



# Paying More for Being Poor

LAWYERS' COMMITTEE FOR  
**CIVIL  
RIGHTS**  
OF THE SAN FRANCISCO BAY AREA

**BIAS AND DISPARITY IN  
CALIFORNIA'S TRAFFIC  
COURT SYSTEM**

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**MAY 2017**

A report by the Lawyers' Committee for Civil Rights of the San Francisco Bay Area  
with support from Silicon Valley Community Foundation

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## Special thanks to

**Back on the Road Coalition** (ACLU –Northern California, ACLU-Southern California, All of Us or None - LA, A New Way of Life Reentry Project, Bay Area Legal Aid, Community Housing Partnership, East Bay Community Law Center, Legal Services for Prisoners with Children, Legal Services of Northern California, Western Center on Law and Poverty)

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**Baker McKenzie LLP** — especially **Susan Keeler, Tamara Levin, Michael Liu, Jaclyn Pampel, and Angela Vigil**

**Silicon Valley Community Foundation** for its generous support and guidance

**Meher Dhaliwal** and **Sandra Gluck**, Lawyers' Committee for Civil Rights of the San Francisco Bay Area

Anti-Recidivism Coalition, Bay Area Community Resources, Bay Area Legal Aid, Bet Tzedek Legal Services, Coalition to Abolish Slavery & Trafficking, East Bay Community Law Center, Homeboy Industries, Legal Services for Prisoners with Children, Legal Services of Northern California, Marin Community Court, OneJustice, San Mateo County Bar Association Private Defender Program, University of California at Davis Legal Clinics, and their clients



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## Executive Summary

California's traffic fines and fees are some of the highest in the country, and new data shows that current California policies disproportionately impact people of color. This report looks at the most recent information available on California's current traffic court system, evaluates its impact on communities of color, examines the statewide fiscal impacts of these policies and practices, and offers some recommendations for how California could improve its traffic court system to become a national model for change.

Californians who cannot afford to pay a fine for a traffic citation face harsher consequences than those who can: some Californians mail in a payment, while those who cannot pay experience license suspension, arrest, jail, wage garnishment, towing of their vehicles, and job loss—for the same minor offenses. In 2015, the California Department of Motor Vehicles reported that over 4 million driver licenses had been suspended in recent years for failure to pay or appear on a citation—affecting about one in six California drivers. In April 2017, a DMV point-in-time count showed that 588,939 Californians had lost their licenses because they could not pay or appear in court. To address this significant toll on Californians, Governor Jerry Brown signed an 18-month California Traffic Tickets / Infractions Amnesty Program that reduced fines on pre-2013 traffic tickets by 80% for indigent applicants and allowed people to get on payment plans to get their licenses back.<sup>1</sup> The program allowed nearly 200,000 people to regain their driver licenses. That program ended in April 2017.

California now faces the question of what to do next. With the expiration of the amnesty program, there is no longer a pathway by which people who cannot afford to pay fines may pursue license reinstatement. Californians lose the ability to drive legally as a punishment for being unable to pay a fine without any statewide system to make the punishment fit a person's ability to pay or to return a license if the person can make small payments. California has the opportunity to create permanent reforms to this inequitable system. In this report, we present data about the scope of the problem with license suspensions and traffic courts in California and offer some recommendations for policy solutions. We focused our research in the nine Bay Area counties and created fiscal analyses for statewide policy. Findings of note include:

- California traffic fines and fees are some of highest in country. Although the base fines for California Vehicle Code violations may be lower or comparable to many other states', the add-on fees—and particularly the \$300 late penalty—make California one of the states with the steepest fines.
- 78% of Californians need a driver license to work or to get to work, which means California's current policy of suspending licenses for non-payment is putting at risk the ability of many California families to support themselves.
- In Bay Area counties, license suspension for failure to pay or appear is exacerbating the racial bias already present in traffic stops. As data show, people of color are more likely to be subjected to traffic stops. Once stopped, people of color are also more likely to be booked on arrests related to failure to appear or failure to pay. The available county-level data shows that African-American people in particular are **four to sixteen** times more likely to be booked on arrests related to failure to pay an infraction ticket.
- Even though traffic court is the most common point of contact with the court system—60% of all court filings statewide are traffic or infraction citations—it is very difficult for someone who cannot afford to pay the full amount to resolve a ticket. None of the nine Bay Area counties surveyed had information about alternative options for low-income people on their websites, available by phone, or in person at the court clerk's office.

- If California changes its policy and stops suspending licenses for failure to pay, economists estimate that the state would generate \$70-140 million in additional tax revenue from people who would be able to work, or make more income, if they had a license. Additional related fiscal benefits to the state could include more sales tax revenue and reduced need for public benefits programs.
- If California adopts a statewide standard under which people are assessed fines that are within their ability to pay, new research shows that the state may actually collect more money, and from greater numbers of people, on delinquent fines. For example, the California Traffic Tickets / Infractions Amnesty Program collected over three times more delinquent debt per case (\$151 per amnesty case) than other criminal court-ordered delinquent debt collections (\$45 per case).

Based on the findings in this report, California could increase equity in the consequences for minor infractions, as well as improve traffic safety, by:

- (1) Stopping the suspension of driver licenses for failure to pay a citation;
- (2) Creating a statewide ability to pay standard to ensure proportionate fines;
- (3) Providing greater access to ability to pay information, including easily accessible forms on which to submit a request, notices, and web-based information; and
- (4) Making it unlawful to arrest or jail someone for failure to pay an infraction.

As a follow-up to the findings in this report, we plan to release a toolkit of sample forms and procedures for California courts. California could be a leader in the implementation of policies that are beginning to be adopted across the country. Cities like Biloxi, Mississippi, and Jennings, Texas, have required their courts to determine ability to pay before punishing people for minor offenses. Massachusetts has enacted legislation to end automatic license suspension for non-driving offenses,<sup>2</sup> and Maine's Legislature is considering a similar bill.<sup>3</sup>

In 2016, the United States Department of Justice issued a letter clarifying that courts have an affirmative obligation to "ensure fair and accurate assessments of defendants' ability to pay," and in November 2016 again urged basic respect for the principle that people should not be punished—that is, not arrested, jailed, or given a suspended license—just because they cannot afford to pay.<sup>4</sup> California has not—yet—reached that goal.

## California's Traffic Fines and Fees System: Impacts on Low-Income Californians—Especially Communities of Color

### Inequities in California's Current Traffic Court System

#### **Comparing Consequences of Traffic Tickets and Infractions for High-Income and Low-Income Californians**

California's traffic fines and fees are some of the highest in the country, which harms middle- and low-income families most. As documented in the report *Not Just a Ferguson Problem: How Traffic Courts Drive Inequality in California*, California has a large number of add-on fees that are used to fund 10 separate special projects, including a DNA fund and an emergency medical transport fund. This means that a ticket that is supposed to be \$100—the base fine or punishment that the legislature originally imposed for the offense—automatically becomes \$490. If the person misses a deadline to pay or appear, the ticket becomes \$815.<sup>5</sup>

A 2016 survey found that 63% of Americans don't have enough money in savings to cover a \$500 emergency.<sup>6</sup> For people who cannot afford to pay a citation, the consequences can be significant, including loss of driver license, job loss, wage garnishment, arrest, incarceration, and loss of vehicle to towing and impoundment.

Moreover, fines and fees for minor offenses in California have increased over time largely to create additional revenue sources for the state.<sup>7</sup> Some researchers have noted that for all the benefits that decriminalization has conferred on the American criminal justice system, it also has led to the promulgation of fines and fees that create a regressive tax, which in turn incentivizes law enforcement and courts to ticket and convict those who can least afford it in order to generate revenue. As one scholar explains, "[t]he turn to fine-only offenses and supervision, moreover, has distributive implications. It captures poor, underemployed ... and otherwise disadvantaged defendants for whom fines and supervision are especially burdensome, while permitting well-resourced offenders to exit the process quickly and relatively unscathed. Finally, as courts turn increasingly to fines and fees to fund their own operations, decriminalization threatens to become a kind of regressive tax, turning the poorest populations into funding ... for the judiciary and other government budgets."<sup>8</sup>

There are constitutional problems created by this type of disparity and by the current process of suspending licenses for failure to pay without determining whether someone has the ability to pay. Indeed, the constitutionality of California's current system is being challenged in state<sup>9</sup> and federal courts.<sup>10</sup>

California courts need more funding; access to justice depends on it.<sup>11</sup> Current practices, however, put the burden of funding the courts disproportionately on low-income Californians. This disparity was documented in the report *Stopped, Fined, Arrested: Racial Bias in Policing and Traffic Courts in California*, which found that residents in the 92% of California ZIP codes with higher-than-average license suspensions rates also had household incomes that were lower than the state average income.<sup>12</sup> Furthermore, it is a conflict of interest for courts to regularly assess the maximum fees permitted by law to support court funding, rather than adjust those fees based on an individual's ability to pay or proportionate consequences.<sup>13</sup>

#### **New Data Shows California's Traffic Fines and Fees Are Some of the Highest in the Country**

The inequities of the traffic court fine system are not limited to disparities between low-income and high-income Californians: all Californians pay more because, again, California's traffic fines and fees are some of the highest in the country.



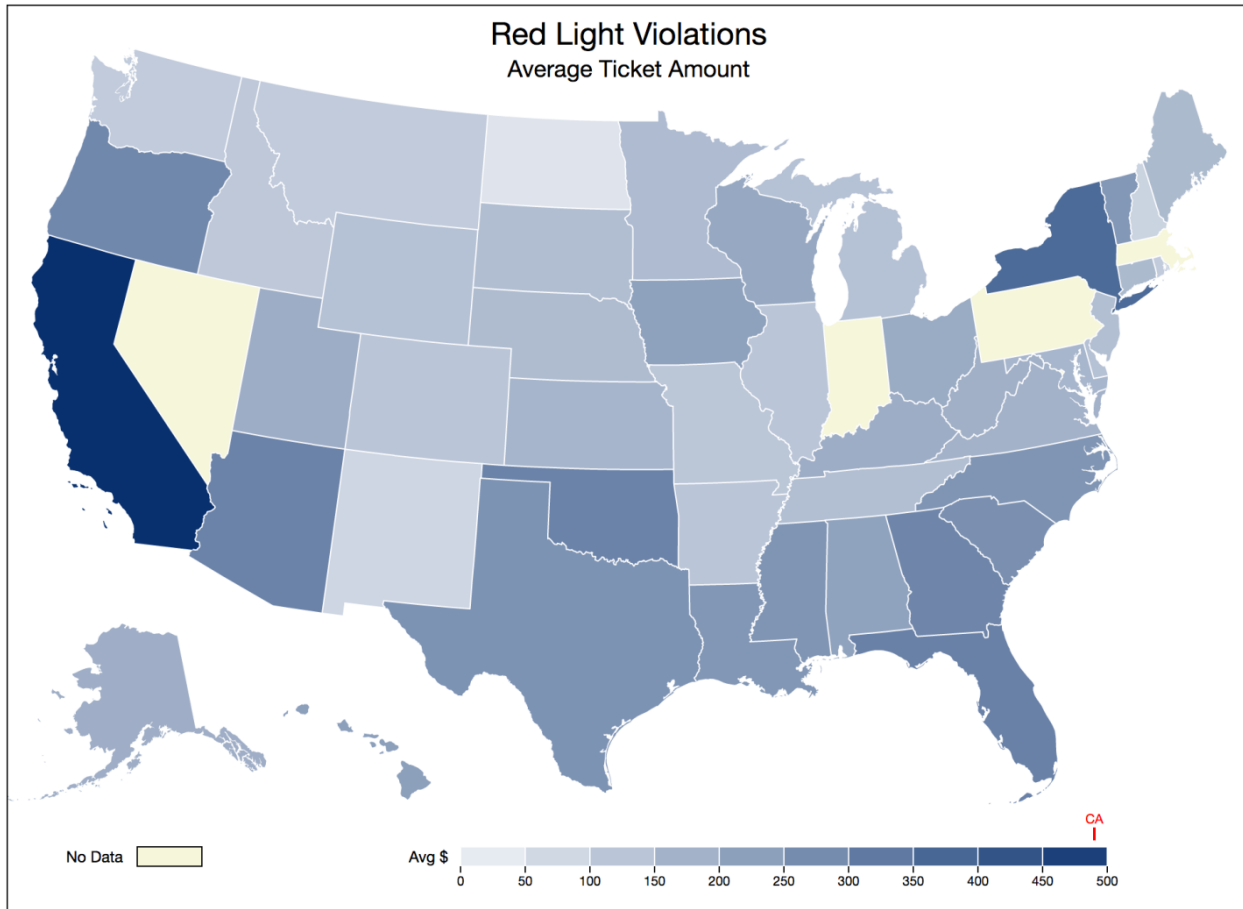
For this report, researchers conducted a 50-state survey for some of the most common violations. 29 states have a uniform fee structure for traffic offenses. The analysis below compares the actual or recommended cost of citations for jaywalking, running a stop sign, running a red light, and speeding 1-15 miles over the speed limit (or the closest comparable statute).<sup>14</sup>

The survey showed that 21 states do not have a uniform traffic fines and fees schedule, where the fines and fees may vary by locality or court. Data from representative cities in those states, like Gary, Indiana, and Chicago, Illinois, was included where possible.<sup>15</sup>

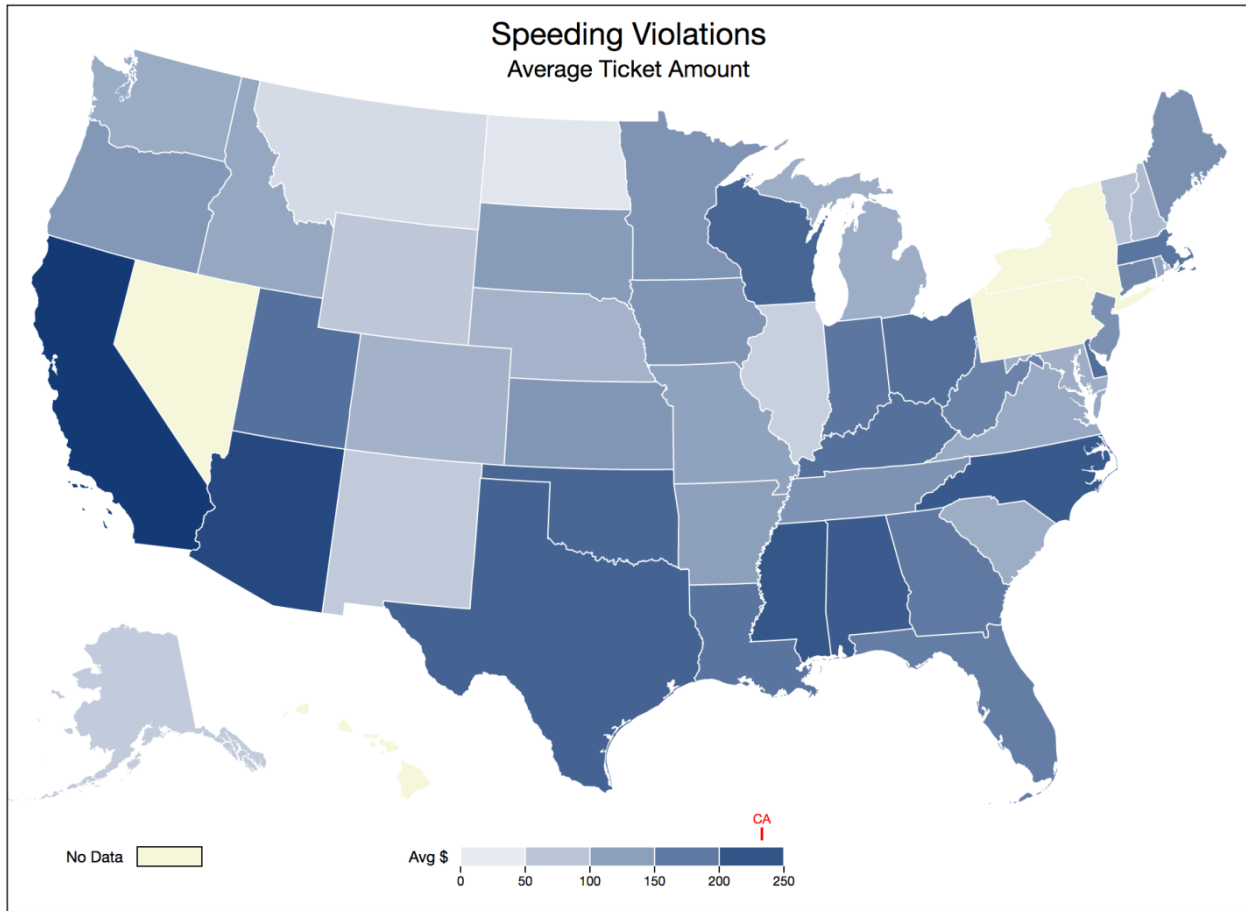
Of all the states surveyed, California's fines and fees were the highest, or among the highest, in the country. Although the base fines for common infractions are often comparable to those in other states, California's court costs and penalty fees are significantly higher than average.

For example, a citation for running a stop sign in California has a base fine of \$35, but court fees increase the actual cost to \$238. This is one of the highest citation costs in the country, and the highest out of all the states with a comparable uniform fee structure. In most other states, the fine for this violation comes to under \$200, and often under \$100. Among all of the other states surveyed, the average citation cost comes to \$151, which is notably lower than California's \$238 cost.

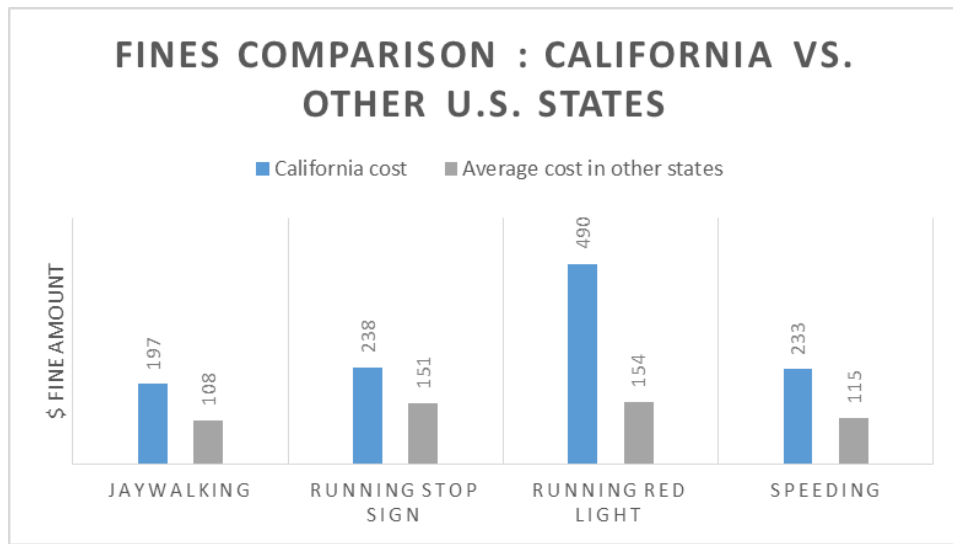




Similarly, the base fine for running a red light is \$100 in California, but additional fees make the actual cost \$490. This is the highest cost found in the country for this violation—the next closest in a state with a uniform fee schedule is Oregon, where the schedule sets the actual cost of a red light ticket at \$260. In nearly every other state with ascertainable fines, a person would pay less than \$200 for a red light ticket, and across the country, the average cost of such a citation is \$154. **California's \$490 red light fines and fees are more than 3 times the national average.**<sup>16</sup>



A comparison of speeding fines across states produces similar results. In California, a common speeding violation carries a base fine of \$35 and an actual cost of \$233, which is one of the highest fines in the country, and the highest fine among states with a comparable fee structure. The next highest fine among comparable states is North Carolina's citation cost of \$193. Like stop sign violations, however, most states impose a fine amount under \$200, and often under \$100. The average cost of this citation across other states comes to \$115, which is less than half of California's citation cost of \$233.<sup>17</sup>



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Similarly, in California, the cost of a red light ticket increases from \$490 to \$815 if a person cannot pay by the deadline. In Alabama, which has a uniform fine schedule similar to California's, a red light citation has a base fine of \$20, which increases to an average of \$205 with court costs, and is subject to a penalty charge of 30% of the base fine, resulting in a total of \$211 if a person misses the deadline to pay. In Alaska, another state with a uniform fine schedule, the base fine for running a red light is \$150, which increases to \$160 with court costs and then to \$210 following a failure to pay. Under Idaho's Infraction Penalty Schedule, the actual citation cost of running a red light is \$90, and the late penalty is \$25, which means that when someone cannot afford to pay the fine by the deadline, the final cost is \$115. Even compared with Connecticut—which has a late penalty fee of \$500 that can transform a \$70 red light ticket (\$129 after court fees) into a \$629 ticket—California is still an outlier.<sup>19</sup>

California's late penalty is at the high end of the scale because it is imposed at a full \$300, contrary to legislative intent. In California, a \$300 "civil assessment fee" may be added to the outstanding balance for anyone who cannot pay or who misses a deadline to pay or appear. State law makes the imposition of a civil assessment fee permissive (not mandatory), but almost all California courts routinely impose this fee. Additionally, state law allows courts discretion to impose "up to" \$300 but all nine Bay Area counties—and almost all California counties—impose the maximum allowable amount of \$300 automatically, in all cases.<sup>20</sup>

Civil assessment fees demonstrate the flawed structure that incentivizes courts to add the maximum penalty to each fine. These fees are directly allocated to the Trial Court Trust Fund, which is a discretionary revenue fund for the California state courts.<sup>21</sup> Courts receive 100% of these fees (other fees are earmarked for other state projects) and use these fees to balance their budgets.

