



SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN MATEO

Why is Your Bail or Fine So Much?

Penalties and Assessments

What is a Penalty Assessment?

It is an amount added to the base bail/fine amount on infraction, misdemeanor and felony offenses. The current penalty assessment (eff. Jan. 1, 2011), is \$29 for each \$10 or portion of \$10 of fine or bail as set by the California State Legislature. The \$29 Penalty Assessment is charged pursuant to Penal Code Sec 1464 and Government Codes 76000, 70372, 76104.6, 76104.7, 76000.5, and 76000.10.

In addition to the penalty assessments the following will also be added:

- \$40 court operations assessment will be added for **each** infraction, misdemeanor or felony violation resulting in a conviction pursuant to PC 1465.8.
- An assessment in of \$30 for **each** convicted misdemeanor or felony violation and \$35 for **each** convicted infraction violation will be added (GC 70373).
- A 20% State Surcharge imposed on the base bail or base fine amount. This 20% may **not** be used to calculate the Penalty Assessment per each \$10 of fine.
- A penalty of \$4 for **each** convicted violation for the County Emergency Medical/Air Transport Act fund (GC 76000.10)

These penalties are also included in the calculation for traffic school.

What is a Night Court Assessment?

Pursuant to Vehicle Code Sec 42006, in addition to the Penalty Assessment, one dollar (\$1) is collected for violation of any section of the Vehicle Code or local ordinance adopted pursuant to the Vehicle Code.

Example of a fine amount for a Vehicle Code

Distribution (Where the money goes):

infraction violation:

Base fine amount (\$25)	\$25.00	Court automation 2%, County Funds 15%; City Funds 83%
Penalty Assessment (\$84)	\$30.00	State penalty fund (PC 1464)
	\$21.00	County penalty fund (GC 76000)
	\$15.00	To the state court facilities construction fund (GC 70372)
	\$15.00	DNA Identification Fund (GC 76104.6 and GC 76104.7)
	\$6.00	County Emergency Medical Services (GC76000.5)
Emergency Medical/Air	\$4.00	County Emergency Medical/Air Transport act Fund (GC76000.10) per convicted offense
State Surcharge 20%	\$5.00	State Gen Fund (PC 1465.7)
Court Operations Assessment	\$40.00	To fund operations in the trial courts (PC 1465.8)
Conviction Assessment Fee	\$35.00	To fund building/maintaining trial courts (GC 70373(a)(1))
Night Court Fee	\$1.00	Fund night court operations (VC 42006)
Total Fine	\$197.00	

Traffic School

Traffic School calculation is based on base fine + Penalty Assessment + Security fee + State surcharge + Conviction Assessment + Administrative fee+ Emergency Medical/Air Transport penalty. This does not include the cost of traffic school instruction, which is a separate fee paid directly to the selected school.

Effective February 4, 2013, the Traffic School Administrative Fee is \$49.

Proof of Correction

When submitting proof of correction on a correctable violation, the fee is \$25 for **each** correctable violation.

Financial hardship and ability to pay

Financial Hardship and Your Ability to Pay for Your Traffic Citation. If you have a financial hardship and can show that you are unable to pay the full amount for the offenses on your traffic ticket, you may request the court to consider your ability to pay in setting the fine amount. However, you must appear before the court to do so. Also, if you are ordered to pay a fine you may ask the court for an installment payment plan

that is based on your ability to pay, or ask the court to approve community service due to financial hardship.

The Court's Responsibility

Trial courts are required to follow the laws passed by the Legislature and signed by the Governor. All of the penalties and assessments listed above are such laws. The trial courts are not responsible for creating those laws. If you are concerned with the amount of traffic fines, you may contact your state legislator.