 70372, and GC § 76000.)
- The GC § 68090.8 2% state court automation is **NOT** applicable to the state surcharge.

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## State and Local Penalties

- These penalties are calculated using the "Per 10, or part of 10" factor from a **ROUNDED UP** base fine.
- State and Local Penalties UB&PS Section III A, pg. iii
  - PC § 1464 State penalty = \$10 per 10
  - GC § 76104.6 County DNA Identification Fund penalty = \$1 per 10
  - GC § 76104.7 state DNA Identification Fund additional penalty = \$4 per 10
  - GC § 70372(a) state court facilities construction penalty = \$5 per 10
  - GC § 76000(a) county penalty *per board of supervisors' resolution* = up to \$7 per 10
  - GC § 76000.5 emergency medical services (EMS) additional penalty *per board of supervisors' resolution* = \$2 per 10

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## Board of Supervisors Resolution

- Is there a list of assessments requiring a BOS resolution?
- If I do not have one, should I assess?
- How to obtain a BOS Resolution

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## State and Local Penalties

- PC § 1464 - State Penalty *Guidelines*
  - A penalty of \$10 per \$10 (or part of \$10) upon every fine, penalty, or forfeiture imposed - 70% goes to the State and 30% goes to the County.
- GC § 76000 (a) & (e) - County Penalties *Guidelines*
  - A penalty of up to \$7 per \$10 (or part of \$10) upon every fine, penalty, or forfeiture imposed (BOS).
  - Board resolution specifies distribution to the following local funds:
    - GC § 76100 Courthouse Construction Fund;
    - GC § 76101 Criminal Justice Facilities Fund;
    - GC § 76102 Auto Fingerprint ID Fund;
    - GC § 76103 Forensic Lab Fund;
    - GC § 76104 EMS Fund;
    - GC § 76104.5 DNA ID Fund; and/or
    - GC § 76105 Special Purpose Fund.
  - If responsibility for facilities transferred to State and **NO** bonded indebtedness remains, the additional penalty follows GC § 76000(e).

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## Transfer/ No Bonded Indebtedness

- Bonded Indebtedness – this is a debt that is secured by an issued bond with the monies received to be used to pay for Court Facilities.
- If the responsibility for one or more facilities has not transferred to the state, the revenues collected in the County's Courthouse Construction Funds will shift proportionally based on the square footage of the space that the County has transferred to the State.
  - For Example: if 75% of the County's Court Facility space transfers to the state and the revenues is not tied to bonded indebtedness on any of the Court Facilities, then 75% of the local courthouse construction fund would also transfer to the state.
- When this occurs, this affects how funds are collected under GC § 76000(a) or GC § 76000(e).

Additional Information can be found under GC § 70375.

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## Additional Penalties

- GC § 76104.6 - DNA Identification Penalty *Guidelines*
  - Additional penalty of \$1 per \$10 (or part of \$10) for every fine, penalty, or forfeiture imposed.
  - Assessed on all criminal offenses.
  - County transfers 25% to State each quarter.
- GC § 76104.7 - DNA Identification Penalty *Guidelines*
  - Additional penalty of \$4 per \$10 (or part of \$10) for every fine, penalty, or forfeiture imposed.
  - Assessed on all criminal offenses (for violations after June 27, 2012.)
  - County to transfer 100% to State.

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## Additional Penalties

- GC § 70372 (a) - Court Construction Penalty *Guidelines*
  - Additional penalty of \$5 per 10 (or part of \$10) upon every fine, penalty, or forfeiture imposed.
  - Distributed to the State CFCF.
- GC § 76000.5 - Emergency Medical Services (EMS) *Guidelines*
  - Additional penalty assessment of \$2 per 10 (or part of \$10) of the base fine (board of supervisors' resolution).
  - Distributed to the County Maddy EMS Fund

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## Additional Penalties

- GC § 76000.10(c)(1) \$4 EMAT Penalty  
UB&PS Section III F, pg. iv and *Guidelines*
- A \$4 penalty for emergency medical air transportation services (EMAT) is imposed for every Vehicle Code conviction, or a local ordinance adopted under the Vehicle Code, committed on or after January 1, 2011.
- Distributed to the State EMAT Fund
- *As the law stands today, imposition of EMAT penalty will end December 31, 2022, and collection of EMAT penalty will end December 31, 2023.*

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## Fees and Assessments

- PC § 1465.8 – Court Operations Assessment *Guidelines*
- \$40 assessed on every conviction for a criminal offense, including a traffic offense, except parking offenses as defined in subdivision (i) of Penal Code section 1463.
- "Conviction" includes the confidential conviction of a traffic violation on the condition that the defendant attend a court-ordered traffic violator school.
- 100% distribution to State TCTF.
- GC § 70373 – Criminal Conviction Assessment *Guidelines*
- \$30 assessed for each *felony/misdemeanor* conviction, or
- \$35 assessed for each *infraction* conviction (including confidential conviction for completion of traffic school.)
- 100% distribution to State CFCF

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## Fees and Assessments

- VC § 42006 -Night Court Special Assessment *Guidelines*
- Vehicle Code or local ordinance adopted where the court conducts night or weekend court sessions for traffic offenses.
- Court may levy a \$1 special assessment per fine, forfeiture, and traffic violator school fee imposed.
- When facilities have transferred w/o bonded indebtedness, the \$1 special assessment goes to the State.
- Non-parking violations

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## Recap of the Standard Criminal/Traffic Fine Equation/Formula

$$\begin{aligned} &\text{Base Fine + Base Fine Enhancements} \\ &= \\ &\quad \text{Total Base Fine} \\ &+ \\ &\quad \text{State and Local Penalties} \\ &= \\ &\quad \text{Initial Penalty} \\ &+ \\ &\quad \text{Surcharge, Fees, and Assessments} \\ &= \\ &\quad \text{Total Bail or Fine} \end{aligned}$$

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## Distribution Spreadsheets

Disclaimer: All spreadsheets have been updated to reflect what we believe are the statutes in effect as of **TODAY**. Thus, they are subject to change based on laws that are effective after today's training. These spreadsheets are used for testing and review and not configuration work. Be sure the fines, penalties, and fees reflect the statutes in effect for the period reviewed.



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## Components of the Distribution Spreadsheet



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Case Study 1 - Speeding Bail Forfeiture								
CASE INFORMATION								
Case Number	0	COUNT 1	Violation Description	BASE FINE	0			
Violation Date			Violation Type	Priors	0			
Disposition Date			Disposition	Enhanced BASE	0			
Arresting Agency		COUNT 2 (if any)	Disposition	BASE FINE	0			
County %	100%		Violation Description	Priors	0			
City %	0%		Violation Type	Enhanced BASE	0			
TOTAL Enhanced Base	\$0.00		Disposition	GC 76000	0	7		
Portion of 10	0							
2%	Per 10	DISTRIBUTION	DISTRIB ENTITY	STANDARD BASE-UP Per UBS	2% Amt	FINAL (After 2%)	COURT DISTRIBUTION DISTRIB CODE or DESCRIPTION	DISTRIB AMT
Y	0.00	PC 1463.001 - Base County	COUNTY	0.00	0.00	0.00		
Y	0.00	PC 1463.002 - Base City	CITY	0.00	0.00	0.00		
Y	7	PC 1464 - State PA - State portion (70%)	STATE	0.00	0.00	0.00		
Y	3	PC 1464 - State PA - County portion (30%)	COUNTY	0.00	0.00	0.00		
Y	0.75	GC 76104.6 - DNA PA (1/10) 75%		0.00	0.00	0.00		
Y	0.25	GC 76104.6 - DNA PA (1/10) 25%		0.00	0.00	0.00		
Y	4	GC 76104.7 - DNA Addl PA		0.00	0.00	0.00		
Y	2.00	GC 76100 - LCF		0.00	0.00	0.00		
Y	2.00	GC 76101 - LCF		0.00	0.00	0.00		
Y	1.50	GC 76104 - EMS		0.00	0.00	0.00		
Y	0.50	GC 76104.5 - DNA ID		0.00	0.00	0.00		
Y	1.00	GC 76102 - Auto		0.00	0.00	0.00		
Y	3.00	GC 76000.5 - EMS Addl PA (805: 2/10)	COUNTY	0.00	0.00	0.00		
Y	3.00	GC 76000.10(c) - EMAT Penalty (\$4 eff 10-19-10)	STATE	0.00	0.00	0.00		
Y	5.00	GC 70372(a) - SCFCF (5/10)	STATE	0.00	0.00	0.00		
N		PC 1465.7 - 20% Surcharge	STATE	0.00	0.00	0.00		
		<b>SUBTOTAL</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>		<b>0.00</b>
N		PC 1465.8 - Court Ops Assmnt (\$40 eff 10-19-10)	STATE	0.00	0.00	0.00		
N		GC 70373 - Crim Conv Assmnt (\$30 for misd/335 for infr)	STATE	0.00	0.00	0.00		
N		VC 42008.6 - Priors/DMV Admin Fee (up to \$10)	COURT	0.00	0.00	0.00		
N		VC 42008 - Night Court Assmnt (\$1)	STATE	0.00	0.00	0.00		
N		GC 68090.8 - 2% State Automation (for fines, penalties & forfeitures)	STATE	0.00	0.00	0.00		
		<b>TOTAL FINE</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>TOTAL</b>	<b>0.00</b>