**New Data Shows How Many Californians Need a Driver License to Be Able to Work**

There are a large and increasing number of people in California who are required to have a driver license to work.<sup>22</sup> In 2014, 5,242,500 individuals in California were in jobs that the United States Bureau of Labor Statistics associated with driving requirements.<sup>23</sup> This includes occupations such as drivers and construction workers who must have a license to work, as well as nannies whose jobs often require them to drive. These data do not include military jobs and is therefore likely an underestimate. The number of jobs in California in these occupations is projected to increase to 6,069,500, an increase of 15.77%, over ten years. Furthermore, jobs that require a driver license comprise an even

higher percent of job growth in the low-wage and blue-collar categories, as some of the primary increases are associated with transportation, construction, and home health care for an aging population.<sup>24</sup>

In 2015, occupations that require driving in California were primarily low-wage jobs. The average income of people in California employed in these low-paying jobs ranged from \$23,321.79 to \$52,051.13, with a median income of \$34,645.55.<sup>25</sup> These low-wage jobs support families that are more likely to be living paycheck to paycheck and unable to afford the expense of several hundred dollars for a traffic citation.

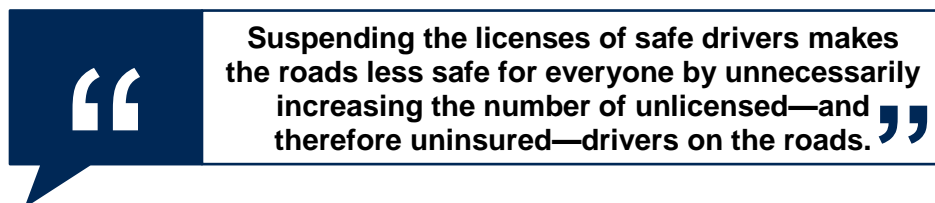
In addition to careers where a driver license is a job requirement, an estimated 78.16% of people in California regularly drive to work.<sup>26</sup> Thus, even for those people who do not have jobs that explicitly require a license, the need for a valid driver license is closely correlated to ability to keep a job. This conclusion is borne out by the available data: in one 2006 study, 42% of those surveyed lost their job while their license was suspended. Of those, 45% could not find another job, and of those who were able to, 88% reported reduced income.<sup>27</sup>

### **Impact of Suspended Driver Licenses on Public Safety**

By definition, license suspensions for failure to pay or appear on a citation are not designed to increase public safety. This is evident in the fact that violators of the same traffic offense can experience opposite outcomes: a well-to-do person who speeds can avoid license suspension by paying money, while an indigent person who speeds will get a suspended driver license because they do not have money. This type of license suspension is intended as a tool to incentivize people to pay traffic court debt.

However, there is evidence that license suspensions for failure to pay are a distraction from, and therefore become a threat to, road safety. A 2013 report from the American Association of Motor Vehicle Administrators found an increase in non-safety related suspensions in the United States, from 29% in 2003 to 39% in 2013, and noted that enforcement of non-safety related suspensions requires motor vehicle officials to spend a large portion of their time and budget pursuing people with driver licenses that have been suspended for minor offenses and inability to pay fines.<sup>28</sup> This report recommended "that legislatures repeal laws requiring the suspension of driving privileges for non-highway safety related violations."<sup>29</sup>

Other reports on non-safety suspensions of driver licenses have come to similar conclusions: "Taking away the licenses of safe drivers increases the number of people who are forced to choose between compliance with their license suspension and fulfilling personal responsibilities such as getting to work in the morning, taking a sick child to the doctor, or complying with probation or parole requirements. Thus, suspending the licenses of safe drivers makes the roads less safe for everyone by unnecessarily increasing the number of unlicensed—and therefore uninsured—drivers on the roads."<sup>30</sup>



**Suspending the licenses of safe drivers makes the roads less safe for everyone by unnecessarily increasing the number of unlicensed—and therefore uninsured—drivers on the roads.**

Additionally, many license suspensions are for failure to pay infractions that are not related to driving. Young people across California have lost the chance to get a license as a result of unpaid truancy violations.<sup>31</sup> While people are homeless, they are often cited for sitting or sleeping outside.<sup>32</sup> Littering, loitering, and dog-off-leash cases are heard in

traffic court, and if someone cannot afford to pay those fines and fees, that person often ends up with a suspended driver license, despite the lack of connection to a motor vehicle of any kind, let alone a concern for road safety.

## Racial Disparity in Arrests Related to Failure to Pay

### **Low-Level Enforcement Is High in Communities of Color**

A recent study by Dan Kopf of Priceonomics found a correlation between the fifty cities with the highest fine rates (indicating that the city relies on revenue from fines) and the relative portion of African-American residents in that city.<sup>33</sup> Kopf suggests instead that a likely explanation is that African-American people are more highly policed, a point FBI Director James Comey acknowledged in a speech to Georgetown University in 2015.<sup>34</sup>

The ticketing and charging of individuals for minor infractions allows law enforcement a high level of discretion, and therefore allows for implicit bias of law enforcement officers to influence where they target their enforcement effort.<sup>35</sup> One examination of nationwide data showed that African-American people were 3.7 times more likely to be arrested for a common, minor offense, and over 4 times more likely to be arrested in many states.<sup>36</sup> Understanding of the role of implicit bias within law enforcement's use of discretion continues to develop; nevertheless, there is growing data to show that overpolicing in communities of color affects who gets cited or arrested, and how often.

In California, statewide data collection about the racial breakdown of traffic stops is underway pursuant to the new racial profiling data collection law (AB 953). For now, there is only scattered data about racial bias in California traffic stops, but studies in Fresno, San Diego, and Sacramento help show that people of color—particularly African-American and Latino people—are more likely to get pulled over for a traffic stop. This disparity is not related to increased wrongdoing; in fact, people of color are more likely to be detained despite not doing anything wrong, as shown by data on stops without citations, or citations for non-observable offenses.<sup>37</sup>

These findings are similar to those in a study in Ohio, which found that after reviewing 312 vehicle or citizen stops, encounters with African-American residents were more likely to result in a ticket than stops of white residents. The study also found that there were important differences in the situational context of traffic stops involving African-American drivers. It found that regardless of the initial cause of the stop, the most common reason for ticketing an African-American driver was for having a suspended license. The study intimated that there was a cycle of traffic tickets and license suspensions among some African-American drivers and points to a cycle similar to California's, where drivers have their licenses suspended for prior tickets or traffic infractions they were unable to pay.<sup>38</sup>

Racial bias in traffic and infraction stops is an important context for analyzing data about license suspensions for failure to pay or appear on those citations. It affects the rate at which people of color receive initial citations, and it affects the rate at which they are pulled over and arrested or cited for driving on a suspended license, an offense not observable from a police car.

## MENLO PARK<sup>39</sup>

In a 2015 KQED study of Menlo Park arrests for driving on a suspended license, 7 out of every 10 arrests were of African-American or Latino people. Arrest was not the only consequence:

The police towed the vehicles of 71% of the people, which in most cases is not required. As a result of high tow fees, the study found that many people could not pay and their vehicles were never returned.

### **New Data Shows Racial Disparity in License Suspensions and Arrests for Failure to Pay**

In California, two of the most common types of arrests for inability to pay an infraction fine are made under California Vehicle Code section 14601.1 for driving after a license was suspended and under California Vehicle Code section 40508(a) for failing to pay an infraction fine. When someone cannot pay a traffic or infraction citation, California law permits courts either to issue a bench warrant or to add late fees such as the \$300 civil assessment described above; courts cannot do both.<sup>40</sup> Many courts use section 40508(a) warrants only for non-traffic violations. Either way, the failure to pay can result in license suspension.

As the United States Department of Justice wrote in November 2016, a driver license "is often essential to a person's well-being, including a person's ability to maintain a job, pursue educational opportunities, or care for children or other family."<sup>41</sup> Hundreds of thousands of people in California have lost their driver licenses because they could not afford to pay their citations, and many are forced to make impossible choices, such as not driving and consequently losing their jobs or driving to work and risking arrest.

## SANTA CLARA-Snapshot of Criminal Prosecutions for Failure to Pay<sup>42</sup>

As of April 2017, the Santa Clara Public Defender's Office had 625 cases where the only charge was for California Vehicle Code 14601.1, driving on a license that was suspended for failure to pay.

In January 2017, there were 260 new cases.

In February 2017, there were 278 new cases.

In March 2017, there were 301 new cases.

All of these represent criminal prosecutions against a person who could not pay a fine, and lost their license. Each of the people faces a standard 2 years of probation, thousands of extra dollars in fines, and potential jail time.

To get a snapshot of arrests related to failure to pay, California Public Records Act<sup>43</sup> requests were submitted to sheriffs in each of the nine Bay Area counties requesting information regarding bookings for violations of California Vehicle Code sections 14601.1 and 40508(a) during 2016.<sup>44</sup> The data received does not represent the total number of arrests related to inability to pay a citation in the Bay Area. First, it includes only people who were booked into a

county jail by the county sheriff's office, and therefore does not include people who were arrested and released, or booked and held in jail by other law enforcement agencies. So, for example, while Santa Clara County reported 137 people were booked by the sheriff's office last year, the Santa Clara Public Defender's Office reports being appointed counsel in over two hundred new misdemeanor prosecutions for section 14601.1 *each month*. Second, not every county responded with usable data, and each county has different traffic policing approaches, reporting approaches, and recording processes, which can make direct comparisons difficult. Finally, the data received was about number of bookings, not number of people, so a particular individual may have been booked more than once.

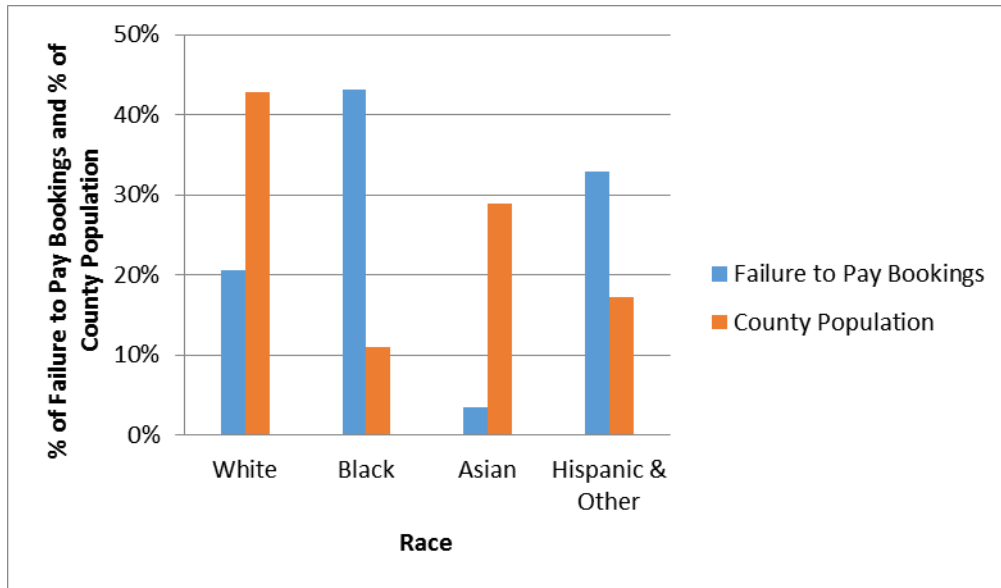
Though the number of total failure-to-pay related arrests is higher than this data set shows, several useful conclusions can be made from the data. **First, not being able to pay fines is an entry point into the criminal justice system.** People are being arrested and jailed in the Bay Area for cases that stem from being unable to pay a fine. There were over 2,000 county jail bookings for failure to pay arrests in 2016, as reported by sheriff's offices in six reporting counties.

**Second, the data collected shows racial disparity in failure to pay enforcement in Bay Area counties.**<sup>45</sup> The large number of bookings and cross-county patterns are strongly indicative of systemic issues related to racial bias. The data shows that in reporting Bay Area counties, white drivers are approximately **half** as likely to be booked in County jail for driving after failing to pay a traffic violation, relative to the county census population average, whereas drivers in the Hispanic or Other racial categories are roughly **four times** as likely, and African-American drivers are as much as **sixteen times** more likely, depending on the county.<sup>46</sup>

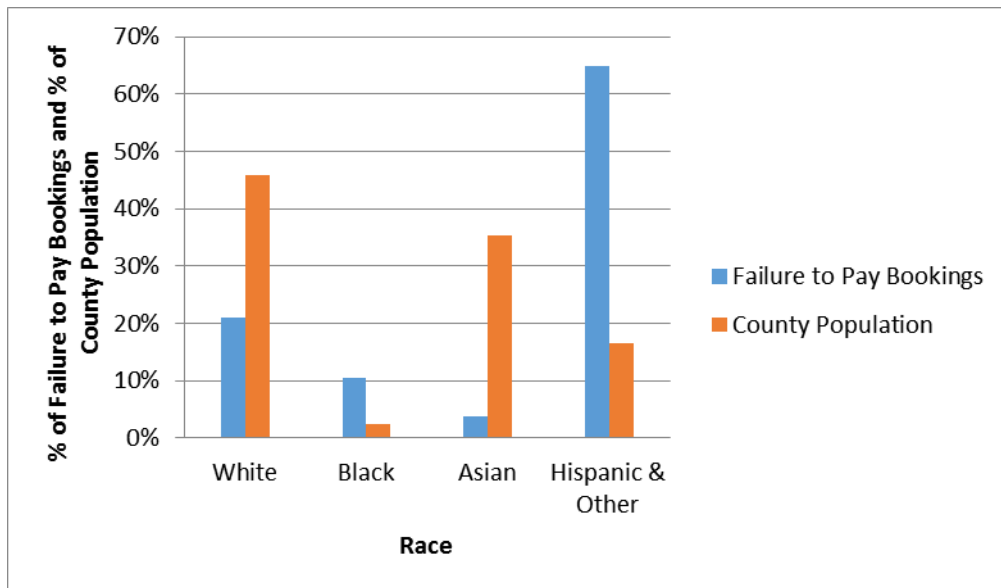
#### Percentages of 2016 14601.1 County Jail Bookings and County-Level Census Estimates by Race

To determine disparities, the subset data on failure to pay bookings is compared to the racial makeup of the general population. The charts below present a side-by-side comparison of racial proportionality in each of the reporting counties, comparing racial breakdown in 14601.1 jail bookings to the census population. The overall observation from each of these counties is that most people of color are disproportionately represented in 14601.1 arrests and bookings. In all the counties, drivers in the African-American and Hispanic & Other categories are more heavily represented than their census population percentage counterpart, whereas white drivers are always less represented and Asian drivers are generally less represented. **These results are robust and unambiguous.** With the exception of Contra Costa County with 27 data points, each of the counties reported more than 50 county jail bookings, and Alameda County has 1,796.

