

AMENDED IN SENATE MAY 13, 2002

AMENDED IN SENATE APRIL 3, 2002

**SENATE BILL**

**No. 1969**

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**Introduced by Senator Machado**

February 22, 2002

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An act to amend Section 11208 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 1969, as amended, Machado. Vehicles: traffic violator schools: fees.

Under existing law, a person is entitled to have a complaint relating to the safe operation of a vehicle dismissed with a copy of that dismissal forwarded to the Department of Motor Vehicles when a person attends a licensed traffic violator school, licensed driving school, or other court-approved program of driving instruction. Existing law requires traffic violator schools to meet specified criteria, including the requirement that the schools have a specified lesson plan approved by the department.

Existing law requires the department to charge a fee in an amount determined by the department, as specified, but not to exceed \$3, for each completion certificate issued by a traffic violator school to a person completing instruction in the school. ~~Existing law prohibits a traffic violator school from charging a fee in excess of the fee charged by the department for furnishing a certificate of completion.~~

This bill would require the clerk of the court to collect this fee from the traffic violator at the same time the clerk collects the fee assessed

pursuant to ordering or permitting the violator to attend traffic violator school. The bill would require the clerk to transmit the collected fees to the department on the first day of each quarter. *It would specify that the fee is nonrefundable.*

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 11208 of the Vehicle Code is amended  
2 to read:  
3 11208. (a) Fees for issuance by the department of a license to  
4 a traffic violator school owner shall be as follows:  
5 (1) For the original license or an ownership change which  
6 requires a new application, except as provided by Section 42231,  
7 a fee of one hundred fifty dollars (\$150), with an additional fee of  
8 seventy dollars (\$70) for each separate traffic violator school  
9 branch or classroom location licensed. The fee prescribed by this  
10 subdivision is nonrefundable.  
11 (2) For annual renewal of the license for a traffic violator  
12 school and for each branch or classroom location, a fee of fifty  
13 dollars (\$50).  
14 (3) If alteration of an existing license is required by a firm name  
15 change, a change in corporate officer structure, address change, or  
16 the addition of a traffic violator school branch or classroom  
17 location, a fee of seventy dollars (\$70).  
18 (4) For replacement of the license certificate when the original  
19 license is lost, stolen, or mutilated, a fee of fifteen dollars (\$15).  
20 (b) Fees for the issuance by the department of a license for a  
21 traffic violator school operator shall be as follows:  
22 (1) For the original license, a nonrefundable fee of one hundred  
23 dollars (\$100).  
24 (2) For annual renewal of the license, a fee of fifty dollars  
25 (\$50).  
26 (3) If alteration of an existing license is caused by a change in  
27 the name or location of the established principal place of business  
28 of the traffic violator school operated by the licensee, including a  
29 transfer by a licensee from one traffic violator school to another,  
30 a fee of fifteen dollars (\$15).



1 (4) For replacement of the license certificate when the original  
2 license is lost, stolen, or mutilated, a fee of fifteen dollars (\$15).

3 (c) Fees for the issuance by the department of a license for a  
4 traffic violator school instructor shall be as follows:

5 (1) For the original license, except as provided by Section  
6 42231, a nonrefundable fee of thirty dollars (\$30).

7 (2) For the triennial renewal of a license, a fee of thirty dollars  
8 (\$30).

9 (3) If alteration of an existing license is required by a change  
10 in the instructor's employing school's name or location, or transfer  
11 of the instructor's license to another employing school, a fee of  
12 fifteen dollars (\$15).

13 (4) For replacement of the instructor's license certificate when  
14 the original license is lost, stolen, or mutilated, a fee of fifteen  
15 dollars (\$15).

16 (d) The department shall charge a fee, not to exceed three  
17 dollars (\$3), for each completion certificate issued by a traffic  
18 violator school to each person referred by a court pursuant to  
19 Section 42005 and completing instruction at the traffic violator  
20 school. The amount of the fee shall be determined by the  
21 department and shall be a fee sufficient to defray the actual costs  
22 incurred by the department for publication and distribution of lists  
23 of schools for traffic violators pursuant to Section 11205, for  
24 monitoring instruction, business practices, and records of schools  
25 for traffic violators and for any other activities deemed necessary  
26 by the department to assure high quality education for traffic  
27 violators. The clerk of the court shall collect this *nonrefundable*  
28 certificate fee from the traffic violator at the same time the clerk  
29 collects the fee set forth in Section 42007.1, and shall transmit the  
30 collected fees to the department on the first day of each quarter.  
31 Upon satisfactory completion of the instruction offered by a  
32 licensed traffic violator school, the traffic violator school shall  
33 provide the student referred by a court pursuant to Section 42005  
34 with a certificate of completion furnished by the department. A  
35 certificate of completion shall not be issued to a person who elects  
36 to attend a traffic violator school. A traffic violator school shall not  
37 charge a fee ~~in excess of the fee charged by the department~~  
38 ~~pursuant to this subdivision~~ for furnishing a certificate of  
39 completion. A traffic violator school may charge a fee not to  
40 exceed three dollars (\$3), in addition to the fee charged by the



1 department, for the issuance of a duplicate certificate of  
2 completion. A student referred by a court pursuant to Section  
3 42005 shall present this certificate of completion to the court as  
4 proof of completion of instruction, and no other proof of  
5 completion of instruction may be accepted by the court.

6 (e) The department shall compile its actual costs incurred to  
7 determine the fee prescribed in subdivision (d) and make available  
8 its financial records used in the determination of the fee for  
9 completion certificates. The fee shall be adjusted every  
10 odd-numbered year based upon the costs incurred during the  
11 preceding two fiscal years. The records described in this  
12 subdivision are public records.