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Case Study 1 - Speeding Bail Forfeiture								
CASE INFORMATION								
Case Number	0	COUNT 1	Violation Description	BASE FINE	0			
Violation Date			Violation Type	Priors	0			
Disposition Date			Disposition	Enhanced BASE	0			
Arresting Agency		COUNT 2 (if any)	Disposition	BASE FINE	0			
County %	100%		Violation Description	Priors	0			
City %	0%		Violation Type	Enhanced BASE	0			
TOTAL Enhanced Base	\$0.00		Disposition	GC 76000	0	7		
Portion of 10	0							
2%	Per 10	DISTRIBUTION	DISTRIB ENTITY	STANDARD BASE-UP Per UBS	2% Amt	FINAL (After 2%)	COURT DISTRIBUTION DISTRIB CODE or DESCRIPTION	DISTRIB AMT
Y	0.00	PC 1463.001 - Base County	COUNTY	0.00	0.00	0.00		
Y	0.00	PC 1463.002 - Base City	CITY	0.00	0.00	0.00		
Y	7	PC 1464 - State PA - State portion (70%)	STATE	0.00	0.00	0.00		
Y	3	PC 1464 - State PA - County portion (30%)	COUNTY	0.00	0.00	0.00		
Y	0.75	GC 76104.6 - DNA PA (1/10) 75%		0.00	0.00	0.00		
Y	0.25	GC 76104.6 - DNA PA (1/10) 25%		0.00	0.00	0.00		
Y	4	GC 76104.7 - DNA Addl PA		0.00	0.00	0.00		
Y	2.00	GC 76100 - LC		0.00	0.00	0.00		
Y	2.00	GC 76101 - LC		0.00	0.00	0.00		
Y	1.50	GC 76104 - ER		0.00	0.00	0.00		
Y	0.50	GC 76104.5 -		0.00	0.00	0.00		
Y	1.00	GC 76102 - Auto		0.00	0.00	0.00		
Y	3.00	GC 76000.5 - EMS Addl PA (805: 2/10)	COUNTY	0.00	0.00	0.00		
Y	3.00	GC 76000.10(c) - EMAT Penalty (\$4 eff 10-19-10)	STATE	0.00	0.00	0.00		
Y	5.00	GC 70372(a) - SCFCF (5/10)	STATE	0.00	0.00	0.00		
N		PC 1465.7 - 20% Surcharge	STATE	0.00	0.00	0.00		
		<b>SUBTOTAL</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>		<b>0.00</b>
N		PC 1465.8 - Court Ops Assmnt (\$40 eff 10-19-10)	STATE	0.00	0.00	0.00		
N		GC 70373 - Crim Conv Assmnt (\$30 for misd/335 for infr)	STATE	0.00	0.00	0.00		
N		VC 42008.6 - Priors/DMV Admin Fee (up to \$10)	COURT	0.00	0.00	0.00		
N		VC 42008 - Night Court Assmnt (\$1)	STATE	0.00	0.00	0.00		
N		GC 68090.8 - 2% State Automation (for fines, penalties & forfeitures)	STATE	0.00	0.00	0.00		
		<b>TOTAL FINE</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>TOTAL</b>	<b>0.00</b>

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Case Study 1 - Speeding Bail Forfeiture								
CASE INFORMATION								
Case Number	0	COUNT 1	Violation Description	BASE FINE	0			
Violation Date			Violation Type	Priors	0			
Disposition Date			Disposition	Enhanced BASE	0			
Arresting Agency		COUNT 2 (if any)	Disposition	BASE FINE	0			
County %	100%		Violation Description	Priors	0			
City %	0%		Violation Type	Enhanced BASE	0			
TOTAL Enhanced Base	\$0.00		Disposition	GC 76000	0	7		
Portion of 10	0							
2%	Per 10	DISTRIBUTION	DISTRIB ENTITY	STANDARD BASE-UP Per UBS	2% Amt	FINAL (After 2%)	COURT DISTRIBUTION DISTRIB CODE or DESCRIPTION	DISTRIB AMT
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Y	0.00	PC 1463.002 - Base City	CITY	0.00	0.00	0.00		
Y	7	PC 1464 - State PA - State portion (70%)	STATE	0.00	0.00	0.00		
Y	3	PC 1464 - State PA - County portion (30%)	COUNTY	0.00	0.00	0.00		
Y	0.75	GC 76104.6 - DNA PA (1/10) 75%		0.00	0.00	0.00		
Y	0.25	GC 76104.6 - DNA PA (1/10) 25%		0.00	0.00	0.00		
Y	4	GC 76104.7 - DNA Addl PA		0.00	0.00	0.00		
Y	2.00	GC 76100 - LCF		0.00	0.00	0.00		
Y	2.00	GC 76101 - LCF		0.00	0.00	0.00		
Y	1.50	GC 76104 - ER		0.00	0.00	0.00		
Y	0.50	GC 76104.5 -		0.00	0.00	0.00		
Y	1.00	GC 76102 - Auto		0.00	0.00	0.00		
Y	3.00	GC 76000.5 - EMS Addl PA (805: 2/10)	COUNTY	0.00	0.00	0.00		
Y	3.00	GC 76000.10(c) - EMAT Penalty (\$4 eff 10-19-10)	STATE	0.00	0.00	0.00		
Y	5.00	GC 70372(a) - SCFCF (5/10)	STATE	0.00	0.00	0.00		
N		PC 1465.7 - 20% Surcharge	STATE	0.00	0.00	0.00		
		<b>SUBTOTAL</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>		<b>0.00</b>
N		PC 1465.8 - Court Ops Assmnt (\$40 eff 10-19-10)	STATE	0.00	0.00	0.00		
N		GC 70373 - Crim Conv Assmnt (\$30 for misd/335 for infr)	STATE	0.00	0.00	0.00		
N		VC 42008.6 - Priors/DMV Admin Fee (up to \$10)	COURT	0.00	0.00	0.00		
N		VC 42008 - Night Court Assmnt (\$1)	STATE	0.00	0.00	0.00		
N		GC 68090.8 - 2% State Automation (for fines, penalties & forfeitures)	STATE	0.00	0.00	0.00		
		<b>TOTAL FINE</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>TOTAL</b>	<b>0.00</b>