**Alameda County**<sup>47</sup>

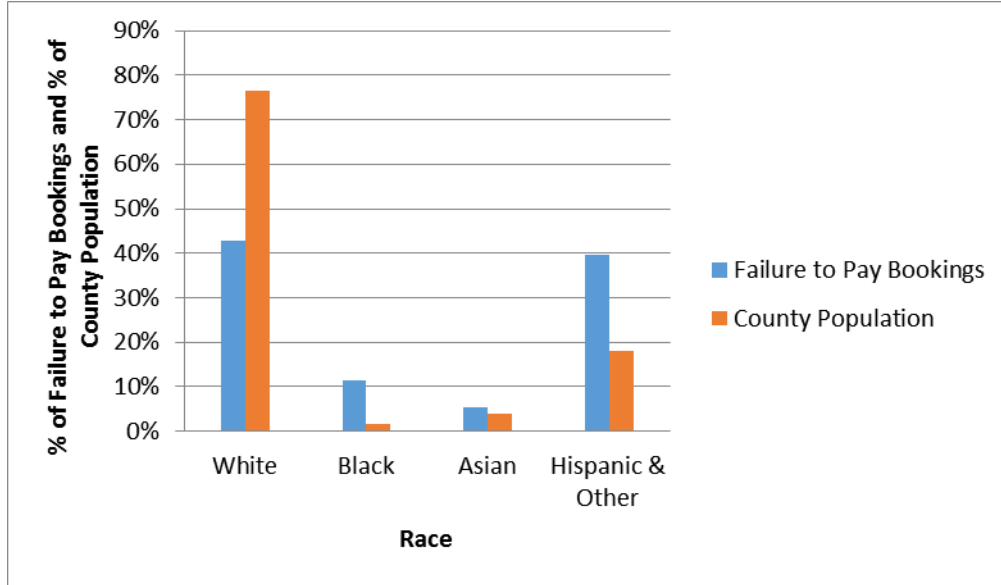


**Santa Clara County**<sup>48</sup>

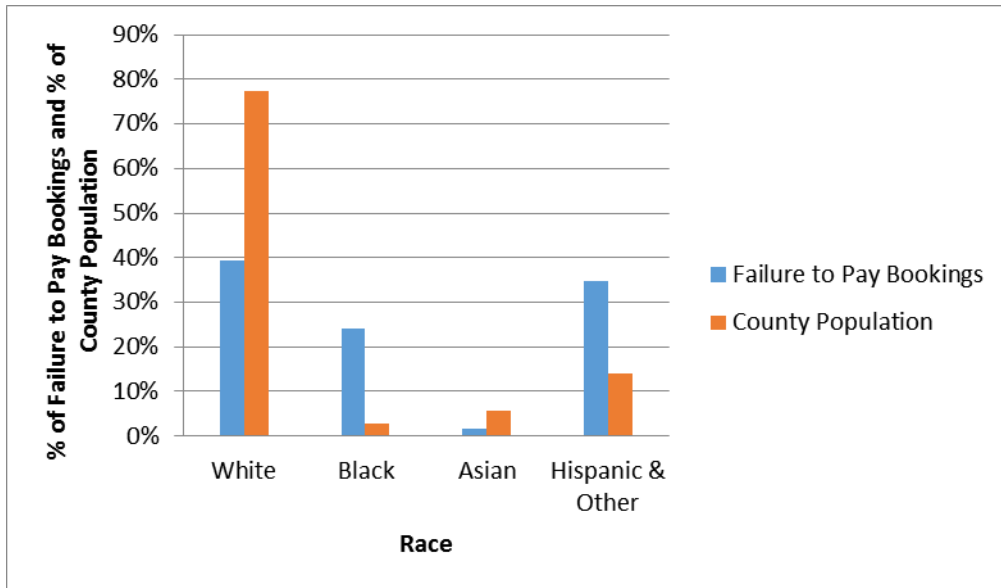




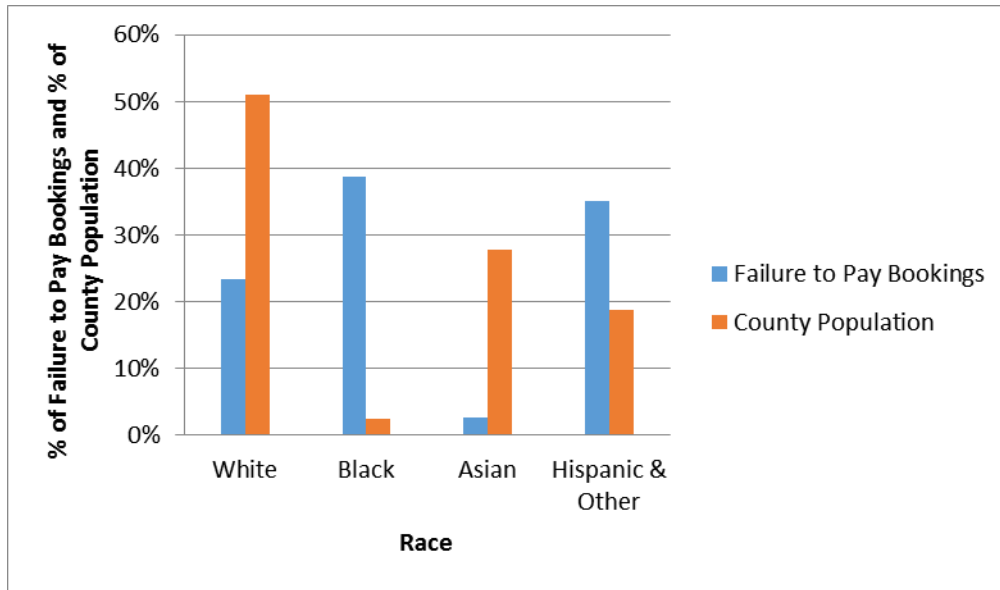
**Sonoma County<sup>49</sup>**



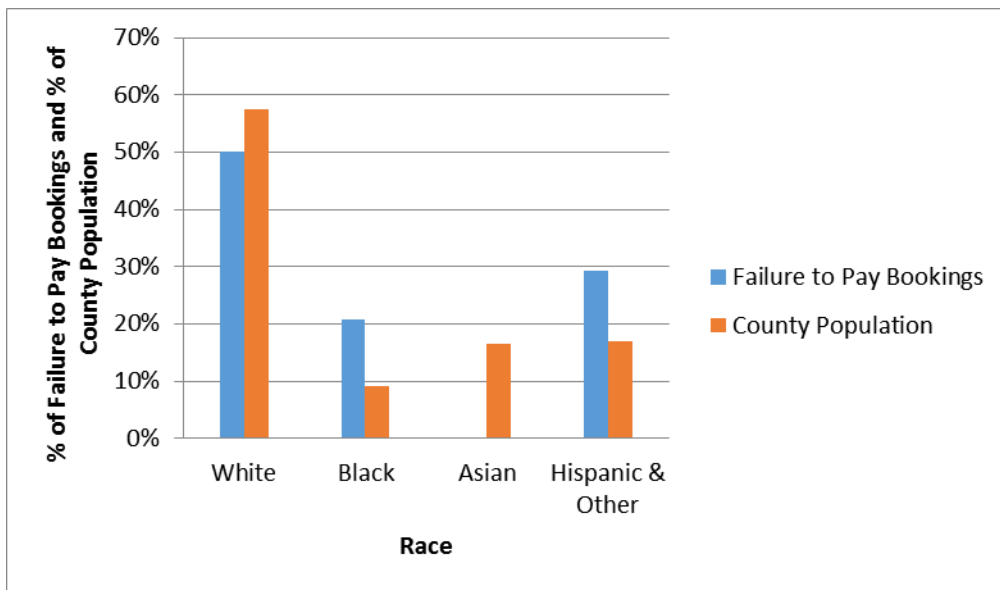
**Marin County<sup>50</sup>**



**San Mateo County<sup>51</sup>**



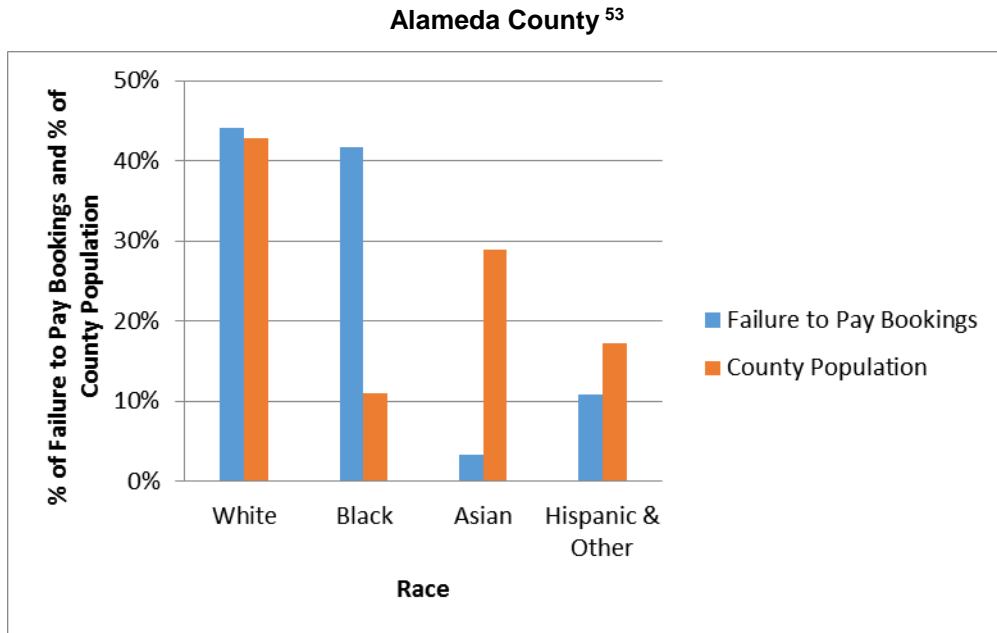
**Contra Costa County<sup>52</sup>**



Percentages of 2016 40508(a) County Jail Bookings and County-Level Census Estimates by Race

As described above, arrests and jail bookings under California Vehicle Code section 40508(a) are used primarily for warrants for failure to pay non-traffic infraction citations, such as loitering or sitting on a sidewalk. Not every county issues or arrests on these warrants, and people are more likely to be cited and released for these violations than for

traffic infractions. Therefore, this data set is considerably smaller than 14601.1 bookings. Among the reporting counties, only Alameda County had sufficient data to consider reliable at 120 arrests. The other counties have smaller sample sizes (fewer than 10 observations each) that are too easily skewed by a handful of observations.



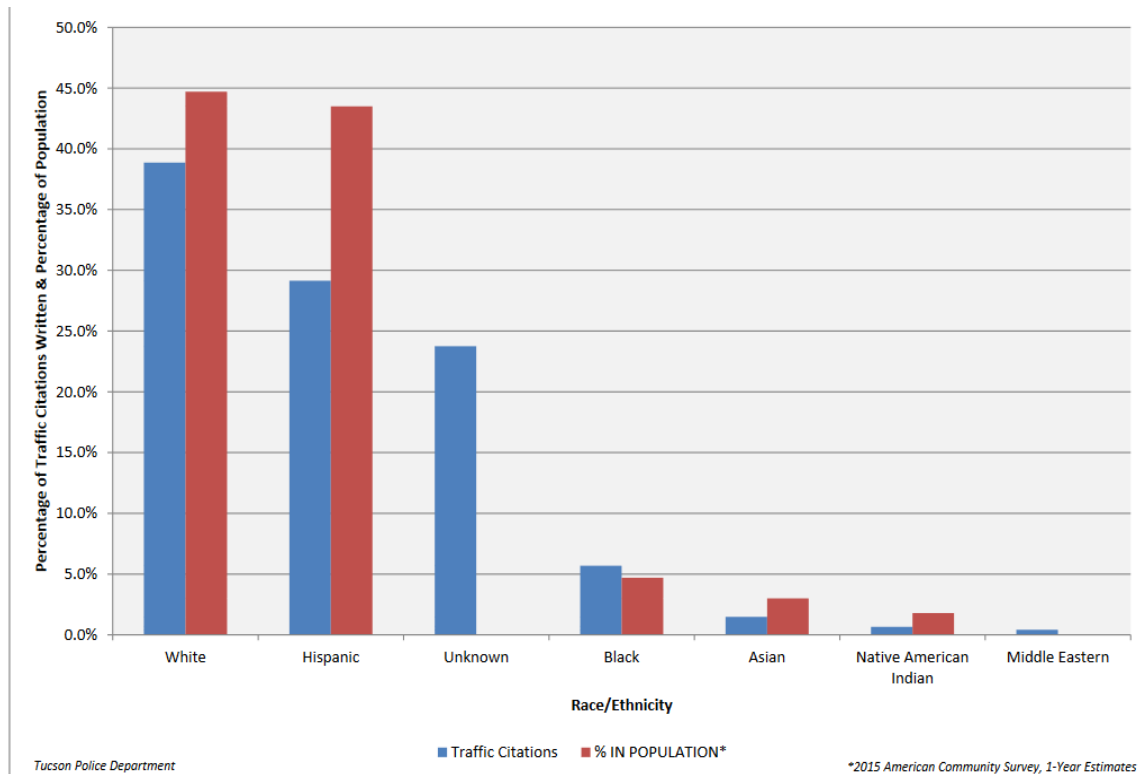
Here, the racial disparities are similar to those in section 14601 bookings. **Notably, 40% of people booked into jail on a 40508(a) violation were African-American, even though they represented only approximately 10% of the total population for the county.**

One explanation for this disparity is bias in traffic enforcement. In the report *Stopped, Fined, Arrested*, some of the data on racial bias in initial traffic stops from several California cities was collected and summarized: "Black and Latino drivers are pulled over more often by police, and white drivers are pulled over less, each at rates that are disproportionate to their shares of the population. Black and Latino drivers are disproportionately pulled over without a good reason, as evidenced by the rate of citations for non-observable offenses."<sup>54</sup> However, this **fourfold** difference in failure to pay bookings is unexplainable even with the levels of racial disparity that have often been shown in initial traffic or pedestrian stops.

Tucson, Arizona, a similarly sized urban area has released new data on disparities in traffic stops, and provides another comparison point.<sup>55</sup>

New data from Tucson, Arizona, suggests that people of color may be targeted in traffic stops. The Tucson metropolitan statistical area is approximately 1.0 million, which is similar in size to the California counties analyzed in this report. A news article in Arizona showed African-American drivers received 50% more traffic citations than white drivers, which was disproportionate to their population in the city.<sup>56</sup> The Tucson Police Department publishes a quarterly report and, in their latest report, the trend continues where African-American drivers receive more traffic citations in general than any other racial group.

**Tucson Percentage of Traffic Citations by Race / Ethnicity, July 1, 2016 - September 30, 2016**<sup>57</sup>



Comparing the disparities shown in booking data from Bay Area counties to the Tucson data on initial traffic stops, there is an even higher disproportionality in the data on failure-to-pay arrests and bookings. This could mean that there is more racial bias in initial traffic stops in each Bay Area county than in Tucson, Arizona, a similarly sized urban center with a different cultural and political makeup. It could mean that the racial disparity is compounded when there are two stops involved (one for the initial jaywalking or stop sign infraction, for example, and one for the failure-to-pay arrest). More data would be needed to complete this analysis. However, it is clear that the available data shows that people of color in the Bay Area bear a disproportionate burden of the societal consequences of incarceration arising from a simple failure-to-pay event.

### Policies and Practices in California Traffic Courts: Ability to Pay

In California courts, six out of every ten court cases are infraction or traffic citations.<sup>58</sup> Yet there is no right to counsel for people charged with infractions; the state does not pay for attorneys. This means that low-income Californians experience all these consequences without a way to exercise their legal rights: they can be arrested on warrants for failure to pay an infraction fine with no right to representation. They can lose their driver licenses and vehicles, with no right to legal help provided by the state.<sup>59</sup> Though some California civil legal aid lawyers assist clients in getting their driver licenses back, most civil legal aid offices do not provide representation in traffic court. The ratio of available lawyers to clients who need assistance is dismal: in California, there are 8,000 low-income people per civil legal aid lawyer.<sup>60</sup> Any federal cuts to civil legal aid funding would make the gap even worse.<sup>61</sup>

As a result, **over 90% of individuals who appear in traffic court are representing themselves.** This means that traffic court forms and procedures must be easy for a layperson to understand and access. To determine whether current traffic court procedures are accessible, pro bono attorneys from a Bay Area law firm conducted a survey of

court policies and procedures in the nine Bay Area county traffic courts. Specifically, they set out to determine whether low-income Bay Area residents can have fines reduced, or ask courts to impose alternative sentences like community service, where a higher fine would be disproportionate punishment.

### **Survey of Ability to Pay Processes in Nine Bay Area County Courts**

The nine Bay Area counties surveyed were:

1. Alameda County
2. Contra Costa County
3. Marin County
4. Napa County
5. San Mateo County
6. San Francisco County
7. Santa Clara County
8. Solano County
9. Sonoma County

Each county court received a Public Records Act<sup>62</sup> request for: (i) the various notifications and correspondence that each county sends to individuals who have received traffic citations, whether at the time of the issuance of the citation and upon an initial failure to pay or when there is a late payment; (ii) information regarding relief available for individuals who are unable to pay the relevant citation or related fees and penalties; (iii) information regarding the criteria and standards that courts or their designees (e.g., third-party contractors, companies, and organizations) employ to make ability to pay determinations; and (iv) information regarding the extent to which such determinations are outsourced or delegated to parties or entities other than the relevant county court itself.

Some Bay Area counties have made progress in preventing the injustices detailed in this report, and serve as models for best practices across the state. San Francisco, Alameda, Contra Costa, and Solano Counties have all placed moratoriums on suspending licenses for failure to pay a ticket, and several, including Alameda County and San Francisco, plan to make the change permanent. San Mateo changed its mailed notices to include information about ability to pay, and other counties are working to make that change. Some counties are in the process of designing significant reforms that would create a process, standards, and readable notices about ability to pay in each of their traffic courts.

One of the principal challenges to obtaining relief based on income-level or ability to pay with respect to traffic citations, related arrest warrants, and associated additional fees and penalties, is obtaining from the court relevant information about the process to obtain such relief.

On January 1, 2017, new Judicial Council rules took effect, requiring courts to give notice to those with a traffic citation that they are entitled to an ability to pay determination, requiring that ability to pay determinations be made at any point in the case, even after a person has missed a deadline, and prohibiting courts from requiring individuals to pay a fee before being entitled to a hearing. The law required these new rules to be fully implemented as soon as possible, but no later than May 1, 2017.

Most counties were able to provide copies or templates of the various notifications and correspondence that are issued to individuals who have received citations or have failed to make payments with respect to such citations. However, very little information was available, either at county courthouses or online, with regard to the processes required to obtain relief based on an individual's ability to pay.

Specifically, at the time of the survey, **no county was able to provide information on the criteria used to make ability to pay determinations.** As of April 2017, not a single county had adopted a form for individuals to request an ability to pay determination.<sup>63</sup> The absence of such critical information and forms leaves people who are most in need of financial assistance without access to alternative options—or with no way to know they might have options—and points to the need for statewide reform.

As detailed above, some courts are working on new procedures. And, this 2017 survey shows how urgently courts must pursue implementation; the information about what someone has to do if they cannot afford to pay a citation is not readily available.

Of course, if an individual can afford to pay a citation in full, they need never contact the court representatives or make a court appearance: they simply pay online or mail in a check. Many Californians have reasonable concerns about court appearances: non-citizens may fear deportation; homeless people may not have anywhere to leave their belongings or dogs; people who have had negative experiences in other court proceedings fear being treated poorly; the time lost in a court appearance can mean the loss of one's job. Californians with money usually do not face these same consequences.

## California Traffic Tickets / Infractions Amnesty Program: Successes and Challenges

From October 1, 2015 to April 3, 2017, each of California's 58 counties implemented the Traffic Tickets / Infractions Amnesty Program to reinstate suspended driver licenses for unpaid traffic tickets. Many individuals also qualified for a significant reduction in traffic fines and fees. As described above, license suspensions have disparate racial impacts,<sup>64</sup> and the constitutionality of suspending licenses when people are unable to pay court debt is being challenged in state and federal court.<sup>65</sup>

The amnesty program paved the way for people to pay off their debt and get their driver licenses reinstated, enabling them to get and keep their jobs. Latest data shows that 205,686 Californians had their debt reduced, and 192,452 had their licenses reinstated.<sup>66</sup> Additionally, as described in section III, the program allowed counties to collect more on delinquent debts than they had without amnesty.

There were also challenges with amnesty implementation.<sup>67</sup> High demand inundated courts across the state, demonstrating that many Californians wanted to take care of their traffic violations, but could not afford to do so at the full fine amounts. In less than three months, the Superior Court for Los Angeles County fielded 259,591 calls and 29,050 online applications. Each county developed its own forms, accepted applications through different channels (e.g., mail, fax, email, drop-off), maintained differing eligibility criteria, processed applications on different timelines, and had varied levels of accessibility to the program. The lack of uniformity led to inconsistent guidelines and results across California, and even in neighboring counties. This was especially confusing for people who had tickets in more than one county.

Other challenges include:

- Some counties required a nonrefundable \$50 payment prior to determining whether an applicant was eligible for amnesty.
- Other counties required high monthly payments that people could not afford, contrary to the purpose of the program. Those courts thereby precluded people from receiving license reinstatement even though they were eligible.
- Some counties denied license reinstatement to individuals whose tickets were after January 1, 2013, in violation of the amnesty law.
- Some counties reported processing times of six months or more, presenting challenges for people who were trying to get licenses to accept or keep a job. Other counties accepted applications on an online website and determined eligibility within 24 hours.
- People were referred back and forth between the courts, debt collectors, and the Franchise Tax Board, all of which gave inconsistent answers about options to resolve traffic debt.
- Those with tickets in more than one county were charged \$50 fees in each county to apply for amnesty. Despite the fact that only two debt collection companies—Alliance One and GC Services—collect outstanding debt on behalf of almost all of the 58 counties in California, there was no inter-county coordination to streamline application processes or required fees.
- Some counties required an in-person appearance to submit an application and make an initial payment. This policy presented a serious challenge for people with suspended licenses in counties without good public transportation who could not legally drive to court.
- Additionally, clerks gave inaccurate information to people seeking amnesty, informing them (in violation of the amnesty law) that they had to make large payments in order to qualify. Orange County rejected any person with a failure to appear, which contravened the intent of the program.
- Amnesty applications were not translated into other languages, and were therefore inaccessible to non-English speakers.
- Moreover, most courts chose to exclude offenses for driving without a license or driving with a suspended license from amnesty relief. As detailed above, driving with a suspended license disproportionately affects people of color<sup>68</sup> and is often a direct result of inability to pay a citation, which is the problem the amnesty program was designed to solve.

Finally, neither courts nor civil legal aid organizations received funding to assist individuals in applying for traffic amnesty or reinstating licenses.

Implementation of the recent traffic amnesty program shows the need for statewide guidance, as well as an implementation toolkit. Even as courts create new processes to determine an individual's ability to pay, equity and court accessibility will remain out of reach without consistent statewide standards and good implementation.



## Fiscal Impacts of Current Fines and Fees System

As explained above, license suspension is an ineffective and harmful mechanism for collecting court debt. Nevertheless, the primary objection to changing the current system—to stopping the use of driver license suspension as a debt collection tool and creating statewide standards for fines and fees based on people's ability to pay—has been the concern that courts will lose revenue. In previous legislative committee analyses for the amnesty bill and related reform legislation, there has been no analysis about the potential fiscal benefits to California of a new policy. This report provides the latest research and information showing that (1) allowing people to regain their licenses would create significant revenue for the state; and (2) well-designed and -implemented ability to pay systems have brought in **more revenue** than flat fees, which many people cannot afford.

### New Data Analysis Shows More Revenue Collected When Fines Are Affordable

There is now California data showing that if low-income Californians are given a reduced debt and the option of a payment plan, the state can collect more in revenue.

