



# SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE

## Why is My Bail or Fine So Much?

### What is a Penalty Assessment?

It is the amount added to the base bail/fine amount on infraction, misdemeanor, and felony offenses. The current penalty assessment (effective June 10, 2010), 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 section 1464 and Government Code section 76000, 70372, 76104.6, 76104.7, and 76000.5.

In addition to the penalty assessment, the following will also be added:

- \$40 court operations fee will be added for **each** infraction, misdemeanor or felony violation resulting in a conviction pursuant to PC 1465.8.
- An assessment 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 fine (PC 1465.7).
- A penalty of \$4 for **each** convicted violation for the County Emergency Medical/Air Transport Act fund (GC 76000.10).
- A \$10 fee to access the DMV's database to retrieve information (VC 40508.6). The assessment is for any subsequent violations of the vehicle code other than parking, pedestrian, or bicycle violations .

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

### What is a Night Court Assessment?

Pursuant to Vehicle Code section 42006, in addition to the Penalty Assessment, one dollar (\$1) is collected for each 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 infraction violation:

Base fine amount \$25	\$ 25.00
Penalty Assessment \$87	\$ 30.00
	\$ 21.00
	\$ 15.00
	\$ 15.00
	\$ 6.00
Emergency Medical/Air Transport penalty	\$ 4.00
State Surcharge 20%	\$ 5.00
Court Operations Fee	\$ 40.00
Conviction Assessment Fee	\$ 35.00
Night Court Fee	\$ 1.00
Total Fine	<u>\$197.00</u>

#### Distribution (Where the money goes):

Court automation 2%, County Funds 35%, City Funds 65%

State Penalty Fund (PC 1464)

County Penalty Fund (GC 76000)

State Court Facilities Construction Fund (GC 70372)

DNA Identification Fund (GC 76104.6 and GC 76104.7)

County Emergency Medical Services (GC 76000.5)

County Emergency Medical/Air Transport Act Fund (GC 76000.10) per convicted offense.

State General Fund (PC 1465.7)

Funding Operations in the Trial Court (PC 1465.8)

Funds Building/Maintaining Trial Courts (GC 70373(a)(1)).

Funds Night Court Operations (VC 42006)

### 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. The Traffic School Administration Fee is \$52.

### Proof of Completion

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

### The Court's Responsibility

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

### Civil Assessments

If you fail to appear by the date listed on your ticket or fail to pay your fine as order by the court, the court will start a civil action against you. This civil action may include up to a \$100 civil assessment, a wage garnishment and/or lien on your property. In addition, the court may notify the Department of Motor Vehicles (Vehicle Code §§40509.5, 40002.1), which may result in the suspension of your driver's license and/or a hold on your vehicle registration.