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

2%	Per 10	DISTRIBUTION	DISTRIB ENTITY	STANDARD		BASE SUPP		COURT DISTRIBUTION	
				Standard Per UB&S	2% Amt	FINAL (After 2%)	DISTRIB CODE OR DESCRIPTION	DISTRIB AMT	
						A			B
Y	1	PC 1463.001 - Base County	COUNTY	0.00	0.00	0.00			
Y	1	PC 1463.002 - Base City	CITY	0.00	0.00	0.00			
Y	7	PC 1463.003 - Base County	COUNTY	0.00	0.00	0.00			
Y	8	PC 1463.004 - Base City	CITY	0.00	0.00	0.00			
Y	9	PC 1463.005 - Base County	COUNTY	0.00	0.00	0.00			
Y	9	PC 1463.006 - Base City	CITY	0.00	0.00	0.00			
Y	10	PC 1463.007 - Base County	COUNTY	0.00	0.00	0.00			
Y	10	PC 1463.008 - Base City	CITY	0.00	0.00	0.00			
Y	2.00	GC 76000 - Court Operations Assessment	STATE	0.00	0.00	0.00			
Y	5.00	GC 70372(a) - SCFCF 157107	STATE	0.00	0.00	0.00			
N		PC 1465.7 - 20% Surcharge		0.00	0.00	0.00			
		SUBTOTAL		0.00	0.00	0.00			0.00
N		PC 1465.8 - Court Ops Assmnt (\$40 eff 10-19-10)	STATE	0.00	0.00	0.00			
N		GC 70373 - Crim Conv Assmnt (\$30 for misd/\$35 for infr)	STATE	0.00	0.00	0.00			
N		VC 42008 & - Priority DMV Admin Fee (up to \$10)	COURT	0.00	0.00	0.00			
N		VC 42006 - Night Court Assmnt (\$1)	STATE	0.00	0.00	0.00			
N		GC 68090.8 - 2% State Automation (for fines, penalties & forfeitures)	STATE	0.00	0.00	0.00			
		TOTAL FINE		0.00	0.00	0.00			0.00

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## Case Studies



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## Reference Materials

In general, there are resources you may find useful:

- Statutes
- Uniform Bail and Penalty Schedule (UB&PS)
- State Controller's Office *Trial Court Revenue Distribution Guidelines* (Guidelines)
- Spreadsheets

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## Items Needed to Test a Distribution

1. Gather information about the citation
  - Violation and conviction dates
  - Local penalties, fines, assessments, etc.
  - Board of Supervisor Resolution
2. Review statutes
3. Refer to Guidelines and FAQs
4. Refer to the UB&PS
5. Call/email for assistance only after going through 1-4 (since we will go through these same steps!)

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## Crosswalk

- Resource tying *Trial Court Revenue Distribution Guidelines* and other resources
- Minimizes Research Time
  - FAQ's
  - Uniform Bail & Penalty Schedule



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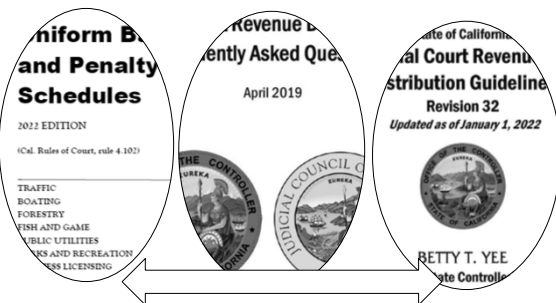
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## How does the Crosswalk work?



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**JUDICIAL COUNCIL OF CALIFORNIA**

**CROSSWALK BETWEEN TRIAL COURT REVENUE DISTRIBUTION GUIDELINES, THE UNIFORM BAIL & PENALTY SCHEDULES, AND FAQs**

The codes and any guidelines contained in this document, Trial Court Revenue Distribution Guidelines, the Uniform Bail and Penalty Schedules, and distribution templates are subject to the effective dates as stated in the specific sections. Refer to the current code to ensure the most current language is implemented.

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

Index	Code Section	Code Description	Violation	FAQ	Description	Pg
2.4	5	PC 1463.14(a)	Lab Fines for Convictions of Driving Under the Influence or Reckless Driving (collected as a fine, distributed as a fee)			
			DCJ Motor			
			VC 23152		DUI, witness	40
			VC 23153		DUI, causing injury	40
			Reckless Driving Under			
			VC 23103	C31	Reckless driving	48
			VC 23104	C31	Reckless driving, bodily injury	48
			VC 23105		Reckless driving, specific injury	48

[www.courts.ca.gov/revenue-distribution.htm](http://www.courts.ca.gov/revenue-distribution.htm)

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**TRAFFIC INFRACTION FIXED PENALTY SCHEDULE**  
(The Uniform Sections 801 (The Traffic Section 801))

Violation Code	Violation Description	Star		County	EMV PA* PA/10	EMV PA** PA/10	EMV PA*** PA/10	Fair Shareage A/P.A. Subtotal	County VPS	Traffic Court	TAP Fee	Total Bail **See	County Points				
		State	Fee														
22340 (b)	Speeding 2-24 MPH Over 55 MPH Limit	100	100	70	830	8	20%	2	4	40	35	1	0	400	Aa	1	
22340 (b)	Speeding 1-23 MPH Over 55 MPH Limit	15	40	28	20	7	8	4	162	40	35	1	0	238	Aa	1	
22340 (b)	Speeding 16-23 MPH Over 55 MPH Limit	70	70	40	10	14	14	4	202	40	35	1	0	347	Aa	1	
22350	Unsafe Speed for Prevailing Conditions 2-24 MPH Over Limit	100	100	70	50	20	20	4	414	40	35	1	0	400	Aa	1	
22350	Unsafe Speed for Prevailing Conditions 1-23 MPH Over Limit	15	40	28	20	7	8	4	162	40	35	1	0	238	Aa	1	
22350	Unsafe Speed for Prevailing Conditions 16-23 MPH Over Limit	70	70	40	10	14	14	4	202	40	35	1	0	347	Aa	1	
22351 (a)(3)	Driving in Excess of Posted Speed Limits Established in VC 22352	[See Speed Chart]														Aa	1
22352 (a)(1)	Operating Vehicle in Excess of 15 MPH in Business District	[See Speed Chart]														Aa	1
22352 (a)(2)	Operating Vehicle in Excess of 15 MPH in Any Alley	[See Speed Chart]														Aa	1
22352 (b)(1)	Operating Vehicle in Excess of 25 MPH in Business District	[See Speed Chart]														Aa	1
22352 (b)(2)	Operating Vehicle in Excess of 25 MPH in School	[See Speed Chart]														Aa	1
22352 (b)(3)	Operating Vehicle in Excess of 25 MPH in Senior Center	[See Speed Chart]														Aa	1
22354 (a)	Failure to Obey by Speed Limits Set by the State Department of Transportation (DOT) on State Highways	[See Speed Chart]														Aa	1
22355	Failure to Obey by Variable Speed Limits Set by the State Department of Transportation (DOT)	[See Speed Chart]														Aa	1
22356 (b)	Exceeding 70 MPH Maximum Speed, 2-24 MPH Over Limit	[See Speed Chart]														Aa	1
22356 (b)	Exceeding Maximum Speed Limit of 70 MPH, 16-23 MPH Over Limit	[See Speed Chart]														Aa	1
22357	Violation of Posted Speed Limit	[See Speed Chart]														Aa	1
22358	Violation of Local Speed Limit	[See Speed Chart]														Aa	1
22359	Violation of Posted Speed Limit on Native Street	[See Speed Chart]														Aa	1
22359.4	Violation of Posted Speed Limit on Native Street	[See Speed Chart]														Aa	1

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## Preparing for the Calculations

Gather information *(from the case management system/case file)* including:

- Codes violated
- Violation date and conviction date
- Prior violations
- Base fine and enhancements for total base fine *(how much was assessed)*
- Arresting agency – county, city, CHP,
- Disposition on each count (conviction, dismissed, traffic school)

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<h2 style="margin: 0;">Case Study #1</h2> <p style="margin: 5px 0;">Speeding 1 to 15 MPH over 55 MPH Limit VC 22349(b) Infraction Basic distribution template</p> <p style="margin: 10px 0;"><i>Please refer to the case study handout to follow along the case study exercises on the upcoming slides.</i></p>	
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## Information for Speeding Case Example #1