**The California Traffic Tickets / Infractions Amnesty Program collected three times more delinquent debt per case (\$151 per amnesty case) than other criminal court-ordered delinquent debt collections (\$45 per case).<sup>69</sup>**

As noted above, while in operation, the California Traffic Tickets / Infractions Amnesty Program reduced certain fines and fees for traffic infractions filed prior to 2013 with greater reductions for very low-income individuals. Debt is more costly and difficult to collect once it becomes delinquent. Even when accounting for the cost of collections, the ratio of collections per traffic amnesty case is 2.5 times greater than other delinquent court-ordered debt collections per case. A number of counties cited the California Traffic Tickets / Infractions Amnesty Program as a reason for increased collections. These initial results suggest that assessing ability to pay, providing more proportional sanctions and manageable installment payments, as well as hope for an end to punishment, facilitates greater delinquent debt collection.<sup>70</sup>

The amnesty data is consistent with recent research by Professor Beth Colgan on several pilot programs that were run in the 1980s and 1990s employing day-fines (a form of fine that is graduated to account for a person's ability to pay).<sup>71</sup> As detailed in a forthcoming article, Professor Colgan researched six day-fines pilot programs. In the two programs with particularly strong design, the data shows that when the fines were imposed at a set rate without consideration of an individual's circumstances (known as a "tariff-fine") people who could not afford to pay were less likely to pay anything. However, when fines were adjusted to account for ability to pay, **more people paid and the courts collected more total revenue.**

The two day-fines pilot programs that Professor Colgan found that were well-implemented were in Maricopa County, Arizona, and Staten Island, New York. In both pilots, the fines were related to criminal offenses.<sup>72</sup> Interestingly, in Maricopa County, there was a control group: project planners designed the pilot so that cases were randomly assigned to one of four judges but only two of the four used the day-fines model.<sup>73</sup> Both pilots also tested some form

of enhanced communication in some cases, where the court made contact to remind the defendant before a payment date.<sup>74</sup>

Professor Colgan notes that both pilots attempted to keep court administration costs low, despite the new need to collect financial data from defendants. Staten Island used staff at a nonprofit to collect financial data. Both projects relied on self-reporting of financial data so that staff did not have to expend resources doing independent verification. The courts had clear standards for the day-fines for ease of assessing what each defendant had to pay.<sup>75</sup>

Both pilots involved fines for criminal offenses, and both incidentally captured some limited information regarding recidivism rates, which were reduced during the day-fines pilot. Professor Colgan noted: "in addition to the straightforward administration of determining each defendant's financial circumstances, a properly designed system for graduating economic sanctions may have the potential to relieve congested court dockets."<sup>76</sup>

Most relevant, the day-fines pilots measured revenue collected when day-fines were imposed as compared to tariff-fines and found that, particularly when combined with supportive collections practices, more revenue was collected *and* payments were more likely to be on time. For example, in Maricopa County, day-fine defendants were able to pay more toward their total fine amounts at an average of \$699, as compared to only \$344 for defendants under the tariff-fine system.<sup>77</sup> "Further, 96% of day-fine defendants paid something toward their fines, as compared to only 77% of tariff-fine defendants."<sup>78</sup> Finally, more people in the day-fines pilots paid on time,<sup>79</sup> and "21.4% of day-fines defendants paid in full within 3 months, 31.9% within 6 months, 40.1% within 9 months, and 52.7% within 12 months—as compared to the mere 10% of defendants with tariff-fines who completed payment within a year."<sup>80</sup>

As California is considering reducing fines and fees and creating alternatives for people who are unable to pay, the data from these pilot projects is persuasive that high, flat-rate fines are not just inequitable, but counterproductive for a jurisdiction attempting to collect revenue.

## Recommendations

### I. Stop license suspensions for failure to pay an infraction ticket

**Cease suspending driver licenses as a method of collecting traffic court fines and fees.** The data above makes clear that license suspensions are harmful, inequitable, and unjust. Far from serving to enforce laws and ensure public safety, license suspensions for reasons unrelated to traffic safety have harmed low-income people's job prospects, caused lasting disruptions in people's lives through arrests and detention, and constrained the growth of the state economy. Several counties have already discontinued the practice of suspending driver licenses for failure to pay a traffic infraction fine, concluding that suspending licenses does not increase fine collection and should not be used as a method for fine enforcement. New data shows that removing license suspensions for failure to appear or failure to pay could lead to increased employment, to the benefit of the state economy.<sup>81</sup> With the growing amount of uncollected court debt, license suspensions for failure to pay a citation are failing to either keep the roads safe or effectively collect delinquent debt. Ceasing the practice of license suspensions is not only fair and equitable; this data demonstrates that it is also economically sensible.

### II. Create a statewide ability to pay process in traffic courts that makes fines more equitable and payable for Californians with low income

The following recommendations will increase knowledge about a person's ability to pay and improve access to different payment options.

#### **Affirmatively Inquire about a Person's Ability to Pay Using Uniform and Fair Guidelines for Determining Indigency**

Many people who are unable to pay their fines and fees are unaware that alternative options may be available. An effective ability-to-pay process assesses each person's income and other financial circumstances to determine a reasonable fine amount that is not unduly punitive and that is likely to be collected by the court. For indigent people, this individual assessment may require reducing fines and fees. Following the examples of Colorado,<sup>82</sup> Georgia,<sup>83</sup> Ohio,<sup>84</sup> Missouri,<sup>85</sup> and Washington State,<sup>86</sup> California has enacted Judicial Council rules that require an ability to pay determination at any stage of an infraction case. These rules, however, lack uniform and clear criteria for the state's 58 diverse counties. In the absence of well-designed guidelines, courts risk arbitrary and disproportionate implementation of the rules. As such, it is recommended that the Judicial Council expand on the rules to ensure all county courts affirmatively inquire about a person's ability to pay and use consistent guidelines.

#### **Reduce Fines to Affordable Amounts**

New analysis in this report demonstrates that court-ordered debt collection is higher when fines are reduced to an affordable amount. The Judicial Council of California has taken the first step in the right direction by enacting rules that allow for fines and fees to be "suspended in whole or in part" after taking into account various factors. To reduce arbitrariness across different jurisdictions and to ensure that punishment is proportionate to the violations, we

recommend reducing fines and fees by a standardized amount depending on income, ideally a day-fine approach. For those unable to afford lump-sum payments, installment payment plans should be offered, which are reasonably calibrated to a person's monthly discretionary income.

### **Increase Access to Alternatives to Paying a Fine**

#### **1. Community service**

Community service work should offer indigent people the opportunity to address their traffic fine in a non-monetary manner. In light of our nation's intersecting histories of forced labor and criminalization of communities of color, an individual's decision to elect community service must be truly voluntary, based on weighing the relative benefits of an affordable payment plan and community service.

Community service obligations should be set according to an individual's life circumstances, including employment and family obligations, and any physical or mental disabilities. Burdensome community service requirements can threaten the financial or physical health of an entire family if they affect a wage-earner's job or family care responsibilities. To avoid those consequences, flexibility should be the guiding principle. Weekend or evening community service should be possible, and people should be able to propose their own community service sites. Community service credit should also be available for hours spent in job training, drug or mental health treatment, education, securing or providing child care, or participating in other approved public interest or personal improvement activities.

Because community service is contemplated for individuals who cannot otherwise pay, there should not be sign-up costs for community service.

#### **2. Notice**

In each of the nine Bay Area counties, inadequate notice presented the first roadblock for people in traffic court. Notice of the consequences for failure to pay a traffic fine and notice of options for alternative payment options are critically important first steps for two reasons. First, the nature of vehicular traffic tickets means that many individuals will have to rely on the tickets they receive as their primary source of information about their offense. Second, traffic tickets may be issued for a variety of non-vehicular matters, such as littering;<sup>87</sup> these disproportionately affect homeless and highly mobile populations for whom the initial contact with law enforcement officers may be the only notice of a traffic fine.

All relevant notices—including the back of the initial citation—should be written in language that is readable at a fourth grade level, to make them accessible to as many people as possible, including those with disabilities. They must also be translated into the top languages spoken in each county, to comport with state and federal language access guidelines.

The following recommendations are designed to improve the quality of notice, which in turn will inform people of their options, increase overall fine collection, and ensure that Californians do not experience the additionally deleterious effects of suspended licenses.

##### **a) Traffic tickets**

In general, traffic tickets, when properly completed by the citing officer, should include sufficient information for an individual to determine the fine amount, whether a hearing is required, where the court with jurisdiction is located, and when the individual should appear there.<sup>88</sup>

However, the standard ticket, as drafted, presumes that the person will be able to pay the fine amount. Tickets state the consequences for failure to pay a fine, but they do not provide information about how people can establish an inability to pay the fine or what alternatives may be available. Therefore, **we recommend including notice of the ability-to-pay process on the tickets and including alternatives to payment on the tickets.**

b) Notice letters and electronic notice

All of the counties mail letters notifying drivers of their traffic tickets and providing instructions for paying fines. Again, however, these letters often do not include information about how people can establish an inability to pay the fine or what alternatives may be available. The Judicial Council has required that ability-to-pay procedures be outlined in these notices. Therefore, **we recommend that all court letters regarding citations or court debt include information about the ability-to-pay process and alternatives to payment.**

In addition, each of the courts has a website for court users; notice letters from San Francisco and San Mateo counties also include links to those courts' websites for additional information about appearing in traffic court. For all counties, however, the court websites should be improved to reflect the ways in which technologically savvy users access information, including the following recommendations:

- Add a feature, if it does not already exist, for users to look up their citations and any scheduled court appearances and fines or fees that have been assessed.
- Include within the Frequently Asked Questions information about what options are available to a person who is unable to pay a fine or fee.
- Make forms available on the website to request fee reductions, community service work, or other alternatives.

c) Notice at the courthouse

People should be notified about their right to an ability-to-pay determination at the courthouse and should be able either to submit documentation to a court clerk or to schedule a hearing before a judge to determine a reasonable fine amount.

Many courts do not have ability-to-pay forms or alternatives to payment request forms. Those Bay Area counties that do have forms only have them in hard copy at the courthouse. **We recommend that these forms be made available online** for greater access. In addition, **we recommend that courts accept these forms by online submission, fax, email, postal mail, and in person.**

d) Notice by the collections agency

People who fail to pay fines or fees by the deadline are frequently referred to third-party collection agencies, which attempt to collect the debt on behalf of the court. Currently, these agencies have no incentive to provide information about options available to individuals who are unable to pay their fines and fees. **We recommend that courts**

**require third-party collection agencies to affirmatively inform individuals about payment plans, community service work, and fine reductions that may be available.** This recommendation likely will increase the amount of outstanding debt collected by third-party agencies on behalf of the court.<sup>89</sup>

### 3. Civil Assessments

California Penal Code section 1214.1 gives courts authority to impose civil assessments of up to \$300 in addition to base fine amounts based on a person's failure to appear in court without good cause for failure to pay a fine. In the courts surveyed, individuals are routinely assessed the \$300 maximum without any inquiry into their ability to pay the fine. These civil assessments only drive Californians deeper into uncollectable debt—especially in cases where failure to pay is due to the person's inability to pay. In addition, failure to make any assessment of ability to pay violates the clear language of the statute. Therefore, **we recommend that the Judicial Council adopt rules to ensure that courts evaluate each person's ability to pay** before determining the amount of civil assessment to impose.

Currently, civil assessments may be vacated only upon a showing of good cause for failure to appear. "Good cause" is interpreted narrowly; in most counties, only hospitalization, incarceration, death of a family member, and military duty are enumerated as reasons that constitute good cause on the Petition to Vacate Civil Assessment forms. Some counties have an option for "other" good cause but it is unclear what qualifies as other good cause. In all cases, it is unclear what evidence an individual would have to provide in order to establish good cause for failure to appear. Therefore, **we recommend that civil assessments that are imposed for failure to appear in court be vacated upon a showing of any good cause or automatically cured when a person later appears in court.** Additionally, **we recommend amending the Petition to Vacate Civil Assessment form to broaden the circumstances that constitute good cause and to provide guidance to individuals on how to establish good cause.**

## III. Stop arresting Californians on infraction warrants for failure to pay, or for driving on a license that is suspended for failure to pay

Failure to pay a traffic ticket should not result in subsequent criminalization. Arrest and detention of someone who could not afford to pay a fine amount to wasted resources that could have been better used to enhance public safety. To that end, we recommend a statewide policy change to prohibit arrests for failure to pay, including decriminalizing driving with a suspended license for failure to appear/pay.

## Conclusion

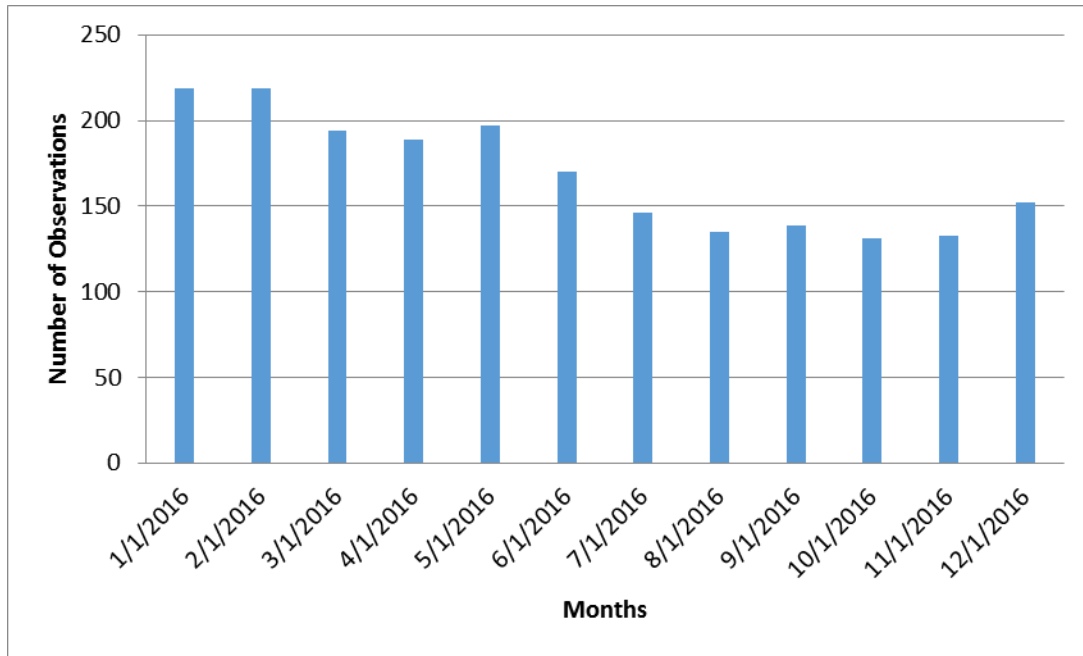
California is requiring its residents to pay some of the highest traffic fines and fees in the country without any statewide process for determining ability to pay. Californians who cannot pay are punished with license suspension, and often criminal charges and incarceration. These policies persist despite findings that using license suspension as a debt collection tool decreases motor vehicle safety. New research shows that the state would fiscally benefit from restoring driver licenses that were taken from people who could not afford to pay, and that more people would pay fines, and more revenue could be collected, if the fines were affordable.

In Bay Area counties, the burden of the current policies falls heavily on people of color. African-American residents are four to sixteen times more likely to be booked into jail on a failure-to-pay related charge. This rate is higher than the disproportionality found in initial traffic stops: punishing people for failure to pay is doubling down on the racial bias in the system.

The state legislature can and should act this year to stop punishing people for not having money to pay hundreds of dollars in traffic court fines and fees. As demonstrated in the data and stories in this report, reform is needed and could benefit all Californians.

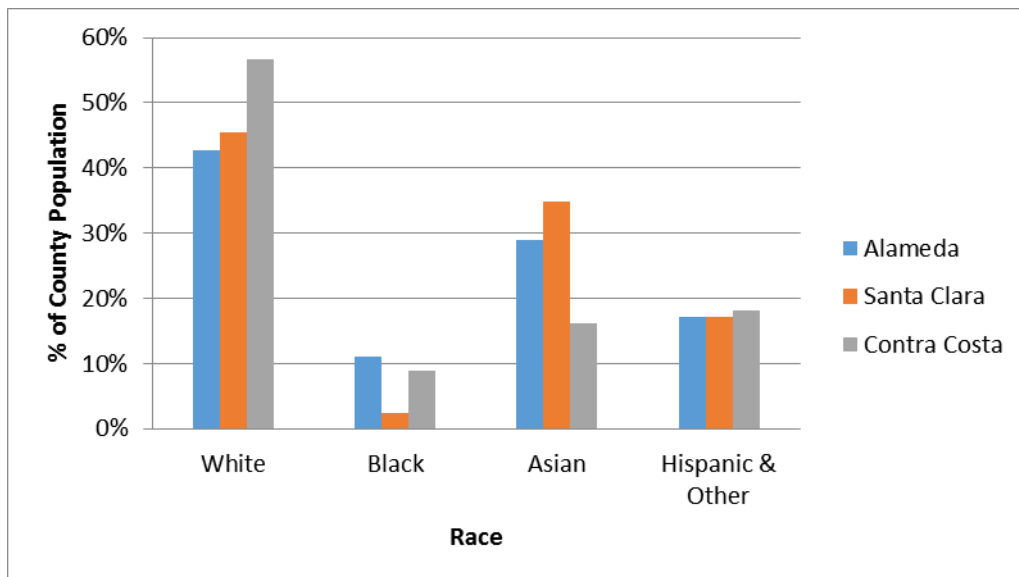
## Appendix A

**14601.1 Bookings in 2016 in Reported Counties**



For the 14601.1 charges, of the total 2024 failure to pay-related bookings in 2016, Alameda County had the vast majority with 1796, Santa Clara with 137, Sonoma with 83, Marin with 66, San Mateo with 52, and Contra Costa with 27.<sup>90</sup>

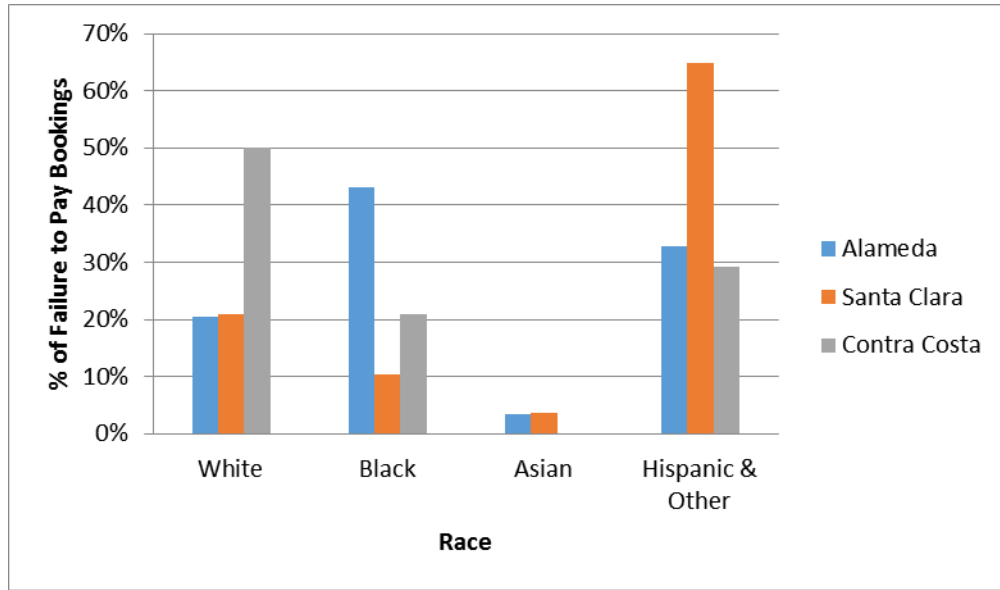
**County Census Race Percentage Breakdown<sup>91</sup>**



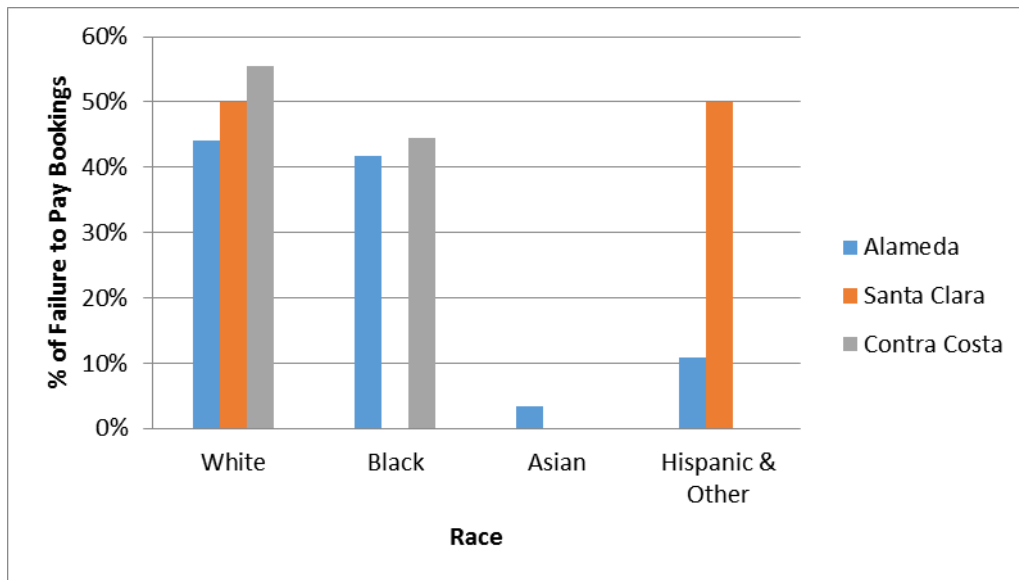


The following sections represent county-level findings for 14601.1 county jail bookings across all reporting counties.