**San Diego Court Case Information:**

- Violation Date = 1/16/2022
- Disposition Date = 3/24/2022
- 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

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## Arresting Agency: County and City % Split Information (Refer to PC § 1463.002)

**PENAL CODE - PEN**  
**PART 2. OF CRIMINAL PROCEDURE [681 - 1620]**  
*( Part 2 enacted 1872. )*

**TITLE 11. PROCEEDINGS IN MISDEMEANOR AND INFRACTION CASES AND APPEALS FROM SUCH CASES [1427 - 1471]**  
*( Heading of Title 11 amended by Stats. 1998, Ch. 931, Sec. 407. )*

**CHAPTER 1. Proceedings in Misdemeanor and Infraction Cases [1427 - 1465.8]**  
*( Heading of Chapter 1 amended by Stats. 1998, Ch. 931, Sec. 408. )*

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

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County and City % Split Information  
(Refer to PC § 1463.002) *Continued*

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




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County and City % Split Information  
(Refer to PC § 1463.002) *Applied*

CASE INFORMATION	
Case Number	0
Violation Date	1/16/2022
Disposition Date	3/24/2022
Arresting Agency	Coronado PD
County %	25%
City %	75%

*\*Enter the Percentage identified into the County Line*

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Information for Speeding Case #1

**Local County BOS Penalties:**

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

**Court Fees:**

- PC § 1465.8 – Court Ops Assessment = \$40
- GC § 70373 – Criminal Conviction Assessment = \$35
- Night Court Fee = \$1

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### Case Study 1 - Speeding Bail Forfeiture

CASE INFORMATION			
Case Number	0	COUNT 1	VC 22349(b)
Violation Date	1/16/2022	Violation Description	1-15 MPH over 55 MPH
Disposition Date	3/24/2022	Violation Type	Traffic Infraction
Arresting Agency	Coronado PD	Disposition	Bail Forfeiture
County %	25%	COUNT 2 (if any)	
City %	75%	Violation Description	Priors
TOTAL Enhanced Base	\$0.00	Violation Type	Enhanced BASE
Portion of 10	0	Disposition	GC 76000

2%	Per 10	DISTRIBUTION	DISTRIB ENTITY	STANDARD BASE-UP			COURT DISTRIBUTION	
				Standard Per UBS	2% Amt	FINAL (After 2%)	DISTRIB CODE or DESCRIPTION	DISTRIB AMT
				A			B	
Y	1	PC 1463.001 - Base County	COUNTY	0.00	0.00	0.00		
Y	3	PC 1463.002 - Base City	CITY	0.00	0.00	0.00		
Y	7	PC 1464 - State PA - State portion (70%)	STATE	0.00	0.00	0.00		
Y	3	PC 1464 - State PA - County portion (30%)	COUNTY	0.00	0.00	0.00		
Y	0.75	GC 76104.6 - DNA PA (1/10) 75%	COUNTY	0.00	0.00	0.00		
Y	0.25	GC 76104.6 - DNA PA (1/10) 25%	STATE	0.00	0.00	0.00		
Y	4	GC 76104.7 - DNA Addl PA (4/10 eff 6-27-12; prev 3/10)	STATE	0.00	0.00	0.00		
Y	0.00	GC 76100 - LCCF	COUNTY	0.00	0.00	0.00		
Y	0.00	GC 76101 - LCF	COUNTY	0.00	0.00	0.00		
Y	0.00	GC 76104 - EMS	COUNTY	0.00	0.00	0.00		
Y	0.00	GC 76104.5 - DNA ID	COUNTY	0.00	0.00	0.00		
Y	0.00	GC 76102 - Auto	COUNTY	0.00	0.00	0.00		
Y	0.00	GC 76000.5 - EMS Addl PA (BOS: 2/10)	COUNTY	0.00	0.00	0.00		
Y	5.00	GC 76000.10(c) - EMAT Penalty (\$4 eff 1-1-11)	STATE	0.00	0.00	0.00		
Y	5.00	GC 70372(a) - SCF CF (5/10)	STATE	0.00	0.00	0.00		
N		PC 1465.7 - 20% Surcharge	STATE	0.00	0.00	0.00		
				SUBTOTAL			0.00	0.00

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## Local Penalty: Select County

Please choose the county: San Diego

**Test for Local Penalties**

Has the county transferred responsibility for court facilities to the State? Yes

Has county paid off all indebtedness for court facilities? Yes

**GC 76000 Local Penalties for San Diego County \$ 7.00**

County	GC 76000 (a)
Riverside	\$4.50
Sacramento	\$5.00
San Benito	\$5.00
San Bernardino	\$5.00
<b>San Diego</b>	<b>\$7.00</b>
San Francisco	\$6.99
San Joaquin	\$3.75
San Luis Obispo	\$5.00
San Mateo	\$4.75
Santa Barbara	\$3.50
Santa Clara	\$5.50
Santa Cruz	\$7.00
Shasta	\$3.50

Select the County from Drop-down List

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## Add Local Penalties & Court Fees

Y/N	Def	Pen	ENTITY	Per UBS	
Y	1	PC 1463.001 - Base County	COUNTY	8.75	
Y	3	PC 1463.002 - Base City	CITY	26.25	
Y	7	PC 1464 - State PA - State portion (70%)	STATE	28.00	
Y	3	PC 1464 - State PA - County portion (30%)	COUNTY	12.00	
Y	0.75	GC 76104.6 - DNA PA (1/10) 75%	COUNTY	3.00	
Y	0.25	GC 76104.6 - DNA PA (1/10) 25%	STATE	1.00	
Y	4	GC 76104.7 - DNA Addl PA (4/10 eff 6-27-12; prev 3/10)	STATE	16.00	
Y	0.00	GC 76100 - LCCF	COUNTY	8.00	
Y	0.00	GC 76101 - LCF	COUNTY	8.00	
Y	0.00	GC 76104 - EMS	COUNTY	6.00	
Y	0.00	GC 76104.5 - DNA ID	COUNTY	2.00	
Y	0.00	GC 76102 - Auto Fingerprint	COUNTY	4.00	
Y	0.00	GC 76000.5 - EMS Addl PA (BOS: 2/10)	COUNTY	8.00	
Y		GC 76000.10(c) - EMAT Penalty (\$4 eff 1-1-11)	STATE	4.00	
Y	5.00	GC 70372(a) - SCF CF (5/10)	STATE	20.00	
N		PC 1465.7 - 20% Surcharge	STATE	7.00	
				SUBTOTAL	162.00
N		PC 1465.8 - Court Ops Assmt (\$40 eff 10-19-10)	STATE	40.00	
N		GC 70373 - Crim Conv Assmt (\$30 for misd/\$35 for inf)	STATE	35.00	
N		VC 40508.6 - Priors/DMV Admin Fee (up to \$10)	COURT	0.00	
N		VC 42206 - Night Court Assmt (\$1)	STATE	1.00	
N		GC 68090.8 - 2% State Automation (for fines, penalties &	STATE		

GC § 76000 BOS Penalties

EMAT Fee

Court Fees

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# Information for Speeding Case #1: UB&PS

**TRAFFIC INFRACTION FINE SCHEDULE**  
(\*See Preface, Section III) (\*\*See Preface, Section IV)  
(Table Code)

Section	Offense	Base Fine Per Offense	State FA* Per Offense	County FA** Per Offense	DISA FA*	Count FA**	Subtotal*	DISA FA** Subtotal	Fee Per Offense & FA Subtotal	County Addition Subtotal	TAP Fee	Total Fine	Total Bal Comptony	DMV Points			
22349 (b)	Speeding 2-24 MPH Over 55 MPH Limit	100	100	70	518	5	264	2	4	40	35	1	0	400	4a	1	
22349 (b)	Speeding 1-15 MPH Over 55 MPH Limit	35	40	28	128	28	7	8	4	182	40	35	1	0	238	4a	1
22349 (b)	Speeding 16-25 MPH Over 55 MPH Limit	70	70	49	159	15	14	14	4	201	40	35	1	0	387	4a	1
22350	Unsafe Speed for Prevailing Conditions 2-24 MPH Over Limit	100	100	70	518	5	264	2	4	40	35	1	0	400	4a	1	
22350	Unsafe Speed for Prevailing Conditions 1-15 MPH Over Limit	35	40	28	128	28	7	8	4	182	40	35	1	0	238	4a	1
22350	Unsafe Speed for Prevailing Conditions 16-25 MPH Over Limit	70	70	49	159	15	14	14	4	201	40	35	1	0	387	4a	1

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Enter Violation Information Here      Enter Base Fine Here

**Case Study 1 - Speeding E Forfeiture**

<b>COUNT 1</b>	VC 22349(b)	<b>BASE FINE</b>	35
<b>Violation Description</b>	1-15 MPH over 55 MPH	<b>Priors</b>	0
<b>Violation Type</b>	Traffic Infraction	<b>Enhanced BASE</b>	35
<b>Disposition</b>	Bail Forfeiture		
<b>COUNT 2 (if any)</b>		<b>BASE FINE</b>	0
<b>Violation Description</b>		<b>Priors</b>	
<b>Violation Type</b>		<b>Enhanced BASE</b>	0
<b>Disposition</b>		GC 76000	7

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Check the SUBTOTAL to the UB&PS

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Case Study 1 - Speeding Bail Forfeiture								
<b>CASE INFORMATION</b>								
Case Number	0	COUNT 1	VC22349(b)	BASE FINE	35			
Violation Date	3/16/2022	Violation Description	5-15 MPH over 55 MPH	Priors	0			
Disposition Date	3/24/2022	Violation Type	Traffic infraction	Enhanced BASE	35			
Arresting Agency	Concordia PD	Disposition	Bail Forfeiture					
County %	25%	COUNT 2 (if any)		BASE FINE	0			
City %	75%	Violation Description		Priors	0			
TOTAL Enhanced Base Portion of 10	\$35.00	Violation Type		Enhanced BASE	0			
	4	Disposition		GC 76200	0			
STANDARD FINE/AMT								
% of Total	Per 10	DISTRIBUTION	DISTRIB ENTITY	Standard Per Amt	2% Amt	FINAL (After 2%)	DISTRIB CODE or DESCRIPTION	DISTRIB AMT
						A		B
Y	1	PC 1463.003 - Base County	COUNTY	8.75	0.18	8.58		
Y	1	PC 1463.002 - Base City	CITY	26.25	0.53	25.73		
Y	7	PC 1464 - State PA - State portion (70%)	STATE	28.00	0.56	27.44		
Y	3	PC 1464 - State PA - County portion (30%)	COUNTY	12.00	0.24	11.76		
Y	0.75	GC 76104.6 - DNA PA (1/10) 75%	COUNTY	3.00	0.06	2.94		
Y	0.25	GC 76104.6 - DNA PA (1/10) 25%	STATE	1.00	0.02	0.98		
Y	4	GC 76104.7 - DNA Addl PA (1/10 eff 6-27-12; prev 3/10)	STATE	16.00	0.32	15.68		
Y	2.00	GC 76100 - LCCF	COUNTY	8.00	0.16	7.84		
Y	2.00	GC 76101 - LCF	COUNTY	8.00	0.16	7.84		
Y	1.36	GC 76104 - EMS	COUNTY	6.00	0.12	5.88		
Y	0.56	GC 76104.3 - DNA ID	COUNTY	2.00	0.04	1.96		
Y	1.00	GC 76102 - Auto Fingerprint	COUNTY	4.00	0.08	3.92		
Y	2.00	GC 76000.1 - EMS Addl PA (6/03, 2/10)	COUNTY	8.00	0.16	7.84		
Y	1.00	GC 76000.10(c) - EMAT Penalty (\$4 eff 1-1-11)	STATE	4.00	0.08	3.92		
Y	5.00	GC 70372(a) - SCFCF (5/10)	STATE	20.00	0.40	19.60		
N		PC 1463.7 - 20% Surcharge	STATE	7.00	0.00	7.00		
SUBTOTAL				162.00		158.90		0.00
N		PC 1465.8 - Court Ops Assmt (\$40 eff 10-19-10)	STATE	40.00	0.00	40.00		
N		GC 70373 - Crim Conv Assmt (\$30 for infra/\$35 for infri)	STATE	35.00	0.00	35.00		
N		VC 40508.6 - Priors/DMV Admin Fee (up to \$10)	COURT	0.00	0.00	0.00		
N		VC 42006 - Night Court Assmt (\$1)	STATE	1.00	0.00	1.00		
N		GC 88000.8 - 2% State Automation (for fines, penalties & forfeitures)	STATE			3.10		
TOTAL FINE				238.00	3.10	238.00	TOTAL	0.00

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### Case Studies Basic Distributions Session A

#### Case Study #1: Speeding, UB&PS

Section	Number	Offense	Base Fine	State %	County %	DMS Fee	Court Ops Assmt	DMV Fee	DMV Penalty								
2248	(b)	Speeding 1-15 MPH Over 55 MPH Lane	\$9.00	7%	\$38	1	\$38	1.2%	2	4	40	35	1	0	400	40	
2248	(b)	Speeding 15-30 MPH Over 55 MPH Lane	15	10	28	2	1	1	1	1	1	1	1	1	250	16	1
2248	(b)	Speeding 30-50 MPH Over 55 MPH Lane	30	15	40	3	1	1	1	1	1	1	1	1	300	16	1
2248	(b)	Speeding 50-75 MPH Over 55 MPH Lane	60	20	70	4	1	1	1	1	1	1	1	1	400	16	1
2248	(b)	Speeding 75-100 MPH Over 55 MPH Lane	100	25	100	5	1	1	1	1	1	1	1	1	450	16	1
2248	(b)	Speeding 100 MPH Over 55 MPH Lane	150	30	150	6	1	1	1	1	1	1	1	1	500	16	1
2248	(b)	Speeding 100-150 MPH Over 55 MPH Lane	200	35	200	7	1	1	1	1	1	1	1	1	550	16	1
2248	(b)	Speeding 150-200 MPH Over 55 MPH Lane	300	40	300	8	1	1	1	1	1	1	1	1	600	16	1
2248	(b)	Speeding 200 MPH Over 55 MPH Lane	400	45	400	9	1	1	1	1	1	1	1	1	650	16	1
2248	(b)	Speeding 200+ MPH Over 55 MPH Lane	500	50	500	10	1	1	1	1	1	1	1	1	700	16	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.

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### Case No. 1 Scenario 2

- Add one prior
- What happens to the base fine and the distribution?

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# Prior Convictions

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 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.

*Uniform Bail and Penalty Schedule (2022), pg. viii*

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By adding the number of prior(s) to the worksheet the total fine amount changes from \$238.00 to \$279.00.