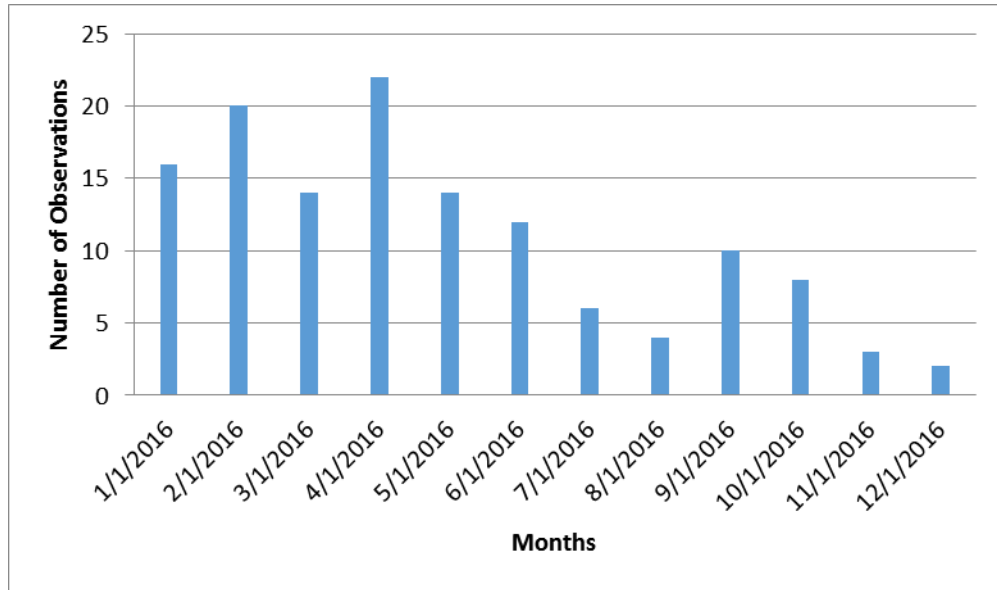
**14601.1 Bookings, Race Percentage Breakdown <sup>92</sup>**



**40508(a) Observation Race Percentage Breakdown <sup>93</sup>**



40508(a) Charges During 2016 in Reported Counties <sup>94</sup>



For the 40508(a) charges, of the total 131 observations in 2016, Alameda County had 120, Contra Costa 9, and Santa Clara 2.<sup>95</sup>

## Appendix B

### New Data Analysis on Fiscal Benefits of Stopping License Suspension for Failure to Pay<sup>96</sup>

Using data on the number of driver license suspensions, one can create an estimate of the potential tax revenue lost to the state of California. This analysis depends on several strong assumptions and should be considered only as an initial estimate, or perhaps an upper bound, as better data is necessary to estimate the true impact of changing laws regarding driver licenses and related debt collection.

Failure to Appear and Failure to Pay suspensions in California currently number nearly 600,000.<sup>97</sup> Linking these suspensions by ZIP code to median household incomes from the 2014 estimates of the American Community Survey can provide an estimate of the total income lost due to suspension. To do this, one needs an estimate of the number of people who lose (or fail to find) a job due to license suspension. The only known estimate comes from the State of New Jersey's Motor Vehicles Affordability and Fairness Task Force Final Report from 2006, which reports that 42% of those surveyed lost their job while their license was suspended.<sup>98</sup> Of those, 45% could not find another job, and of those who were able to, 88% reported reduced income. Making several reasonable assumptions, **a simple estimate of the annual income lost by those with suspended licenses is approximately \$3.6 billion.**<sup>99</sup> Those assumptions are:

- The 600,000 license suspensions in California last at least one year;
- Each household contains two earners;
- 42% of those who have their license suspended lose their job;
- 45% of those are unable to find another job; and
- The other 55% find a job with 88% of their previous income (assuming that income loss is proportional to incidence of lower pay).

If the effective California income tax rate on the median earner is 4%, this would imply lost revenue to the state on the order of \$140 million, not accounting for likely increased payments to social safety net programs that could have been avoided by working (and driving) citizens. Of course, this assumes that all of the 42% of job losses are caused by failure to appear or failure to pay license suspension, but even assuming that half the job losses are caused by license suspension and reduced ability to travel to work (as opposed to other likely correlated factors), a loss of \$70 million in tax revenue can be inferred. These calculations also assume that suspended drivers are median earners from their ZIP code (and additionally, due to data quality issues, that ZIP codes not represented in the Census Bureau's American Community Survey have the state median income of \$61,489), which is unlikely to be the case. The New Jersey report indicated that in previous surveys from other states, drivers with suspended licenses were more likely to be male between the ages of 25 and 44, and in New Jersey were more likely to come from areas of middle to low-income.

Though more difficult to quantify, the state would likely also see significant indirect financial benefits in addition to increased income tax revenue. These include:

- increased local sales tax revenue from higher income;
- higher consumption of those who keep their license and job;



- reduced welfare caseloads for largely federally funded programs such as SNAP, jointly funded state programs such as TANF/CalWORKS, and locally funded programs such as General Assistance/General Relief;
- reduced public health costs due to employer-provided health insurance; and
- decreased court, administrative, and law enforcement costs associated with stopping, detaining, and arresting those caught driving on suspended licenses.

Thus, even if significant costs may accrue to the state from changing failure to appear or failure to pay-based driver license suspension practices, the state should consider the potential for increased tax revenue and decreased state expenditures through increased employment of those who retain their license and thus their ability to drive to work.

## Appendix C

### 50-State Survey of Common Traffic Offenses

State	Citation type <sup>100</sup>	Base fine <sup>101</sup>	Additional Penalties / Surcharges	Citation's Actual Cost	Maximum FTP/FTA costs <sup>102</sup>	Maximum Citation's Cost If Offender Misses FTP Deadline or Hearing Date
Alabama (UBFS) <sup>103</sup>	Running stop sign when charged as a state law violation (Ala. Code Ann. § 32-5A-112)	20.00	BMC=170 <sup>104</sup> PMC=180 TMC=162 MCTC=171 WCMC=243	BMC=190 PMC=200 TMC=182 MCTC=191 WCMC=263	Varies by municipality. Report claims that DA can assess up to 30% of base fine. <sup>105</sup>	Varies by municipality. <sup>106</sup>
	Running red light (Ala. Code Ann. § 32-5A-32)	20.00	BMC=170 PMC=180 TMC=162 MCTC=171 WCMC=243	BMC=190 PMC=200 TMC=182 MCTC=191 WCMC=263	Varies by municipality. Report claims that DA can assess up to 30% of base fine.	Varies by municipality.
	Less than 25 MPH over posted speed limit (Ala. Code Ann. § 32-5A-171 and § 32-5A-8)	20.00	BMC=170 PMC=180 TMC=162 MCTC=171 WCMC=243	BMC=190 PMC=200 TMC=182 MCTC=191 WCMC=263	Varies by municipality. Report claims that DA can assess up to 30% of base fine.	Varies by municipality.
	At least 25 MPH over posted speed limit (Ala. Code Ann. § 32-5A-171 and § 32-5A-8)	40.00	BMC=170 PMC=180 TMC=162 MCTC=171 WCMC=243	BMC=190 PMC=200 TMC=182 MCTC=211 WCMC=283	Varies by municipality. Report claims that DA can assess up to 30% of base fine.	Varies by municipality.
Alaska (UBFS) <sup>107</sup>	Jaywalking when charged as a state law violation under 13 Alaska Admin. Code § 02.160 (c)	25.00	10.00 <sup>108</sup>	35.00	25 for court costs + 25 if sent to collection + unspecified, "applicable" surcharge <sup>109</sup>	
	Running stop sign when charged as a state law violation (13 Alaska Admin. Code § 02.010(a)(3))	150.00	10.00	160.00	25 for court costs + 25 if sent to collection + unspecified, "applicable" surcharge	
	Running red light (13 Alaska Admin. Code § 02.010(a)(3))	150.00	10.00	160.00	25 for court costs + 25 if sent to collection + unspecified, "applicable" surcharge	
	Exceeding state statutory speed limit, including residential area/urban district, by up to 3 mph and charged under 13 Alaska Admin. Code § 02.275(b)	24.00	10.00	34.00	25 for court costs + 25 if sent to collection + unspecified, "applicable" surcharge	



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	Exceeding state statutory speed limit, including limit for residential area/urban district, by up to 4-9 mph and charged under 13 Alaska Admin. Code § 02.275(b)	32-72	10.00	42-82	25 for court costs + 25 if sent to collection + unspecified, "applicable" surcharge	
	Exceeding state statutory speed limit, including limit for residential area/urban district, by 10-19 mph and charged under 13 Alaska Admin. Code § 02.275(b)	80 - 152	10.00	90-162	25 for court costs + 25 if sent to collection + unspecified, "applicable" surcharge	
	Exceeding state statutory speed limit, including limit for residential area/urban district, by at least 20 mph and charged under 13 Alaska Admin. Code § 02.275(b)	12/each mph	10.00		25 for court costs + 25 if sent to collection + unspecified, "applicable" surcharge	
<i>Arizona</i> <sup>110</sup> <i>(Phoenix)</i> <sup>111</sup>	Running stop sign	186.00	27.45	213.45		
	Running red light	245.00	27.45	272.45		
	Speeding 1-9 over	186.00	27.45	213.45		
	Speeding 9-15 over	196.00	27.45	223.45		
	Speeding 15-20 over	216.00	27.45	243.45		
<i>Arkansas</i> <sup>112</sup>	Running stop sign	Max 100				
	Running red light	Max 100				
	Speeding 1-15 over	Max 100				
<i>California (UBFS)</i> <sup>113</sup>	Jaywalking (Cal. Veh. Code § 21955)	25.00	162.00	197.00	325 <sup>114</sup>	522
	Running stop sign (Cal. Veh. Code § 22450(a))	35.00	203.00	238.00	325	563
	Running red light (Cal. Veh. Code §§ 21453-21454)	100.00	390.00	490.00	325	815.00
	Speeding 1-15 mph over prima facie speed limit of 25 mph in any business or residence district (Cal. Veh. Code § 22352(b)(1))	35.00	198.00	233.00	325	558.00

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	Speeding 16-25 mph over prima facie speed limit of 25 mph in any business or residence district (Cal. Veh. Code § 22352(b)(1))	70.00	292.00	362.00	325	687.00
	Speeding 26 mph over prima facie speed limit of 25 mph in any business or residence district (Cal. Veh. Code § 22352(b)(1))	100.00	385.00	485.00	325	810.00
<i>Colorado (Pueblo)</i> <sup>115</sup>	Running stop sign			100.00	165	265
	Running red light			100.00	165	265
	Speeding 1-4 over			50.00	165	215.00
	Speeding 5-9 over			75.00	165	240.00
	Speeding 10-19 over			125.00	165	290.00
<i>Connecticut (UBFS)</i> <sup>116</sup>	Jaywalking (Conn. Gen. Stat. Code § 14-300b(c))	50.00	42.00	92.00	500 <sup>117</sup>	592
	Running stop sign (Conn. Gen. Stat. § 14-301)	50.00	79.00	129.00	500	629
	Running red light (Conn. Gen. Stat. § 14-299)	70.00	59.00	129.00	500	629
	Speeding 1-9 mph over local posted speed limit (Conn. Gen. Stat. § 14-218a) <sup>118</sup>	50.00		132.00	500	632
	Speeding 10-21 mph over local posted speed limit (Conn. Gen. Stat. § 14-218a)	53-86		137-190	2000	637-690
	Speeding more than 21 mph over local posted speed limit (but not exceeding speed of 55 mph) (Conn. Gen. Stat. § 14-218a)	90.00		196.00	2000	2259
<i>Delaware (UBFS)</i> <sup>119</sup>	Running stop sign	25.00	94.50	119.50		
	Speeding 9 over	29.00	81.50	110.50		
	Speeding 15 over	55.00	109.50	164.50		

State	Citation type <sup>100</sup>	Base fine <sup>101</sup>	Additional Penalties / Surcharges	Citation's Actual Cost	Maximum FTP/FTA costs <sup>102</sup>	Maximum Citation's Cost If Offender Misses FTP Deadline or Hearing Date
Florida (Miami Dade) <sup>120</sup>	Jaywalking (Fla. Stat. Ann. § 316.130(11))	15.00		77.50	45	122.50
	Running stop sign (Fla. Stat. Ann. § 316.123)	60.00		179	45	224
	Running red light (Fla. Stat. Ann. §§ 316.07(1), 316.075(1)(c)(1))	60.00		277	45	322
	Exceeding statutory speed limit, including limit for business and residential districts, by up to 5 mph (Fla. Stat. Ann. §§ 316.183(2), 316.189(2)(a))	0.00	0.00	0.00	0	0
	Exceeding statutory speed limit, including limit for business and residential districts, by 6-9 mph (Fla. Stat. Ann. §§ 316.183(2), 316.189(2)(a))	25.00		144	45	189
	Exceeding statutory speed limit, including limit for business and residential districts, by up to 10-14 mph (Fla. Stat. Ann. §§ 316.183(2), 316.189(2)(a))	100.00		219	45	264
	Speeding up to 15-19 mph in business and residential districts (Fla. Stat. Ann. §§ 316.183(2), 316.189(2)(a))	150.00		269	45	313
	Exceeding statutory speed limit, including limit for business and residential districts, by up to 20-29 mph (Fla. Stat. Ann. §§ 316.183(2), 316.189(2)(a))	175.00		294	45	239
	Exceeding statutory speed limit, including limit for business and residential districts, by more than 29 mph (Fla. Stat. Ann. §§ 316.183(2), 316.189(2)(a))	250.00		369	45	414
Georgia <sup>121</sup> (Fulton) <sup>122</sup>	Jaywalking (violation of pedestrian duties)			Fulton: 265	100	365



State	Citation type <sup>100</sup>	Base fine <sup>101</sup>	Additional Penalties / Surcharges	Citation's Actual Cost	Maximum FTP/FTA costs <sup>102</sup>	Maximum Citation's Cost If Offender Misses FTP Deadline or Hearing Date
	Running stop sign			Fulton: 265	100	365
	Running red light			Fulton: 265	100	365
	Speeding 1-5 over			Fulton: 0		
	Speeding 6-10 over			Fulton: 150	100	250
	Speeding 11-14 over			Fulton: 250	100	350
	Speeding 15-20 over			Fulton: 350	100	450
	Speeding 21-30 over			Fulton: 450	100	550
	Speeding 31-39 over			Court only		
	Speeding 40+ over			Court only		
<i>Hawai'i</i> <sup>123</sup>	Jaywalking (Haw. Rev. Stat. § 291C-73(c))	100.00				
	Running stop sign (Haw. Rev. Stat. § 291C-63)	Max 200				
	Running red light (Haw. Rev. Stat. § 291C-32)	Max 200				
<i>Idaho (UBFS)</i> <sup>124</sup>	Jaywalking			61.50	25	86.5
	Running stop sign			90.00	25	115
	Running red light			90.00	25	115
	Exceeding statutory speed limit, including 35 mph in residential, business, or urban districts, by 1-15 mph. (Idaho Rev. Stats. § 49-654(2)(a))			90.00	25	115
	Exceeding s statutory speed limit, including 35 mph in residential, business, or urban districts, by more than 15 mph (Idaho Rev. Stats. § 49-654(2)(a))			150.00	25	175
<i>Illinois (Chicago)</i> <sup>125</sup>	Running stop sign			60.00		
	Running red light			100.00		
	Speeding 6-10 over			35.00		
<i>Indiana (Gary)</i> <sup>126</sup>	Running stop sign	20.00		153.50		
	Speeding 1-10 over	20.00		153.50		
	Speeding 11-15 over	25.00		158.50		
	Speeding 16-20 over	30.00		163.50		

State	Citation type <sup>100</sup>	Base fine <sup>101</sup>	Additional Penalties / Surcharges	Citation's Actual Cost	Maximum FTP/FTA costs <sup>102</sup>	Maximum Citation's Cost If Offender Misses FTP Deadline or Hearing Date
	Speeding 21-25 over	35.00		168.50		
<i>Iowa (UBFS)<sup>127</sup></i>	Crossing at intersection outside of crosswalk and pedestrian fails to yield right of way to vehicles (Iowa Code Ann. §321.328(1))	25.00		93.75		
	Running a stop sign (Iowa Code Ann. § 321.322)	100.00		195.00		
	Running a red light (Iowa Code Ann. § 321.257)	100.00		195.00		
	Exceeding statutory speed limit, including limit for residential/school/business districts, by 1-5 mph (Iowa Code Ann. §§ 321.285(2)(a)(2)), 321.285(2)(a)(1))	20.00		87.00		
	Exceeding statutory speed limit, including limit for residential/school/business districts, by 6-10 mph (Iowa Code Ann. §§ 321.285(2)(a)(2)), 321.285(2)(a)(1))	40.00		114.00		
	Exceeding statutory speed limit, including limit for residential/school/business districts, s by 11-15 mph (Iowa Code Ann. §§ 321.285(2)(a)(2)), 321.285(2)(a)(1))	80.00		268.00		
	Exceeding statutory speed limit, including limit for residential/school/business districts, by 16-20 mph (Iowa Code Ann. §§ 321.285(2)(a)(2)), 321.285(2)(a)(1))	90.00		181.50		
	Exceeding statutory speed limit, including limit for residential/school/business districts, for residential/school/business districts by over	100 + 5/each mile		195 + each mile		

State	Citation type <sup>100</sup>	Base fine <sup>101</sup>	Additional Penalties / Surcharges	Citation's Actual Cost	Maximum FTP/FTA costs <sup>102</sup>	Maximum Citation's Cost If Offender Misses FTP Deadline or Hearing Date
	20 mph (Iowa Code Ann. §§ 321.285(2)(a)(2)), 321.285(2)(a)(1))					
<i>Kansas (UBFS)<sup>128</sup></i>	Jaywalking (Kan. Stat. Ann. §8-1534(c))	45.00				
	Running stop sign (Kan. Stat. Ann. § 8-1528)	75.00				
	Running red light (Kan. Stat. Ann. § 8-1508)	75.00				
	Exceeding statutory speed limit, including 30 mph limit for urban district, by 1-10 mph	45.00				
	Exceeding statutory speed limit, including 30 mph limit for urban district, by 11-20 mph (Kan. Stat. Ann. § 8-1558)	45 + 6/each mph				
	Exceeding statutory speed limit, including 30 mph limit for urban district, by 21-30 mph (Kan. Stat. Ann. § 8-1558)	105 + 9/each mph				
	Exceeding statutory speed limit, including 30 mph limit for urban district, by 31 and over mph (Kan. Stat. Ann. § 8-1558)	195 + 30/each mph				
<i>Kansas (Lawrence)<sup>129</sup></i>	Jaywalking	80.00	63.00	143.00		
	Running stop sign	80.00	63.00	143.00		
	Running red light	80.00	63.00	143.00		
	Speeding 1-9 over	50.00	63.00	113.00		
	Speeding 10 over	80.00	63.00	143.00		
	Speeding 11-15 over	80 + 6 per mile over 10	63.00	149.00-173.00		
<i>Kentucky (Fayette)<sup>130</sup></i>	Running stop sign	20-100	143.00	163-243		
	Running red light	20-100	143.00	163-243		
	Speeding 10 over	20.00	143.00	163.00		
	Speeding 11-20 over	20 + 2 per mile over 11	143.00	163-183		