CASE INFORMATION				BASE FINE	Priors
Case Number	0	COUNT 1	VC 22349(b)	35	1
Violation Date	1/16/2022	Violation Description			
Disposition Date	3/24/2022	Violation Type	Traffic Infraction	Enhanced BASE	45
Arresting Agency	Coronado PD	Disposition	Bail Forfeiture		
County %	25%	COUNT 2 (if any)		BASE FINE	0
City %	75%	Violation Description			Priors
TOTAL Enhanced Base	\$45.00	Violation Type		Enhanced BASE	0
Portion of 10	5	Disposition	GC 76000		7

TOTAL FINE **279.00** **279.00**

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# Moving Violations

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

Section	Notes	Offense	Base Fine PA*	State PA**	County PA**	ENL.BA†	Count PA*10	Enhancement PA**	EMV PA**	Fee PA**	Base & PA Subtotal	Count UPR†	Class. - Alcohol Nights Count	TAP Fee	Total Base Fee	Total Base Fee +TAP	Penalty Points
21805 (b)		Violations of Right-of-Way at Signalized Crossing	35	40	28	20	20	7	8.4	162	40	35	1	0	238	2a	1
21805 (c)		Violations of Right-of-Way at Roundabout	25	30	21	15	15	5	6.4	121	40	35	1	0	197	1a	0
21806 (A)		Failure to Yield to Emergency Vehicle	100	100	70	50	50	20	20.4	414	40	35	1	0	490	4a	1
21806 (B)		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)		Failure to Stop When Approaching and Passing Stagnant Emergency Vehicle or Tow Truck Displaying Specific Lights	35	40	28	20	20	7	8.4	162	40	35	1	0	238	2a	1
21910 (a)		Failure to Yield Right-of-Way at Crosswalk	35	40	28	20	20	7	8.4	162	40	35	1	0	238	2a	1
21910 (b)		Failure to Yield Right-of-Way at Crosswalks Regulated	25	30	21	15	15	5	6.4	121	40	35	1	0	197	1a	0
21911		Obstructing Vehicle Stopped for Pedestrian	100	100	70	50	50	20	20.4	414	40	35	1	0	490	4a	1
21912		Failure to Yield Right-of-Way or Subsequent to Pedestrian	35	40	28	20	20	7	8.4	162	40	35	1	0	238	2a	1
21913		Pedestrian Must Use Transit or Overhead Crossing	25	30	21	15	15	5	6.4	121	40	35	1	0	197	1a	0
21914		Pedestrian Must Yield Right-of-Way Outside of Crosswalk	25	30	21	15	15	5	6.4	121	40	35	1	0	197	1a	0
21914 (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

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## Continuing with Prior Convictions and Moving Violations

Since we know this violation carries a DMV point, we will be adding the \$10 DMV Priors Fee on line 38 for the VC § 40508.6 DMV/Administrative Fee. This administrative fee pays for the court costs of recording the prior conviction(s) and/or submitting information to DMV.

36	N	PC 1465.8 - Court Ops Assmnt (\$40 eff 10-19-10)	STATE	40.00	0.00	40.00
37	N	GC 70373 - Crim Conv Assmnt (\$30 for misd/\$35 for infr)	STATE	35.00	0.00	35.00
38	N	VC 40508.6 - Priors/DMV Admin Fee (up to \$10)	COURT	10.00	0.00	10.00
39	N	VC 42006 - Night Court Assmnt (\$1)	STATE	1.00	0.00	1.00
40	N	GC 68090.8 - 2% State Automation (for fines, penalties & forfeitures)	STATE			3.88
41						3.88
42		<b>TOTAL FINE</b>		<b>289.00</b>		<b>289.00</b>

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CASE INFORMATION				COUNT 1		COUNT 2 (if any)		BASE FINE	
Case Number	0	Violation Date	3/16/2022	Violation Description	VC 23349(b)	Disposition	1-15 MPH over 55 MPH	Enhanced BASE	Priors
Disposition Date	3/24/2022	Arresting Agency	Colorado PD	Violation Type	Traffic Infraction	Disposition	Bail Forfeiture	Enhanced BASE	45
County %	25%	City %	75%	Violation Description		Disposition		Enhanced BASE	0
TOTAL Enhanced Base	\$45.00	Portion of 10	5	Violation Type		Disposition		Enhanced BASE	0

2% Per Car Fee	DISTRIBUTION	DISTRIB ENTITY	STANDARD BASE-UP			COURT DISTRIBUTION	
			Standard Per URS	2% Amt	FINAL (After 2%)	DISTRIB CODE or DESCRIPTION	DISTRIB AMT
	PC 1463.001 - Base County	COUNTY	11.25	0.23	11.03		
	PC 1463.002 - Base City	CITY	33.75	0.68	33.08		
	PC 1464 - State PA - State portion (70%)	STATE	35.00	0.70	34.30		
	PC 1464 - State PA - County portion (30%)	COUNTY	15.00	0.30	14.70		
	GC 76104.6 - DNA PA (1/10) 75%	COUNTY	3.75	0.08	3.68		
	GC 76104.6 - DNA PA (1/10) 25%	STATE	1.25	0.03	1.21		
	GC 76104.7 - DNA Addl PA (4/10 eff 6-27-12; prev 3/10)	STATE	20.00	0.40	19.60		
	GC 76100 - LCCF	COUNTY	10.00	0.20	9.80		
	GC 76101 - LCF	COUNTY	10.00	0.20	9.80		
	GC 76104 - EMS	COUNTY	7.50	0.15	7.35		
	GC 76104.5 - DNA ID	COUNTY	2.50	0.05	2.45		
	GC 76102 - Auto Fingerprint	COUNTY	5.00	0.10	4.90		
	GC 76000.5 - EMS Addl PA (805- 2/10)	COUNTY	10.00	0.20	9.80		
	GC 76000.10(c) - EMAT Penalty (\$4 eff 1-1-11)	STATE	4.00	0.08	3.92		
	GC 70372(a) - SPCF (5/10)	STATE	25.00	0.50	24.50		
	PC 1465.7 - 25% surcharge	STATE	9.00	0.00	9.00		
	<b>SUBTOTAL</b>		<b>263.00</b>		<b>199.12</b>		<b>0.00</b>
	PC 1465.8 - Court Ops Assmnt (\$40 eff 10-19-10)	STATE	40.00	0.00	40.00		
	GC 70373 - Crim Conv Assmnt (\$30 for misd/\$35 for infr)	STATE	35.00	0.00	35.00		
	VC 40508.6 - Priors/DMV Admin Fee (up to \$10)	COURT	10.00	0.00	10.00		
	VC 42006 - Night Court Assmnt (\$1)	STATE	1.00	0.00	1.00		
	GC 68090.8 - 2% State Automation (for fines, penalties & forfeitures)	STATE			3.88		
	<b>TOTAL FINE</b>		<b>289.00</b>		<b>289.00</b>	<b>TOTAL</b>	<b>0.00</b>

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## Case No. 1 Scenario 3

- What if the judicial officer simply orders the defendant to pay \$200?
- What do you do?
- What happens to the distribution?

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## Top-Down Distribution Speeding Spreadsheet

### ASSUMPTION:

Standard total fine is \$289 but  
the judge ordered a fine of \$200

### WATCH OUT FOR:

*What distribution components are and are not prorated.*

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## BASIC RULES

### Tops Down vs. Bottoms Up Assessments

PC § 1463.004:

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.

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## Top-Down Distribution

Prorate "soft" distribution components  
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Case Study #1- Speeding Case Study #1.2 Top Down Method 1 Top Down Method 2

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Top Down Method 1 (Speeding Bail Forfeiture)						
CASE INFORMATION						
Case Number		COUNT 1	Violation Description	VC 22349(b)	BASE FINE	35
Violation Date	1/16/2022		Violation Description	1-33 MPH over 55 MPH	Priors	1
Disposition Date	3/24/2022		Violation Type	Traffic Infraction	Enhanced BASE	45
Arresting Agency	Coronado PD		Disposition	Bail Forfeiture	BASE FINE	0
County %	25%	COUNT 2 (if any)	Violation Description		Priors	
City %	75%				BASE FINE	0
TOTAL Enhanced Base	\$45.00		Violation Type		Enhanced BASE	0
Portion of 10	5		Disposition		GC 76000	\$ 7.00

Yr	Per 10	DISTRIBUTION	DISTRICT ENTITY	STANDARD BASEUP			TOP-DOWN #1		
				Standard Per Urb	2% Amt	FINAL (After 2%)	Prorate % After Fixed Amts	2% Amt	FINAL (After 2%)
Y	1	RC 1463.001 - Base County	COUNTY	11.25	0.23	11.03	6.22	0.12	6.09
Y	1	RC 1463.002 - Base City	CITY	33.75	0.68	33.08	18.66	0.37	18.29
Y	7	RC 1464 - State PA (7/10)	STATE	35.00	0.70	34.30	19.35	0.39	18.96
Y	3	RC 1464 - County PA (3/10)	COUNTY	15.00	0.30	14.70	8.29	0.17	8.13
Y	0.75	GC 76104.6 - DNA PA (1/10) 75%	COUNTY	3.75	0.08	3.68	2.07	0.04	2.03
Y	0.25	GC 76104.6 - DNA PA (1/10) 25%	STATE	1.25	0.03	1.23	0.69	0.01	0.69
Y	4	GC 76104.7 - DNA Addtl PA (4/10) eff 6-27-12; prev 3/10)	STATE	20.00	0.40	19.60	11.06	0.22	10.83
Y	2.00	GC 76100 - LCCF	COUNTY	10.00	0.20	9.80	5.53	0.11	5.42
Y	2.00	GC 76101 - LCFP	COUNTY	10.00	0.20	9.80	5.53	0.11	5.42
Y	1.50	GC 76104 - EMS per local board of supervisor resolution (BOS)	COUNTY	7.50	0.15	7.35	4.15	0.08	4.06
Y	0.50	GC 76104.5 - DNA ID	COUNTY	2.50	0.05	2.45	1.38	0.03	1.35
Y	1.00	GC 76102 - Auto Fingerprint	COUNTY	5.00	0.10	4.90	2.76	0.05	2.71
Y	2.00	GC 76000.5 - EMS Addtl PA (BOS: 2/10)	STATE	10.00	0.20	9.80	5.53	0.11	5.42
Y	Y	GC 76000.10(i) - EMAT Penalty (54 eff 1-1-11)	STATE	4.00	0.08	3.92	4.00	0.08	3.92
Y	5.00	GC 76172(i) - SPCF (5/10)	STATE	25.00	0.50	24.50	13.82	0.28	13.54
N	NC	1465.7 - 20% Surcharge	STATE	9.00	0.00	9.00	4.97	0.00	4.97
SUBTOTAL				203.00	0.00	199.12	114.00	0.00	111.82
N	NC	1465.8 - Court Ops Assmnt (\$40 eff 10-19-10)	STATE	40.00	0.00	40.00	40.00	0.00	40.00
N	NC	76171 - Crim Conv Assmnt (\$30 for misd/\$35 for infr)	STATE	35.00	0.00	35.00	35.00	0.00	35.00
N	NC	VC 40008.6 - Priors/DMV Admin Fee (up to \$10)	COUNTY	10.00	0.00	10.00	10.00	0.00	10.00
N	NC	VC 42006 - Night Court Assmnt (\$1)	STATE	1.00	0.00	1.00	1.00	0.00	1.00
N	NC	GC 68090.8 - 2% State Automation (for fines, penalties & forfeitures)	STATE	1.98	0.00	1.98	1.98	0.00	1.98
Enter the amount here:									
TOTAL FINE				289.00		289.04	200.00	2.18	200.00

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## Top-Down Distribution

- This special distribution applies for judge-ordered total fines that do not follow the standard total bail in the UB&PS or the countywide penalty schedule.
- These total fines are typically less than the standard total bail.
- There is no stated or agreed-upon method for performing the Top-Down distribution, so the following are examples of two methods.

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## Differences between the Top-Down Distribution #1 versus #2

TOP-DOWN #1			TOP-DOWN #2		
Prorate % After Fixed Amts	2% Amt	FINAL (After 2%)	Prorate % After Fixed Amts	2% Amt	FINAL (After 2%)
6.22	0.12	6.09	7.79	0.16	7.63
18.66	0.37	18.29	23.36	0.47	22.89
19.35	0.39	18.96	24.22	0.48	23.74
8.29	0.17	8.13	10.38	0.21	10.17
2.07	0.04	2.03	1.66	0.03	1.64
0.69	0.01	0.68	0.87	0.02	0.85
11.06	0.22	10.83	13.84	0.28	13.56
5.53	0.11	5.42	6.92	0.14	6.78
5.53	0.11	5.42	6.92	0.14	6.78
4.15	0.08	4.06	5.19	0.10	5.09
1.38	0.03	1.35	1.71	0.03	1.68
2.76	0.06	2.71	3.46	0.07	3.39
5.53	0.11	5.42	6.92	0.14	6.78
4.00	0.08	3.92	2.77	0.06	2.71
13.82	0.28	13.54	17.30	0.35	16.96
4.97	0.00	4.97	6.23	0.00	6.23
<b>114.00</b>	<b>0.00</b>	<b>111.82</b>	<b>180.48</b>	<b>0.00</b>	<b>177.82</b>
40.00	0.00	40.00	27.66	0.00	27.66
35.00	0.00	35.00	24.22	0.00	24.22
10.00	0.00	10.00	6.92	0.00	6.92
1.00	0.00	1.00	0.69	0.00	0.69
1.98	0.00	1.98	2.67	0.00	2.67
<b>200.00</b>	<b>2.18</b>	<b>200.00</b>	<b>200.00</b>	<b>2.67</b>	<b>200.00</b>

Court Fees remain the same and the rest of the fine is Pro-rated.

All Fines and Fees are Pro-rated.

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## Additional Information to Review on the Case Study 1 Worksheet

The "Y" means this penalty is subjected to the 2% Calc.

ZN	PA	Sub	Standard Per UBS	2% Asset	FINAL (After 2%)	DISTRICT ENTITY	Standard Per UBS
					A		
Y	PC	1483-001 - Base Court	11.25	0.23	11.03	COUNTY	11.25
Y	PC	1483-002 - Base City	33.75	0.68	33.08	CITY	33.75
Y	PC	1484 - State PA - State	35.00	0.70	34.30	COUNTY	35.00
Y	PC	1484 - State PA - County	15.00	0.30	14.70	COUNTY	15.00
Y	GC	76104-8 - DNA PA (L)	3.75	0.08	3.68	COUNTY	3.75
Y	GC	76104-8 - DNA PA (L)	1.25	0.03	1.23	STATE	1.25
Y	GC	76104-7 - DNA Adm PA	203.00	4.06	199.00	STATE	203.00
Y	GC	76100 - LECP	10.00	0.20	9.80	COUNTY	10.00
Y	GC	76101 - LECP	10.00	0.20	9.80	COUNTY	10.00
Y	GC	76104 - DNA	7.50	0.15	7.35	COUNTY	7.50
Y	GC	76104-3 - DNA ID	2.50	0.05	2.45	COUNTY	2.50
Y	GC	76102 - Auto Fingerpr	5.00	0.10	4.90	COUNTY	5.00
Y	GC	76000-9 - DNA Adm PA	10.00	0.20	9.80	COUNTY	10.00
Y	GC	76000-10(1) - EMAT PA	4.00	0.08	3.92	STATE	4.00
Y	GC	103100 - SACT BYED	25.00	0.50	24.50	STATE	25.00
N	PC	1485-7 - 20% Surcharge	9.00	0.00	9.00	STATE	9.00
			203.00		199.17	STATE	203.00
N	PC	1485-8 - Court Dep Ass	40.00	0.00	40.00	STATE	40.00
N	GC	70373 - Crim Conv Ass	35.00	0.00	35.00	STATE	35.00
N	VC	40508-8 - Priority DMV	10.00	0.00	10.00	COURT	10.00
N	VC	42006 - Night Court fee	1.00	0.00	1.00	STATE	1.00
N	GC	68090-8 - 2% State Act			3.88	STATE	
					3.88		
			289.00		289.00		289.00

These individual distributions tell you where the money goes.