State	Citation type <sup>100</sup>	Base fine <sup>101</sup>	Additional Penalties / Surcharges	Citation's Actual Cost	Maximum FTP/FTA costs <sup>102</sup>	Maximum Citation's Cost If Offender Misses FTP Deadline or Hearing Date
	Speeding 21-25 over	40 + 3 per mile over 20	143.00	183-198		
	Speeding 26+ over	60-100	143.00	203-243		
<i>Louisiana (New Orleans)</i> <sup>131</sup>	Running stop sign			222.50	100	322.5
	Running red light			222.50	100	322.5
	Speeding 1-9 over			157.50	100	257.5
	Speeding 10-14 over			257.50	100	357.5
	Speeding 15-20 over			282.50	100	382.5
	Speeding 20+ over			Court		
<i>Maine (UBFS)</i> <sup>132</sup>	Jaywalking (Me. Rev. Stat § 29A-2056(6)(A))			137.00		
	Running stop sign (Me. Rev. Stat § 29A-2057(7))			131.00		
	Running red light (Me. Rev. Stat § 29A-2057(1)(C)(1))			131.00		
	Exceeding statutory speed limit, including 25 mph limit for residential or urban districts, by 1-9 mph (Me. Rev. Stat § 29A-2074(1))			119.00		
	Exceeding statutory speed limit, including 25 mph limit for residential or urban districts, by 10-14 mph (Me. Rev. Stat § 29A-2074(1))			137.00		
	Exceeding statutory speed limit, including 25 mph limit for residential or urban districts, by 15-19 mph (Me. Rev. Stat § 29A-2074(1))			185.00		
	Exceeding statutory speed limit, including 25 mph limit for residential or urban districts, by 20-24 mph (Me. Rev. Stat § 29A-2074(1))			215.00		
	Exceeding statutory speed limit, including 25 mph limit for			263.00		

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	residential or urban districts, by 25-29 mph (Me. Rev. Stat § 29A-2074(1))					
<i>Maryland (UBFS)<sup>133</sup></i>	Jaywalking (Md. Code Ann. § 21-501(c))			70.00		
	Running stop sign (Md. Code Ann. § 21-707(c))			90.00		
	Running a red light (Md. Code Ann. § 21-202(h)(1))			140.00		
	Exceeding statutory speed limit, including 30 mph limit in business districts, by 1-9 mph (Md. Code Ann. § 21-801.1)			80.00		
	Exceeding statutory speed limit, including 30 mph limit in business districts, by 10-19 mph (Md. Code Ann. § 21-801.1)			90.00		
	Exceeding statutory speed limit, including 30 mph limit in business districts, by 20-29 mph (Md. Code Ann. § 21-801.1)			160.00		
<i>Massachusetts (UBFS)<sup>134</sup></i>	Running stop sign (Mass. Gen. L. 89 § 9)			105.00		
	Exceeding statutory speed limit, including 30 mph limit in a thickly settled or business district a, by 1-10 mph (Mass. Gen. L. 89 § 17)	50.00	55.00	155.00		
	Exceeding statutory speed limit, including 30 mph limit in a thickly settled or business district by at least 11 mph (Mass. Gen. L. 89 § 17)	50 + 10/each mph	55.00	minimum 165		
<i>Michigan (UBFS)<sup>135</sup></i>	Jaywalking	18.00	75-93	93-111		
	Running stop sign	35.00	75-93	110-128		
	Running red light	35.00	75-93	110-128		



State	Citation type <sup>100</sup>	Base fine <sup>101</sup>	Additional Penalties / Surcharges	Citation's Actual Cost	Maximum FTP/FTA costs <sup>102</sup>	Maximum Citation's Cost If Offender Misses FTP Deadline or Hearing Date
	Speeding 1-10 over	6-30	75-93	81-123		
	Speeding 11-15 over	31-59	75-93			
	Speeding 16+ over	60+	75-93			
<i>Minnesota (UBFS)<sup>136</sup></i>	Jaywalking (Minn. Stats. 169.21, subd. 3(c))	20.00	75.00	95.00	30	125
	Running stop sign (Minn. Stats. 169.20, subd. 3(b))	50.00	75.00	125.00	30	155
	Running red light (Minn. Stats. 169.06)	50.00 <sup>137</sup>	75.00	125.00	30	155
	Speeding 1-10mph over (Minn. Stats. 169.14 subd. 5)	40.00	75.00	115.00	30	145
	Speeding 11-14mph over (Minn. Stats. 169.14 subd. 5)	50.00	75.00	125.00	30	155
	Speeding 15-19mph over (Minn. Stats. 169.14 subd. 5)	60.00	75.00	135.00	30	165
	Speeding 20-25mph over (Minn. Stats. 169.14 subd. 5)	70.00	145.00	215.00	30	145
	Speeding 26-30mph over (Minn. Stats. 169.14 subd. 5)	100.00	175.00	275.00	30	305
	Speeding 31mph and over unless endangered (Minn. Stats. 169.14 subd. 5)	150.00	225.00	375.00	30	405
<i>Mississippi (Olive Branch City)<sup>138</sup></i>	Running stop sign			227.50		
	Running red light			227.50		
	Speeding 10-12 over			197.50		
	Speeding 13-19 over			203.5-215.5		
<i>Missouri (UBFS)<sup>139</sup></i>	Running stop sign (304.351)	30.50	66.50	97.00		
	Running red light (304.281)	30.50	66.50	97.00		
	Speeding 1-5mph over (304.010)	20.50	62.50	83.00		
	Speeding 6-10mph over (304.010)	30.50	66.50	97.00		
	Speeding 11-15mph over (304.010)	55.50	66.50	122.00		

State	Citation type <sup>100</sup>	Base fine <sup>101</sup>	Additional Penalties / Surcharges	Citation's Actual Cost	Maximum FTP/FTA costs <sup>102</sup>	Maximum Citation's Cost If Offender Misses FTP Deadline or Hearing Date
	Speeding 16-19mph over (304.010)	80.50	66.50	147.00		
	Speeding 20-25mph over (304.010)	155.50	66.50	222.00		
<i>Montana (UBFS)<sup>140</sup></i>	Jaywalking (MCA 61-8-503(3))	50.00	35.00	85.00		
	Running stop sign (MCA 61-8-344(3))	50.00	35.00	85.00		
	Running red light (MCA 61-8-207(3))	50.00	35.00	85.00		
	Speeding (12.8.204)	50.00	35.00	85.00		
	Speeding 1-10 over in 25mph urban district (61-8-303(1)(c) [1])			20.00		
	Speeding 11-20 over in 25mph urban district (61-8-303(1)(c) [1])			40.00		
	Speeding 21-30 over in 25mph urban district (61-8-303(1)(c) [1])			70.00		
	Speeding 31+ over in 25mph urban district (61-8-303(1)(c) [1])			100.00		
<i>Nebraska (UBFS)<sup>141</sup></i>	Jaywalking (Nebraska Rev Stat 60-6,154)	25.00	49.00	74.00		
	Running stop sign (60-6,148)	75.00	49.00	124.00		
	Running red light (60-6,123)	75.00	49.00	124.00		
	Speeding 1-5mph over (60-6,186)	10.00	49.00	59.00		
	Speeding 5-10mph over	25.00	49.00	74.00		
	Speeding 10-15mph over	75.00	49.00	124.00		
	Speeding 15-20mph over	125.00	49.00	174.00		
	Speeding 20-35mph over	200.00	49.00	249.00		
	Speeding over 35mph	300.00	49.00	349.00		
<i>Nevada</i>	No data found					



State	Citation type <sup>100</sup>	Base fine <sup>101</sup>	Additional Penalties / Surcharges	Citation's Actual Cost	Maximum FTP/FTA costs <sup>102</sup>	Maximum Citation's Cost If Offender Misses FTP Deadline or Hearing Date
New Hampshire (UBFS) <sup>142</sup>	Running stop sign (N.H. Rev. Stat. Ann. 365:31)			124.00	50	174
	Running red light (N.H. Rev. Stat. Ann. 265:9?)			62.00	50	112
	Speeding 1-10 over in 55 or under district (N.H. Rev. Stat. Ann. 265:60)			62.00	50	112
	Speeding 11-15 over in 55 or under district (N.H. Rev. Stat. Ann. 265:60)			93.00	50	143
	Speeding 16-20 over in 55 or under district (N.H. Rev. Stat. Ann. 265:60)			124.00	50	174
	Speeding 21-25 over in 55 or under district (N.H. Rev. Stat. Ann. 265:60)			248.00	50	298
	Speeding 26+ over in 55 or under district (N.H. Rev. Stat. Ann. 265:60)			434.00	50	484
New Jersey (UBFS) <sup>143</sup>	Jaywalking (N.J.S.A. 39:4-32 to 4-33)	54.00	33.00 <sup>144</sup>	87.00		
	Running stop sign (N.J.S.A. 39:4-144)	85.00	33.00	118.00		
	Running red light (N.J.S.A. 39:4-81)	85.00	33.00	118.00		
	Speeding 1-9 over (N.J.S.A 39:4-98)	85.00	33.00	118.00		
	Speeding 10-14 over (N.J.S.A 39:4-98)	95.00	33.00	128.00		
	Speeding 15-19 over (N.J.S.A 39:4-98)	105.00	33.00	138.00		
	Speeding 20-24 over (N.J.S.A 39:4-98)	200.00	33.00	233.00		
	Speeding 25-29 over (N.J.S.A 39:4-98)	220.00	33.00	253.00		
	Speeding 30-34 over (N.J.S.A 39:4-98)	240.00	33.00	273.00		
	Speeding 35-39 over (N.J.S.A 39:4-98)	260.00	33.00	293.00		
New Mexico (UBFS) <sup>145</sup>	Jaywalking	25.00	28.00 <sup>146</sup>	53.00		





State	Citation type <sup>100</sup>	Base fine <sup>101</sup>	Additional Penalties / Surcharges	Citation's Actual Cost	Maximum FTP/FTA costs <sup>102</sup>	Maximum Citation's Cost If Offender Misses FTP Deadline or Hearing Date
	Running stop sign	25.00	28.00	53.00		
	Running red light	25.00	28.00	53.00		
	Speeding 1-10 over	15.00	28.00	43.00		
	Speeding 11-15 over	30.00	28.00	58.00		
	Speeding 16-20 over	65.00	28.00	93.00		
	Speeding 21-25 over	100.00	28.00	128.00		
	Speeding 26-30 over	125.00	28.00	153.00		
	Speeding 31-35 over	150.00	28.00	178.00		
	Speeding 35+ over	200.00	28.00	228.00		
<i>New York (Nassau County)<sup>147</sup></i>	Running stop sign	200.00	88.00	288.00		
	Running red light	250.00	88.00	338.00		
	Speeding	Court				
<i>North Carolina (UBFS)<sup>148</sup></i>	Running stop sign (G.S. 20-158)	50.00	178.00	228.00 <sup>149</sup>	250 <sup>150</sup>	478
	Running red light (G.S. 20-158)	50.00	178.00	228.00	250	478
	Speeding 0-5 over in 55 or under zone	10.00	178.00	188.00	250	438
	Speeding 6-10 over in 55 or under zone	15.00	178.00	193.00	250	443
	Speeding 11-15 over in 55 or under zone	30.00	178.00	208.00	250	458
	Speeding 16+ over in 55 or under zone	50.00	178.00	228.00	250	478
<i>North Dakota (UBFS)<sup>151</sup></i>	Running stop sign (39-10-44(3))			20.00		
	Running red light (39-10-05)			20.00		
	Speeding 1-5 over in 55 or under zone (39-09-02)			5.00		
	Speeding 6-10 over in 55 or under zone			5-10		
	Speeding 11-15 over in 55 or under zone			10-15		
	Speeding 16-20 over in 55 or under zone			15-25		
	Speeding 21-25 over in 55 or under zone			25-40		
	Speeding 26-35 over in 55 or under zone			40-70		



State	Citation type <sup>100</sup>	Base fine <sup>101</sup>	Additional Penalties / Surcharges	Citation's Actual Cost	Maximum FTP/FTA costs <sup>102</sup>	Maximum Citation's Cost If Offender Misses FTP Deadline or Hearing Date
	Speeding 36-45 over in 55 or under zone			70-100		
	Speeding 46+ over in 55 or under zone			100+ 5/each mph over 45		
<i>Ohio</i> <sup>152</sup> ( <i>Akron</i> ) <sup>153</sup>	Running red light	34.00	135.00	169.00		
	Speeding 1-15 over	29.00	135.00	164.00		
	Speeding 16-20 over	34.00	135.00	169.00		
	Speeding 20+ over	69.00	135.00	204.00		
<i>Oklahoma (Nicoma Park)</i> <sup>154</sup>	Running stop sign			274.00		
	Running red light			274.00		
	Speeding 1-10 over			174.00		
	Speeding 11-15 over			194.00		
	Speeding 16-20 over			214.00		
	Speeding 21-25 over			234.00		
	Speeding 26-30 over			254.00		
	Speeding 31+ over			274.00		
<i>Oregon (UBFS)</i> <sup>155</sup>	Crossing at intersection outside of crosswalk and pedestrian fails to yield right of way to vehicles (Ore. Rev. Stats § 814.040)	110.00		110.00		Clackamas County Circuit Court: 450 <sup>156</sup>
	Running stop sign (Ore. Rev. Stats §§ 811.260(16), 811.265(3))	260.00		260.00		Clackamas County Circuit Court: 1200
	Running red light Ore. Rev. Stats § (Ore. Rev. Stats §§ 811.260(16), 811.265(3))	260.00		260.00		Clackamas County Circuit Court: 1200
	Speeding 1-10 mph over 25 mph limit in business districts (Ore. Rev. Stats §§ 811.111(d), 811.109)	110.00		110.00		Clackamas County Circuit Court: 450
	Speeding 11-20 mph over 25 mph limit in business districts (Ore. Rev. Stats §§ 811.111(d), 811.109)	160.00		160.00		Clackamas County Circuit Court: 700
	Speeding 21-30 mph over 25 mph limit in business districts	260.00		260.00		Clackamas County Circuit Court: 1200



State	Citation type <sup>100</sup>	Base fine <sup>101</sup>	Additional Penalties / Surcharges	Citation's Actual Cost	Maximum FTP/FTA costs <sup>102</sup>	Maximum Citation's Cost If Offender Misses FTP Deadline or Hearing Date
	(Ore. Rev. Stats §§ 811.111(d), 811.109)					
<i>Pennsylvania</i>	No data found					
<i>Rhode Island (UBFS)<sup>157</sup></i>	Running stop sign (31-17-4 and 31-20-9)			85.00		
	Running red light (31-13-04)			85.00		
	Speeding 1-10 over			95.00		
	Speeding 11+ over with \$10 per mile over			205 minimum		
<i>South Carolina (Summerville)<sup>158</sup></i>	Running stop sign			237.50		
	Running red light			237.50		
	Speeding 1-10 over			81.88		
	Speeding 11-15 over			133.75		
	Speeding 16-24 over			185.63		
	Speeding 25 over			445.00		
<i>South Dakota (UBFS)<sup>159</sup></i>	Running stop sign (S.D. Codified Laws § 32-29-2.1)	54.00		120.00		
	Running red light (S.D. Codified Laws § 32-28-10)	54.00		120.00		
	Speeding above 25 mph limit in urban areas (S.D. Codified Laws § 32-25-12; class 2 misdemeanor per § 22-6-2)	Max 500				
	Speeding 6-10 over	39.00		105.00		
<i>Tennessee (Knoxville)<sup>160</sup></i>	Jaywalking			79.50	119.5	199.00
	Running stop sign			116.50	119.5	236.00
	Running red light			116.50	119.5	236
	Speeding 1-14 over			116.50	119.5	236
	Speeding 15-24 over			126.50	119.5	246.00
	Speeding 25+ over			151.50	119.5	271.00
<i>Texas (Houston)<sup>161</sup></i>	Running stop sign			235.00	500 <sup>162</sup>	735.00
	Running red light			235.00	500	735.00
	Speeding 1-5 over			170.00	500	670.00

State	Citation type <sup>100</sup>	Base fine <sup>101</sup>	Additional Penalties / Surcharges	Citation's Actual Cost	Maximum FTP/FTA costs <sup>102</sup>	Maximum Citation's Cost If Offender Misses FTP Deadline or Hearing Date
	Speeding 6-9 over			180.00	500	680.00
	Speeding 10-14 over			200.00	500	700.00
	Speeding 15-19 over			245.00	500	745.00
	Speeding 20-29 over			265.00	500	765.00
	Speeding 30+ over			300.00	500	800.00
Utah (UBFS) <sup>163</sup>	Crossing at intersection outside of crosswalk and pedestrian fails to yield right of way to vehicles (Utah Code Ann. § 41-6a-1003(a))	120.00	42.00 <sup>164</sup>	162.00	option to raise bail by 50 for FTA/FTP within 14 days of citation date (Utah Jud. Admin. Rule 4-701(1) + delinquency enhancement; and option to raise bail by 75 for FTA/FTP within 40 days of citation date (Utah Jud. Admin. Rule 4-701(2) + delinquency enhancement	
	Running stop sign (Utah Code Ann. § 41-6a-902)	120.00	42.00	162.00	Id.	
	Running red light ( Utah Code Ann. § 41-6a-305(4)(a))	120.00	42.00	162.00	Id.	
	Speeding 1-10 mph over 25 mph limit in urban district (Utah Code Ann. § 41-6a-601(2)(b))	120.00	42.00	162.00	Id.	
	Speeding 11-15 mph over 25 mph limit in urban district (Utah Code Ann. § 41-6a-601(2)(b))	150.00	52.50	202.50	Id.	
	Speeding 16-20 mph over 25 mph limit in urban district (Utah Code Ann. § 41-6a-601(2)(b))	200.00	70.00	270.00	Id.	
	Speeding 21-25 mph over 25 mph limit in urban district (Utah Code Ann. § 41-6a-601(2)(b))	270.00	94.50	364.50	Id.	
	Speeding 26-30 mph over 25 mph limit in urban district (Utah Code Ann. § 41-6a-601(2)(b))	370.00	129.50	499.50	Id.	