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## Case Study No. 2 - DUI

### 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

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## Information for Case Study No. 2

Section	Notes	Offense	Base Fine	State PA*	County PA**	DNA PA**	Count PA**	Surcharge*	EMS Fee PA**	DMV Fee PA**	Fire Subtotal	County Contribution	Total Bail **
23109 (a)	10	Engaging in Speed Contest Prohibited	100	100	7	810	8	20%	2	4		40	1551
23109 (b)	10	Altering Speed Center Prohibited	100	100	70	50	50	20	20	4	414	40	485
23109 (c)	10	Engaging in or Altering Exhibition of Speed Prohibited	100	100	70	50	50	20	20	4	414	40	485
23109 (d)	10	Flashing Beacons or Obstructions Prohibited	100	100	70	50	50	20	20	4	414	40	485
23109 (e)(2)	10	Engaging in Speed Contest and Causing Bodily Injury	500	500	350	250	250	100	100	4	2054	40	2125
23109.1	10	Engaging in Speed Contest-Specific Injury	750	750	525	375	375	150	150	4	3079	40	3190
23110 (a)	10	Throwing Substance at Vehicle Prohibited	250	250	175	125	125	50	50	4	1020	40	1100
23112.5 (a)	10	Reasonable Suspicion-Notification of Agency Requested	2000	2000	1400	1000	1000	400	400	4	8204	40	8275
23118 (E)(4)	10	Release of Impounded Vehicle by Legal Owner or Agent Prior to End of Impoundment Period	2000	2000	1400	1000	1000	400	400	4	8204	40	8275
23127	10	Move Vehicle on Parking/Waiting Trails Prohibited	50	50	35	25	25	10	10	4	209	40	280
23132 (A)(3)	10	Driving Under Influence of Alcohol	800	800	570	395	395	150	150	4	1603	40	1674
23132 (a)	10	Driving While Addicted to Drug	300	300	270	195	195	75	75	4	1003	40	1074
23132 (b)	10	Driving Commercial Vehicle Under Influence of Alcohol	450	450	315	225	225	90	90	4	1540	40	1620
23132 (c)	10	Driving Under Influence of Drug	300	300	270	195	195	75	75	4	1003	40	1074
23132 (g)	10	Driving Under Influence of Alcohol and Drug	800	800	570	395	395	150	150	4	2054	40	2125

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## Case Study No. 2

**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

**Court and Local Fees:**

- PC § 1463.14(b) = DUI Lab Test Penalty (BOS: up to \$50)
- PC § 1463.25 = Alcohol Education Penalty (up to \$50)
- VC § 23649(a) = Co Alcohol & Drug Problem Assessment (up to \$100)

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## Case Study No. 2

**Additional State Restitution Fines and Local Fees**

- PC § 1202.4(b) State Restitution Fine
- Misdemeanors – minimum of \$150
- Felonies – minimum of \$300
- Night Court Fee = \$1

Case Study #1: Speeding    Case Study #1.2    Top Down Method 1    Top Down Method 2    Case Study #2: DUI

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**Case Study 2 - Driving Under Influence**

Z%	Per 10	DISTRIBUTION	DISTRIB ENTITY	Standard Per US\$	2% Amt	FINAL	DISTRIB CODE or DESCRIPTION	DISTRIB AMT
						(After 2%)		
						A		
						B		
Y		BASE REDUCTION: PC 1463.14(a) - DUI Lab Spec Acct (\$50)	COUNTY	50.00	1.00	49.00		
Y		BASE REDUCTION: PC 1463.18 - DUI Prog Spec Acct (BOS: \$50)	COUNTY	50.00	1.00	49.00		
Y		BASE REDUCTION: PC 1463.18 - DUI Indemnity Alloc (\$20)	STATE	20.00	0.40	19.60		
Y		PC 1463.003 - Base County	COUNTY	270.00	5.40	264.60		
Y		PC 1463.003 - Base City	CITY	0.00	0.00	0.00		
Y	7	PC 1464 - State PA - State portion (70%)	STATE	273.00	5.46	267.54		
Y	3	PC 1464 - State PA - County portion (30%)	COUNTY	117.00	2.34	114.66		
Y	0.75	GC 76104.6 - DNA PA (1/10) 25%	COUNTY	29.25	0.59	28.67		
Y	0.25	GC 76104.6 - DNA PA (1/10) 25%	STATE	9.25	0.20	9.05		
Y	4	GC 76104.7 - DNA Addtl PA (4/10 eff 6-27-12; prev 3/10)	STATE	156.00	3.12	152.88		
Y	2.00	GC 76100 - LCCF	COUNTY	78.00	1.56	76.44		
Y	2.00	GC 76101 - LCF	COUNTY	78.00	1.56	76.44		
Y	1.50	GC 76104 - EMS <small>breakdown = local Board of supervisor resolution (BOS)</small>	COUNTY	58.50	1.17	57.33		
Y	0.50	GC 76104.5 - DNA ID	COUNTY	15.50	0.39	15.11		
Y	1.00	GC 76102 - Auto Fingerprint	COUNTY	39.00	0.78	38.22		
Y	2.00	GC 76000.5 - EMS Addtl PA (BOS: 2/10)	COUNTY	78.00	1.56	76.44		
Y		GC 76000.10(c) - EMAT Penalty (\$4 eff 1-1-11)	STATE	4.00	0.08	3.92		
Y	3.00	GC 70372(a) - SCFCF (3/10)	STATE	195.00	3.90	191.10		
N		PC 1465.7 - 20% Surcharge	STATE	78.00	0.00	78.00		
		<b>SUBTOTAL</b>		<b>1601.00</b>		<b>1572.50</b>		<b>0.00</b>
N		PC 1465.8 - Court Ops Assmt (\$40 eff 10-19-10)	STATE	40.00	0.00	40.00		
N		GC 70373 - Crim Conv Assmt (\$30 for misad/\$35 for infr)	STATE	30.00	0.00	30.00		
N		VC 42006.6 - Prison/DWI Admin Fee (up to \$10)	COUNTY	0.00	0.00	0.00		
N		PC 1463.13 - Alcohol & Drug Assmt (BOS: up to \$150)	COUNTY	0.00	0.00	0.00		
Y		PC 1463.14(b) - DUI Lab Test Penalty (BOS: up to \$50)	CNTY or CTY	50.00	1.00	49.00		
Y		PC 1463.25 - Alcohol Education Penalty (up to \$50)	COUNTY	50.00	1.00	49.00		
N		VC 23649(a) - Co Alch & Drug Prob Assmt (up to \$100)	COUNTY	100.00	0.00	100.00		
Y		PC 1202.4(b) - State Restitutin Fine (min: \$150 misad/\$300 fel)	STATE	150.00	3.00	147.00		
N		VC 42006 - Night Court Assmt (\$1)	STATE	1.00	0.00	1.00		
N		GC 88090.8 - 2% State Automation (for fines, penalties & forfeitures)	STATE			35.50		
		<b>TOTAL FINE</b>		<b>2024.00</b>		<b>2024.00</b>	<b>TOTAL</b>	<b>0.00</b>

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## Disabled Parking VC § 22507.8

- 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:
  - (1) On the lines marking the boundaries of a parking stall or space designated for disabled persons or disabled veterans.
  - (2) In any area of the pavement adjacent to a parking stall or space designated for disabled persons or disabled veterans that is marked by crosshatched lines and is thereby designated, pursuant to any local ordinance, for the loading and unloading of vehicles parked in the stall or space.
- d) Subdivisions (a), (b), and (c) apply to all offstreet parking facilities owned or operated by the state, and to all offstreet parking facilities owned or operated by a local authority. Subdivisions (a), (b), and (c) also apply to any privately owned and maintained offstreet parking facility.

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## Late Penalty Charge

- Vehicle Code section 40310 requires the imposition of a late charge of 50 percent on any traffic penalties not paid within 20 days.
- The 20 days shall be counted from the mailing of a notice that the penalty has been assessed.
- Note: Check with your finance staff if you have questions, but we're under the impression that most courts DO NOT charge a late penalty charge. We are NOT encouraging you to do so.

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## RECAP: Case Study Goals and Expectations

- Provide information on basic concepts and terms regarding distributions necessary to complete distribution worksheets.
- Use distribution worksheets to:
  1. Work through actual case studies of basic distributions.
  2. Understand impacts of variations (priors, different base fines, etc.) to demonstrate how distributions change.

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# Questions?

Please submit them to:  
[revenuedistribution@jud.ca.gov](mailto:revenuedistribution@jud.ca.gov)

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# The End

Thank you!!



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