State	Citation type <sup>100</sup>	Base fine <sup>101</sup>	Additional Penalties / Surcharges	Citation's Actual Cost	Maximum FTP/FTA costs <sup>102</sup>	Maximum Citation's Cost If Offender Misses FTP Deadline or Hearing Date
Vermont (UBFS) <sup>165</sup>	Jaywalking (23 Vt. Stats. Ann. § 1022(c))			162.00		
	Running stop sign (23 Vt. Stats. Ann. § 1048(b))			162.00		
	Running red light (23 Vt. Stats. Ann. § 1022)			220.00		
	Speeding: municipalities set local speed limits, with their own waiver penalty schedules (23 Vt. Stats. Ann. § 1007)					
	Speeding 1-10 over	5-50	47.75-54.5	52.75-104.5		
Virginia (UBFS) <sup>166</sup>	Jaywalking (Va. Code Ann. § 46.2-923)	15.00	51.00	66.00		
	Running stop sign (Va. Code Ann. § 46.2-821)	30.00	51.00	81.00		
	Running red light (Va. Code Ann. §46.2-833)	100.00	51.00	151.00		
	Speeding 1-5 mph over 25 mph limit in a residential or business area (Va. Code Ann. §46.2-874), and not posted	6-30	51.00	minimum 57-81		
	Speeding 6-10 mph over 25 mph limit in a residential or business area (Va. Code Ann. §46.2-874), and not posted	36-60	51.00	minimum 87-111		
	Speeding 11-15 mph over 25 mph limit in a residential or business area (Va. Code Ann. §46.2-874), and not posted	66-90	51.00	minimum 117-141		
	Speeding 16-20 mph over 25 mph limit in a residential or business area (Va. Code Ann. §46.2-874), and not posted	96-120	51.00	minimum 141-171		
	Speeding 21-25 mph over 25 mph limit in a residential or business area (Va. Code Ann. §46.2-874), and not posted	126-150	51.00	minimum 177-201		



State	Citation type <sup>100</sup>	Base fine <sup>101</sup>	Additional Penalties / Surcharges	Citation's Actual Cost	Maximum FTP/FTA costs <sup>102</sup>	Maximum Citation's Cost If Offender Misses FTP Deadline or Hearing Date
	Speeding 26-30 mph over 25 mph limit in a residential or business area (Va. Code Ann. §46.2-874), and not posted	156-180	51.00	minimum 201-141		
<i>Washington (UBFS)<sup>167</sup></i>	Jaywalking (unless defined by municipal ordinance)	33.00	37.00 <sup>168</sup>	70.00		
	Running stop sign (Rev. Code Wash. Ann. 46.61.050)	48.00	37.00	85.00		
	Running red light (Rev. Code Wash. Ann. 46.61.050)	48.00	37.00	85.00		
	Speeding 1-5 mph over 25 mph limit in city and town streets (Wash. Code Rev. Ann. 46.61-400(2))	43.00	37.00	80.00		
	Speeding 6-10 mph over 25 mph limit in city and town streets (Wash. Code Rev. Ann. 46.61-400(2))	48.00	37.00	85.00		
	Speeding 11-15 mph over 25 mph limit in city and town streets (Wash. Code Rev. Ann. 46.61-400(2))	63.00	37.00	100.00		
	Speeding 16-20 mph over 25 mph limit in city and town streets (Wash. Code Rev. Ann. 46.61-400(2))	83.00	37.00	120.00		
	Speeding 21-25 mph over 25 mph limit in city and town streets (Wash. Code Rev. Ann. 46.61-400(2))	108.00	37.00	145.00		
	Speeding 21-25 mph over 25 mph limit in city and town streets (Wash. Code Rev. Ann. 46.61-400(2))	133.00	37.00	170.00		
	Speeding 31-35 mph over 25 mph limit in city and town streets (Wash. Code Rev. Ann. 46.61-400(2))	158.00	37.00	195.00		
<i>West Virginia (Morgantown)<sup>169</sup></i>	Running stop sign			157.00		

State	Citation type <sup>100</sup>	Base fine <sup>101</sup>	Additional Penalties / Surcharges	Citation's Actual Cost	Maximum FTP/FTA costs <sup>102</sup>	Maximum Citation's Cost If Offender Misses FTP Deadline or Hearing Date
	Running red light			157.00		
	Speeding 1-4 over			127.00		
	Speeding 5-9 over			137.00		
	Speeding 10-14 over			147.00		
	Speeding 15-19 over			157.00		
	Speeding 20-24 over			167.00		
	Speeding 25+ over			182.00		
<i>Wisconsin (UBFS)<sup>170</sup></i>	Crossing at intersection outside of crosswalk and pedestrian fails to yield right of way to vehicles (Wis. Stats. Ann. § 346.25)	10.00		150.10	FTA: Citation's actual cost, if Court exercises option to treat citation as nolo contendere and assess forfeiture of not more than the "deposit" if offender has already paid the Deposit Schedule total cost (See "deposit" defined at (Wis. Stats. Ann. § 346.26(2))(a)-(b) <sup>171</sup>	
	Running red stop sign (Wis. Stats. Ann. § 346.46(1))	30.00		175.30	As above	
	Running red light (Wis. Stats. Ann. § 346.37(1)(c))	30.00		175.30	As above	
	Exceeding by 1-10 mph the 25 mph or 35 mph speed limits on certain highways within city or village corporate limits (Wis. Stats. Ann. § 346.57(4)(e) and (f))	30.00		175.30	As above	
	Exceeding by 11-15 mph the 25 mph or 35 mph speed limits on certain highways within city or village corporate limits (Wis. Stats. Ann. § 346.57(4)(e) and (f))	30.00		175.30	As above	
	Exceeding by 16-19 mph the 25 mph or 35 mph speed limits on certain highways within city or village corporate limits (Wis. Stats. Ann. § 346.57(4)(e) and (f))	50.00		200.50	As above	



State	Citation type <sup>100</sup>	Base fine <sup>101</sup>	Additional Penalties / Surcharges	Citation's Actual Cost	Maximum FTP/FTA costs <sup>102</sup>	Maximum Citation's Cost If Offender Misses FTP Deadline or Hearing Date
	Exceeding by 20-24 mph the 25 mph or 35 mph speed limits on certain highways within city or village corporate limits (Wis. Stats. Ann. § 346.57(4)(e) and (f))	70.00		225.70	As above	
	Exceeding by 25-29 mph the 25 mph or 35 mph speed limits on certain highways within city or village corporate limits (Wis. Stats. Ann. § 346.57(4)(e) and (f))	90.00		250.90	As above	
	Exceeding by 30-34 mph the 25 mph or 35 mph speed limits on certain highways within city or village corporate limits (Wis. Stats. Ann. § 346.57(4)(e) and (f))	125.00		295.00	As above	
Wyoming (Casper) <sup>172</sup>	Jaywalking			25.00	250 <sup>173</sup>	275.00
	Running stop sign			110.00	250	360.00
	Running red light			110.00	250	360.00
	Speeding 1-10 over			47-100	250	297-350
	Speeding 11-20 over			104-140	250	354-390
	Speeding 21-25 over			144-160	250	394-410
	Speeding 26+ over			230.00	250	480.00

<sup>1</sup> The California Traffic Tickets / Infractions Amnesty Program did not create a system for reducing fines or preventing license suspensions for traffic citations with payments due after January 1, 2013.

<sup>2</sup> 2016 Mass. Acts Ch. 64

<sup>3</sup> H.R. 827, 128th Leg., 1st Reg. Sess. (Me. 2016).

<sup>4</sup> Vanita Gupta & Lisa Foster, Dear Colleague Letter (Mar. 14, 2016), U.S. Department of Justice, Civil Rights Division; Statement of Interest of the United States, *Stinnie v. Holcomb*, No. 3:16-cv-00044-NKM (W.D. Va. filed July 6, 2016).

<sup>5</sup> See Lawyers' Committee for Civil Rights of the San Francisco Bay Area et al., *Not Just a Ferguson Problem: How Traffic Courts Drive Inequality in California*, 10 (2015), available at <http://www.lccr.com/wp-content/uploads/Not-Just-a-Ferguson-Problem-How-Traffic-Courts-Drive-Inequality-in-California-4.20.15.pdf>.

<sup>6</sup> Maggie McGrath, *63% Of Americans Don't Have Enough Savings To Cover A \$500 Emergency*, FORBES, Jan. 6, 2016, <https://www.forbes.com/sites/maggiemcgrath/2016/01/06/63-of-americans-dont-have-enough-savings-to-cover-a-500-emergency/>.

<sup>7</sup> See Lawyers' Committee for Civil Rights of the San Francisco Bay Area et al., *supra* note 5, at 9-12.

<sup>8</sup> Alexandra Natapoff, *Misdemeanor Decriminalization*, 68 VAND. L. REV. 1055, 1055 (2015). See also Casey Smith & Cary Aspinwall, *Increasing number going to jail for not paying fines*, TULSA WORLD, July 24, 2014, [http://www.tulsaworld.com/news/local/increasing-number-going-to-jail-for-not-paying-fines/article\\_8b8d2229-c7ad-5e7f-aea2-baeb13390880.html](http://www.tulsaworld.com/news/local/increasing-number-going-to-jail-for-not-paying-fines/article_8b8d2229-c7ad-5e7f-aea2-baeb13390880.html); National Association of Criminal Defense Lawyers, *Minor Crimes, Massive Waste* (2009), available at <https://www.nacdl.org/News.aspx?id=24431&terms=minor+crimes>.

<sup>9</sup> *Hernandez v. California Dep't of Motor Vehicles*, No. RG 16836460 (Cal. Super. Ct. filed Oct. 25, 2016).

<sup>10</sup> See John Howard, *Federal judge orders conference in traffic ticket case*, CAPITOL WEEKLY (Feb. 1, 2017), available at <http://capitolweekly.net/federal-court-conference-traffic-ticket/>.



- 11 Chief Justice Tani G. Cantil-Sakauye, *State Of The Judiciary Address To A Joint Session Of The California Legislature*, Mar. 27, 2017, available at <http://newsroom.courts.ca.gov/news/2017-state-of-the-judiciary>
- 12 See Lawyers' Committee for Civil Rights of the San Francisco Bay Area et al., *Stopped, Fined, Arrested: Racial Bias in Policing and Traffic Courts in California*, 7 (2016), available at [http://www.lccr.com/wp-content/uploads/Stopped\\_Fined\\_Arrested\\_BOTRCA.pdf](http://www.lccr.com/wp-content/uploads/Stopped_Fined_Arrested_BOTRCA.pdf).
- 13 See Lawyers' Committee for Civil Rights of the San Francisco Bay Area et al., *supra* note 5, at 11-12.
- 14 Our data set for jaywalking citation costs is limited to twenty-six states. Within this data set, California's actual citation cost of \$197 for jaywalking is among the highest citation costs imposed for this violation.
- 15 Full data set included in Appendix C.
- 16 Michael Ginsborg and Anuthara Hegoda collected this data, and conducted this analysis in April 2017 for Lawyers' Committee for Civil Rights of the San Francisco Bay Area. Bo Ericsson created this visual representation, which depicts actual citation cost, where available. If there was a range of actual citation cost, the lowest end of the range was used. If actual citation cost data was not available, base fine data was used. See Appendix C for full chart of data collected and sources.
- 17 Michael Ginsborg and Anuthara Hegoda collected this data, and conducted this analysis in April 2017 for Lawyers' Committee for Civil Rights of the San Francisco Bay Area. Bo Ericsson created this visual representation, which depicts actual citation cost, where available. If there was a range of actual citation cost, the lowest end of the range was used. If actual citation cost data was not available, base fine data was used. See Appendix C for full chart of data collected and sources.
- 18 Lawyers' Committee for Civil Rights of the San Francisco Bay Area, last checked data April 2017. See Appendix C for full chart of data collected and sources.
- 19 Lawyers' Committee for Civil Rights of the San Francisco Bay Area, *supra* note 16.
- 20 New data in Alameda County shows that in the past 5 years, the average civil assessment fee was actually *more than* \$300, which is the ceiling allowed by state law. This is likely attributable to the fact that in Alameda County, the court charges an extra \$10 "hold fee" each time a civil assessment fee is added. Data collected by East Bay Community Law Center, January 2017.
- 21 Lawyers' Committee for Civil Rights of the San Francisco Bay Area et al., *supra* note 5 at 7.
- 22 Analysis for this section provided by Natalia Emanuel, Ph.D Candidate in Economics at Harvard University.
- 23 National Center for O\*NET Development, *Quick Search*, Retrieved Apr. 4, 2017, <https://www.onetonline.org/find/result?s=driver&a=1>; Career InfoNet, *Occupation Profile: Driver/Sales Worker*, Retrieved Apr. 4, 2017, [https://www.careerinfonet.org/occ\\_rep.asp?next=occ\\_rep&Level=&optstatus=001000000&id=1&nodeid=2&stfips=06&jobfam=53&soccode=533031](https://www.careerinfonet.org/occ_rep.asp?next=occ_rep&Level=&optstatus=001000000&id=1&nodeid=2&stfips=06&jobfam=53&soccode=533031).
- 24 Richard Florida, *Where the Good and Bad Jobs Will Be, 10 Years From Now*, The Atlantic: CityLab, Feb. 25, 2014, <http://www.citylab.com/work/2014/02/where-good-and-bad-jobs-will-be-10-years-now/8470/>.
- 25 CareerOneStop, *Wages for Driver/Sales Workers in California*, Retrieved Feb. 23, 2017, <https://www.careeronestop.org/toolkit/wages/find-salary.aspx?soccode=533031&location=California&dataview=table&hourly=False&national=False>.
- 26 American Community Survey, *2011-2015 ACS 5-year Public Use Microdata Samples (PUMS)*, Retrieved 7 Feb 2017, <http://www2.census.gov/programs-surveys/acs/data/pums/2015/5-Year/>
- 27 Alan M. Voorhees Transportation Center et al., Motor Vehicles Affordability and Fairness Task Force, *Final Report* 38 (2016), available at [http://www.state.nj.us/mVehicle/Code/pdf/About/AFTF\\_final\\_02.pdf](http://www.state.nj.us/mVehicle/Code/pdf/About/AFTF_final_02.pdf).
- 28 American Association of Motor Vehicle Administrators, *Best Practices Guide to Reducing Suspended Drivers* (2013), available at <http://www.aamva.org/best-practices-and-model-legislation/>.
- 29 *Id.* at 2.
- 30 Leah Sakala, *Suspending Common Sense in Massachusetts*, Prison Policy Initiative, May 14, 2014, <https://www.prisonpolicy.org/driving/report.html#sec3>.
- 31 Tina Griego, *States Are Taking Away Your Driver's License as a Result of 'Social Engineering.'* The Washington Post, Oct. 22, 2014, available at [https://www.washingtonpost.com/news/storyline/wp/2014/10/22/4935/?utm\\_term=.ed0a45d4b8ad](https://www.washingtonpost.com/news/storyline/wp/2014/10/22/4935/?utm_term=.ed0a45d4b8ad).
- 32 University of California, Berkeley, Policy Advocacy Clinic., *California's New Vagrancy Laws: The Growing Enactment and Enforcement of Anti-Homeless Laws in the Golden State* (2015), available at <https://ssrn.com/abstract=2558944>.
- 33 Dan Kopf, "The Fining of Black America," Priceonomics, June 24, 2016, <https://priceonomics.com/the-fining-of-blackamerica/>.
- 34 James B. Comey, 'Hard Truths: Law enforcement and race', Georgetown University, February 12, 2015. <https://www.fbi.gov/news/speeches/hard-truths-law-enforcement-and-race>
- 35 Nazgol Ghandoosh, *The Sentencing Project, Black Lives Matter: Eliminating Racial Inequity in the Criminal Justice System* 10-11 (2015), <http://www.sentencingproject.org/publications/black-lives-matter-eliminating-racial-inequity-in-the-criminal-justice-system/>.
- 36 American Civil Liberties Union, *Billions of Dollars Wasted on Racially Biased Arrests* at 17, June 2013. <https://www.aclu.org/files/assets/aclu-thewaronmarijuana-rel2.pdf>
- 37 See Lawyers' Committee for Civil Rights of the San Francisco Bay Area et al., *supra* note 12 at 4.
- 38 Wendy C. Regoeczi & Stephanie Kent, *Race, Poverty, And The Traffic Ticket Cycle: Exploring The Situational Context Of The Application Of Police Discretion*, 37 Policing: An International Journal of Police Strategies & Management 190 (2014), available at <http://dx.doi.org/10.1108/PIJPSM-06-2013-0060>.
- 39 Farida Jhavalva Romero, *In Menlo Park, Many Lose Cars After Driving with Suspended License*, KQED, Aug. 5, 2015, <https://www2.kqed.org/news/2015/06/17/in-menlo-park-many-lose-cars-after-driving-with-suspended-license/>.
- 40 Cal. Penal Code § 1214.1(c).
- 41 Statement of Interest of the United States, *Stinnie v. Holcomb*, No. 3:16-cv-00044-NKM (W.D. Va. filed July 6, 2016) at 1.
- 42 Interview with Dejan Gantar, attorney with Santa Clara Public Defender's Office, April 3, 2017; Data courtesy of Santa Clara Public Defender's Office.
- 43 Cal. Gov't Code § 6250 et seq.
- 44 Data on these violations for 2016 were requested from nine Bay Area counties in early 2016. As a result of differing tracking systems, only six counties were able to provide data relating to 14601(a)(1) charges: Alameda, Santa Clara, Sonoma, Marin, San Mateo, and Contra Costa. With regard to 40508(a) violations, only three—Alameda, Contra Costa, and Santa Clara—were able to provide data. The balance of county data during each month (i.e., 1/1 reflecting observations in the month of January) showed a large number of arrests toward the beginning of the year. Note that each of these code violations reflects at minimum a single 14601.1 or 40508(a) event, but multiple code violations could be associated with each data point (for example, receiving a speeding ticket and being found to not have insurance).

45 Lawyers' Committee for Civil Rights of the San Francisco Bay Area gathered the data presented here; data analysis done by Gene Tien,  
Director of Economics at Baker McKenzie Consulting LLC.

46 The U.S. Census data provides estimates for single-race and mixed-race population by county. For the purpose of this illustration, all mixed-  
race populations are included in the Hispanic & Other category.

47 See Lawyers' Committee for Civil Rights of the San Francisco Bay Area, *supra* note 45.

48 See Lawyers' Committee for Civil Rights of the San Francisco Bay Area, *supra* note 45.

49 See Lawyers' Committee for Civil Rights of the San Francisco Bay Area, *supra* note 45.

50 See Lawyers' Committee for Civil Rights of the San Francisco Bay Area, *supra* note 45.

51 See Lawyers' Committee for Civil Rights of the San Francisco Bay Area, *supra* note 45.

52 See Lawyers' Committee for Civil Rights of the San Francisco Bay Area, *supra* note 45.

53 See Lawyers' Committee for Civil Rights of the San Francisco Bay Area, *supra* note 45.

54 See Lawyers' Committee for Civil Rights of the San Francisco Bay Area et al., *supra* note 12 at 4 (citations omitted).

55 Tucson showed that African-American drivers were given traffic citations more frequently than any other racial category - at its highest  
observed by media, approximately 50% more than the population average.

56 Amanda Le Claire, *Police Ticket Disproportionate Number of Blacks in Tucson*, Arizona Public Media (July 30, 2015), available at  
<https://www.azpm.org/s/32764-tpd-releases-report-on-traffic-citations-and-race/>.

57 Note that census racial data generally is obtained through self-reporting and sampling, whereas reporting for 14601.1 or 40508(a) purposes  
generally is conducted by the arresting police officers. Some differences may arise that could skew smaller sample results and county data.

58 Analysis done by Annette Case, Insight Center for Community Economic Development, article forthcoming June 2017.

59 See Cal. Penal Code § 19.7.

60 California State Bar, Justice Gap Fund Report at 1, available at  
<http://www.calbar.ca.gov/LinkClick.aspx?fileticket=epgQrVpjW8%3d&tabid=738>.

61 See, e.g., Tiela Chalmers, *Trump Cuts LSC From Proposed Budget*, Alameda County Bar Association Blog, Mar. 16, 2017; Alan Pyke,  
*Trump's First Budget Would End Program To Help Low-Income Americans Get Lawyers*, ThinkProgress.org, Feb. 20, 2017; Jeanne Sahadi,  
*Lawyers Fear Trump May Kill Legal Aid Funding for the Poor*, cnn.com, Mar. 9, 2017.

62 California Gov't Code § 6250 et seq.

63 Marin County had a form labeled "confidential" to use to determine community service eligibility, but it is not available online and there is no  
notice of its existence for people who do not know to ask.

64 See Lawyers' Committee for Civil Rights of the San Francisco Bay Area et al., *supra* note 12.

65 See *supra* notes 9-10.

66 See Court/County Amnesty Program (Infractions and Misd.) 1st- 4th Periods, available at <http://www.courts.ca.gov/documents/Amnesty2015-Quarterly-Report-20160901-20161231.pdf>.

67 Based on interviews of court personnel, civil legal aid attorneys, public defenders and clients in different counties, by Theresa Zhen,  
Supervising Attorney at the East Bay Community Law Center.

68 See Lawyers' Committee for Civil Rights of the San Francisco Bay Area et al., *supra* note 12 at 24.

69 Based on analysis of collections reported by county for FY2015-2016 in Judicial Council of California, *Report on the Statewide Collection of  
Delinquent Court-Ordered Debt for Fiscal Year 2015-2016* (Feb. 3, 2017), <http://www.courts.ca.gov/documents/lr-2017-JC-Statewide-Collection-of-Delinquent-Court-Ordered-FY2015-16.pdf>; see also Annette Case, *Driving into Debt: The Need for Traffic Ticket Fee Reform*  
(forthcoming 2017).

70 See Case, *supra* note 69.

71 Letter from Beth A. Colgan, Assistant Professor of Law, UCLA School of Law, to Theresa Zhen, Back on the Road (CA) Coalition (Mar. 16,  
2017) (providing preliminary analysis of research related to American day-fines pilot projects forthcoming in Beth A. Colgan, *The American  
Day-Fines Experiment and the Case for Graduated Economic Sanctions*, 103 Iowa L. Rev. (forthcoming 2017)).

72 See Colgan, *supra* note 71.

73 See Colgan, *supra* note 71.

74 See Colgan, *supra* note 71.

75 See Colgan, *supra* note 71.

76 See Colgan, *supra* note 71.

77 See Colgan, *supra* note 71.

78 See Colgan, *supra* note 71.

79 See Colgan, *supra* note 71.

80 See Colgan, *supra* note 71.

81 Appendix A.

82 H.B. 14-1061, 69th Gen. Assemb., 2d Reg. Sess. (Colo. 2014) (codified at Colo. Rev. Stat. § 18-1.3-702 (2014)).

83 Georgia's law provides guidance for courts in indigency determinations. See Act of May 5, 2015, 2015 Ga. Laws 422.

84 The Supreme Court of Ohio, Office of Judicial Services, Collection of Fines and Court Costs in Adult Trial Courts, available at  
<http://www.supremecourt.ohio.gov/Publications/JCS/finesCourtCosts.pdf>.

85 See Act of July 9, 2015, 2015 Mo. Laws 453.

86 See *State v. Blazina*, 344 P.3d 680, 685 (Wash. 2015) (A judge "must consider the defendant's individual financial circumstances and make  
an individualized inquiry into the defendant's current and future ability to pay.").

87 See Cal. Penal Code § 374.4.

88 All of the counties surveyed use Judicial Council of California Form TR-130.

89 Compare California's Traffic Tickets / Infractions Amnesty program, which generated \$35,530,680.18 in previously uncollected revenue by  
reducing fees and establishing reasonable payment plans for Californians with traffic fines and fees.

90 Across the counties, Alameda County collected the most detailed information on these observations, including a listing of all California Vehicle  
Code violations per arrest, location and time, and other demographic characteristics. Contra Costa collected much of the same information as  
Alameda County, whereas Santa Clara County only noted the highest-charged offense per arrest. There may be factors for these California  
Vehicle Code offenses that are not aligned with population percentages. This could indicate underlying structural differences across the  
counties that affect data collection or court processing. For example, Alameda County may have a more valid level of California Vehicle Code

court incidents, but Santa Clara could have fewer violations collected in the first place, or could be using a different booking method. Or, it may be the case that Contra Costa County has an appropriate level of court incidents, but Alameda may have some other structural issues that lead to the failure-to-pay.

<sup>91</sup> Note that other factors may be at play, including court-based structural issues, traffic citation bias, or other payment-related alternatives and bias. Regardless of any particular factor or factors, the disparity is impossible to ignore on how certain disadvantaged classes are impacted. Additional California-specific data could improve the reliability of this analysis, such as the full set of all traffic citation data for these counties, enforcement patterns, and municipal budget information.

<sup>92</sup> See Lawyers' Committee for Civil Rights of the San Francisco Bay Area, *supra* note 45.

<sup>93</sup> See Lawyers' Committee for Civil Rights of the San Francisco Bay Area, *supra* note 45.

<sup>94</sup> See Lawyers' Committee for Civil Rights of the San Francisco Bay Area, *supra* note 45.

<sup>95</sup> For example, of the 2016 estimated population for the three counties represented in the 40508(a) data, Santa Clara was the largest of the three at 1.9 million people, with Alameda at 1.6 million, and Contra Costa at 1.1 million. The three remaining populations for reported counties were: Marin at 0.3 million; San Mateo at 0.8 million; and Sonoma at 0.5 million *United States Census Bureau / American FactFinder*. "Annual Estimates of the Resident Population: April 1, 2010 to July 1, 2016." 2016 Population Estimates Program. Web. March 2017. <http://factfinder2.census.gov>.

<sup>96</sup> Analysis for this section provided by Garret Christensen, UC Berkeley Economics PhD (2011), Research Fellow at UC Berkeley Institute for Data Science (BIDS), [garret@berkeley.edu](mailto:garret@berkeley.edu), <http://www.ocf.berkeley.edu/~garret>.

<sup>97</sup> Department of Motor Vehicles 2015 estimate given to the Judicial Council of California, available at <http://www.courts.ca.gov/documents/Amnesty2015-Quarterly-Report-20160901-20161231.pdf>.

<sup>98</sup> Alan M. Voorhees Transp. Ctr., Edward J. Bloustein School of Planning and Public Policy & New Jersey Motor Vehicle Comm'n, Motor Vehicles Affordability and Fairness Task Force Final Report xii (2006), available at [http://www.state.nj.us/mVehicle/Code/pdf/About/AFTF\\_final\\_02.pdf](http://www.state.nj.us/mVehicle/Code/pdf/About/AFTF_final_02.pdf).

<sup>99</sup> The sum of each ZIP's median income times the corresponding FTA/FTP suspensions is \$34 billion. If each household has two earners, this yields \$17 billion in income prior to suspension. If 42% lose their job, 58% continue to earn the same wage:  $\$17b \cdot .58 = \$9.9b$ . Some  $(.45 \cdot .42)$  are unable to find any job, but some find new work, though only at lower pay  $\$17b \cdot (.55 \cdot .88 \cdot .42) = \$3.5b$ . Comparing  $\$17b$  before suspension to  $\$9.9b + \$3.5b$  implies a loss of  $\$3.6b$  in income.

<sup>100</sup> The "statutory speed limit" represents a maximum speed established by a state's traffic code. It can vary by roadway type (e.g., interstate highway) or by location (e.g., urban district). To support comparison, we limit application to just one specified type of statutory speed limit, typically 25 or 30 mph, in urban areas or residential areas or business districts, without special conditions like school or construction zones. Running a stop sign or red light, as used here, does not involve instances contributing to an accident. Running a "red light" means not stopping for a "steady red traffic signal" without also making a right turn. "Jaywalking", as used here, applies to one type of illegal pedestrian crossing. It represents crossing between adjacent, traffic-controlled intersections outside crosswalk markings.

<sup>101</sup> First violation only.

<sup>102</sup> FTP/FTA = Failure to pay or appear.

<sup>103</sup> Schedule of Fines for Traffic Offenses (Ala. Judicial Administration Rule 20). Base fines set out and are mandatory for all municipalities.

<sup>104</sup> BMC= Birmingham Municipal Court, at <http://www.birminghamal.gov/wp-content/uploads/2015/06/Summary-Disposition-Schedule.pdf>.

<sup>104</sup> PMC= Phenix City Municipal Court, at <https://phenixcityal.us/municipal-court/traffic-violations/>.

<sup>104</sup> TMC = Tuscaloosa Municipal Court, at <http://www.tuscaloosa.com/Government/Municipal-Court-1/traffic-citations>.

<sup>104</sup> MCTC= Madison County Traffic Court, at <http://www.madisoncountycircuitclerk.org/traffic-court/>.

<sup>104</sup> WCMC= Walker County Municipal Court, at <http://www.walkercountyjudicialcourts.org/fines.html>.

<sup>105</sup> Ala. Jud. Admin. Rules 19(C) and 20(E); report at [http://www.al.com/news/huntsville/index.ssf/2014/08/state\\_starts\\_program\\_to\\_encour.html](http://www.al.com/news/huntsville/index.ssf/2014/08/state_starts_program_to_encour.html).

<sup>106</sup> Ala. Jud. Admin. Rules 19(c) and 20(e); see also *Wilkins v. Dan Haggerty & Associates, Inc.*, 672 So.2d 507 (Ala. 1995) (Municipal court judge had authority to assess as delinquent fee charge of 38% of initial fine, for individuals who had delinquent pending traffic tickets or citations and had refused to plead guilty or appear in court to contest their guilt, in order to cover charges of private collection agency hired to collect fines.).

<sup>107</sup> Base fine schedule at 13 Alaska Admin. Code Ch. 2 for traffic violations charged under state law. Not mandatory for violations of state traffic law if charged under incorporating municipal ordinances. Base fine statewide of up to \$300 unless otherwise specified by municipal ordinance or motor vehicle regulation (Alaska Stat. § 28.90.010), [http://www.courtrecords.alaska.gov/webdocs/UMOT/UMOT\\_13AAC.pdf](http://www.courtrecords.alaska.gov/webdocs/UMOT/UMOT_13AAC.pdf).

<sup>108</sup> Alaska Stats. §§ 18.65.225, 12.25.195, and 12.55.039(a)(4). See also Alaska Rules of Court, Administration Rule 43.1(b).

<sup>109</sup> Alaska Rule 10 of Minor Offense Procedure (Rules required under Alaska Stat. § 28.05.151).

<sup>110</sup> No uniform base fine, but minor traffic offenses may not be fined above \$250. (Ariz. Rev. Stats. Ann. § 28-1598). Mandatory surcharges between 7 percent and 47 percent of the value of all fines (Ariz. Rev. Stat. Ann. §§ 12-116.01(A)-(C), 12-116.01-02).

<sup>111</sup> <https://pmcapps.phoenix.gov/bailcard>.

<sup>112</sup> No uniform base fine. Base fine of no more than \$100 for any moving violation identified here besides exceeding posted speed limit by more than 15 mph, a violation subject to a maximum \$500 fine (Ark. Code §§ 27-50-301, 27-50-302(a)(7), § 5-4-201). Fines are collectable as civil judgments, and they become liens on all the defendant's real and personal property (Ark. Code Ann. § 5-4-204).

<sup>113</sup> <http://www.courts.ca.gov/documents/2017-JC-BAIL.pdf>.

<sup>114</sup> See also Cal. Penal § 1214.1; Cal. Veh. §§ 40508.5-40508.6.

<sup>115</sup> <https://www.pueblo.us/DocumentCenter/View/9769>.

<sup>116</sup> <https://www.jud.ct.gov/webforms/forms/INFRACTIONS.pdf>.

<sup>117</sup> FTTP is a violation of Conn. Gen. Stat. § 51-164r(a), making it a class C misdemeanor with class C fine at § 53a-42.

<sup>118</sup> [http://dot.si.ct.gov/dotsi/lib/dotsi/statetrafficcommission/postedspeeds.pdf](http://dot.si.ct.gov/dots/lib/dotsi/statetrafficcommission/postedspeeds.pdf).

<sup>119</sup> <http://courts.delaware.gov/help/traffic/SampleTrafficCaseFinesCostsAndAssessments.pdf>.

<sup>120</sup> [http://www.miami-dadeclerk.com/service\\_fee\\_schedule.asp#traffic](http://www.miami-dadeclerk.com/service_fee_schedule.asp#traffic).

<sup>121</sup> <https://dps.georgia.gov/ticketsfines>.

<sup>122</sup> <http://fultonstate.org/tmp/files/Fine%20Schedule.pdf>.

<sup>123</sup> Set by district courts (Haw. Rev. Stat. § 291D-9) for offenses identified here other than jaywalking.

<sup>124</sup> <https://isc.idaho.gov/main/idaho-court-rules>.

<sup>125</sup> [https://www.cityofchicago.org/city/en/depts/fin/supp\\_info/revenue/general\\_parking\\_ticketinformation/violations.html](https://www.cityofchicago.org/city/en/depts/fin/supp_info/revenue/general_parking_ticketinformation/violations.html).

- 126 <http://www.garycityclerk.com/fines.asp>.
- 127 [http://publications.iowa.gov/14701/1/Compendium\\_2013.pdf](http://publications.iowa.gov/14701/1/Compendium_2013.pdf).
- 128 Uniform fine schedule for traffic infraction violations (Kan. Stats. Ann. § 8-2118).
- 129 <https://assets.lawrenceks.org/assets/attorney/pdf/fine-schedule-2017-03-01.pdf>.
- 130 <http://lexingtonkylawfirm.com/legal-services/criminal-law/traffic-ticket/traffic-offenses-and-penalties/>.
- 131 <http://www.nola.gov/traffic-court/schedule-of-fines/>.
- 132 [http://courts.maine.gov/maine\\_courts/traffic/schedule.pdf](http://courts.maine.gov/maine_courts/traffic/schedule.pdf).
- 133 <http://www.courts.state.md.us/district/forms/criminal/dccr090public.pdf>.
- 134 <http://www.mass.gov/courts/docs/courts-and-judges/courts/district-court/citable-civil-motor-vehicle-offenses.pdf>.
- 135 [http://courts.mi.gov/Administration/SCAO/Resources/Documents/other/fc\\_ci.pdf](http://courts.mi.gov/Administration/SCAO/Resources/Documents/other/fc_ci.pdf).
- 136 [http://mncourts.gov/mncourtsgov/media/scao\\_library/Statewide%20Payables/2017-Traffic-Criminal-Payables-Lists.pdf](http://mncourts.gov/mncourtsgov/media/scao_library/Statewide%20Payables/2017-Traffic-Criminal-Payables-Lists.pdf).
- 137 There is a \$50 default fine for a petty misdemeanor offense where the amount or violation is not specified in the Statewide Payables List. <http://www.house.leg.state.mn.us/hrd/pubs/trafcit.pdf>.
- 138 <http://www.obms.us/ticket-prices/>.
- 139 <https://www.courts.mo.gov/page.jsp?id=1904>; <https://www.courts.mo.gov/file.jsp?id=2721>.
- 140 [https://courts.mt.gov/portals/113/lcourt/training\\_guides/bondbook.pdf](https://courts.mt.gov/portals/113/lcourt/training_guides/bondbook.pdf).
- 141 <https://supremecourt.nebraska.gov/sites/www.supremecourt.ne.gov/files/rules/forms/waiverfine.pdf>.
- 142 <https://www.nh.gov/safety/divisions/dmv/forms/documents/dsmv428.pdf>.
- 143 [http://www.njd.uscourts.gov/sites/njd/files/Order.appE\(signed\).pdf](http://www.njd.uscourts.gov/sites/njd/files/Order.appE(signed).pdf); <http://www.njd.uscourts.gov/sites/njd/files/APPE.pdf>;
- 144 [http://www.judiciary.state.nj.us/mcs/svbs\\_9-04/9-04\\_index.html](http://www.judiciary.state.nj.us/mcs/svbs_9-04/9-04_index.html).
- 144 For violations of Title 39 of the Revised Statutes, or of traffic ordinances, at the discretion of the court, up to but not exceeding \$33. N.J.S.A 22A:3-4.
- 145 The City of Santa Fe Uniform Traffic Ordinance incorporates the New Mexico Uniform Traffic Ordinance. [https://www.santafenm.gov/media/files/UTO\\_Compilation\\_including\\_2016\\_ADA\\_parking\\_violations\\_Ord.\\_2016-13.pdf](https://www.santafenm.gov/media/files/UTO_Compilation_including_2016_ADA_parking_violations_Ord._2016-13.pdf).
- 146 <http://nmmunicourts.org/documents/35-14-11.pdf>.
- 147 <https://www.nassaucountyny.gov/1939/Fine-Assessment>.
- 148 <http://www.nccourts.org/Courts/Trial/Documents/traffic-waiver-1.6.pdf>.
- 149 [http://www.nccourts.org/Courts/Trial/Documents/2016\\_court\\_costs\\_chart\\_criminal.pdf](http://www.nccourts.org/Courts/Trial/Documents/2016_court_costs_chart_criminal.pdf).
- 150 FTA: 200, FTP: 50. G.S. 7A-304(a)(6).
- 151 [https://www.nd.gov/ndhp/sites/nd.gov.ndhp/files/Classification\\_of\\_Offenses\\_080115\\_Booklet.pdf](https://www.nd.gov/ndhp/sites/nd.gov.ndhp/files/Classification_of_Offenses_080115_Booklet.pdf).
- 152 Schedule of fines. The court shall establish and publish a schedule of fines and costs for all offenses. The schedule shall be distributed to all law enforcement agencies operating within the jurisdiction of the court and shall be prominently displayed at the place in the violations bureau where fines are paid, <http://www.supremecourt.ohio.gov/LegalResources/Rules/traffic/Traffic.pdf>.
- 153 [https://courts.ci.akron.oh.us/clerk/clerk\\_traf\\_waiv.htm](https://courts.ci.akron.oh.us/clerk/clerk_traf_waiv.htm).
- 154 <https://www.ok.gov/nicomapark/documents/Fine%20Schedule%20revised%20206-5-07.xls>.
- 155 [https://web.files.oregon.gov/Web/objdpublications.nsf/Files/16eMM002jm\\_Schedule-of-Fines-Violations-SOF-16A.pdf/\\$File/16eMM002jm\\_Schedule-of-Fines-Violations-SOF-16A.pdf](https://web.files.oregon.gov/Web/objdpublications.nsf/Files/16eMM002jm_Schedule-of-Fines-Violations-SOF-16A.pdf/$File/16eMM002jm_Schedule-of-Fines-Violations-SOF-16A.pdf).
- 156 <http://www.courts.oregon.gov/Clackamas/pages/traffic.aspx>.
- 157 <http://webserver.rilin.state.ri.us/Statutes/title31/31-41.1/31-41.1-4.HTM>.
- 158 [http://www.summerville.sc.gov/index.asp?Type=B\\_BASIC&SEC=%7B3C9AC373-5396-4DE1-8797-C61055E9418E%7D](http://www.summerville.sc.gov/index.asp?Type=B_BASIC&SEC=%7B3C9AC373-5396-4DE1-8797-C61055E9418E%7D).
- 159 [http://ujs.sd.gov/media/docs/Fine\\_and\\_Bond\\_Schedule.pdf](http://ujs.sd.gov/media/docs/Fine_and_Bond_Schedule.pdf).
- 160 [http://www.knoxvilletn.gov/government/city\\_departments\\_offices/city\\_court/citation\\_fine\\_amounts](http://www.knoxvilletn.gov/government/city_departments_offices/city_court/citation_fine_amounts).
- 161 [http://www.houstontx.gov/courts/pdf/fineschedule\\_0110.pdf](http://www.houstontx.gov/courts/pdf/fineschedule_0110.pdf).
- 162 <http://www.jp.hctx.net/traffic/fta.htm>.
- 163 [https://www.utcourts.gov/resources/rules/ucja/append/c\\_fineba/FineBail\\_Schedule.pdf](https://www.utcourts.gov/resources/rules/ucja/append/c_fineba/FineBail_Schedule.pdf).
- 164 35% statutory surcharge (Utah Code Ann. § 51-9-401).
- 165 The "waiver penalty" represents the total cost (4 Vt. Stats. Ann. § 1102(d)) and statement at <https://www.vermontjudiciary.org/judicial-bureau>.
- 166 [http://www.courts.state.va.us/courts/scv/amendments\\_tracked/rules\\_3b\\_2\\_and\\_3c\\_2\\_uniform\\_fine%20schedule\\_interlineated.pdf](http://www.courts.state.va.us/courts/scv/amendments_tracked/rules_3b_2_and_3c_2_uniform_fine%20schedule_interlineated.pdf).
- 167 [https://www.courts.wa.gov/court\\_rules/pdf/CLJIRLJ6.2.pdf](https://www.courts.wa.gov/court_rules/pdf/CLJIRLJ6.2.pdf).
- 168 <http://apps.leg.wa.gov/rcw/default.aspx?cite=46.63.110>.
- 169 <http://www.morgantownwv.gov/government/city-government/municipal-court/>.
- 170 <https://wicourts.gov/publications/fees/docs/bondsched17.pdf>.
- 171 If defendant makes deposit per Deposit Schedule but fails to appear, court may treat citation as nolo contendere and enter judgment with a forfeiture assessment no greater than amount of deposit. See 9 Wis. Prac., Criminal Practice & Procedure § 12:39 (2d ed.).
- 172 [http://www.casperwy.gov/government/casper\\_municipal\\_court/fine\\_schedule](http://www.casperwy.gov/government/casper_municipal_court/fine_schedule).
- 173 [http://cityofcasper.hosted.civiclive.com/UserFiles/Servers/Server\\_62983/File/Government/Courts/Common%20Questions%20v1.docx](http://cityofcasper.hosted.civiclive.com/UserFiles/Servers/Server_62983/File/Government/Courts/Common%20Questions%20v1.docx).

