

Introduced by Senator KehoeFebruary 23, 2012

An act to amend Sections 11200, 11202, 11208, 42005, and 42007.1 of, and to amend and repeal Section 11205 of, the Vehicle Code, relating to traffic violator schools.

LEGISLATIVE COUNSEL'S DIGEST

SB 1317, as introduced, Kehoe. Traffic violator schools: regulation.

(1) Existing law provides for the licensing and administration by the Department of Motor Vehicles of traffic violator schools, operators, and instructors and requires licensed traffic violator schools to notify the court by posting on the department's Web-based database information regarding successful course completion. A violation of the Vehicle Code is crime.

This bill would require a traffic violator school, upon a student's successful completion of the course of instruction offered by a licensed classroom-based traffic violator school, to provide the student with a hard copy certificate of completion and would require the student to present this certificate to the court.

(2) Existing law requires the department to adopt standards for traffic violator schools for each instructional modality.

This bill would prohibit the department from adopting regulations that include provisions requiring traffic violator schools to provide or process paper-based documents for the purpose of course instruction evaluations by students.

(3) Existing law requires the department to provide a list of licensed traffic violator schools on its Internet Web site and to randomize this list daily. Existing law requires the hard copy list of department licensed traffic violator schools provided to a traffic violator by a court or traffic

assistance program to be not more than 60 days old. Existing law also requires Internet-based and home study-based traffic violator schools to update course information within 3 business days of class completion.

This bill would delete the requirements that the list of traffic violator schools be randomized daily and would instead require the list to include specified information and be organized in a specified manner. The bill would require the hard copy list to be not more than 30 days old and to include that specified information. The bill would also require the department to make available for download by a licensed traffic violator school, and as may be required by a court, certain information regarding that school. The bill would require an Internet-based and home study-based traffic violator school to update course information within 10 business days of class completion.

The bill would also repeal an obsolete provision requiring the department to publish semiannually a list of all licensed traffic violator schools.

(4) Existing law requires the department to charge a fee for traffic violator school program activities, including the issuance of a license.

This bill would revise the fee provisions to additionally authorize the department to charge fees for an approval for a branch office or a classroom location.

(5) Existing law requires the court to collect a single administrative fee that is assessed a driver traffic violator who attends traffic violator school, and requires the fee to include the cost of routine monitoring of traffic violator school instruction.

This bill would require the fee to additionally include the cost of printing of classroom course completion certificates and the renewal of approved current classroom locations, as defined.

(6) The bill would impose a state-mandated local program by creating new crimes.

(7) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) The Department of Motor Vehicles maintains and supports
4 the licensing needs of over 20 million licensed drivers.

5 (b) Licensed drivers who receive traffic violations can be
6 ordered or permitted to attend a traffic violator school either
7 through the Internet, home, or classroom based instruction. While
8 Internet-based courses are convenient, not everyone has access to
9 the Internet.

10 (c) A recent study by the Pew Charitable Trust found that 26
11 percent of adults 18 years of age and older do not use or do not
12 have access to the Internet. Minority groups and persons over 65
13 years of age make up a higher percentage of those without access
14 to the Internet.

15 (d) The classroom-based traffic violator school offers a program
16 of instruction in traffic safety to California drivers with no Internet
17 access, through the Department of Motor Vehicles approved
18 classroom locations in various cities throughout the state,
19 commonly located at convenient meeting rooms within hotels or
20 community centers.

21 (e) The costs associated with providing these classroom options
22 to the driving public should be borne by the traffic violators, using
23 a fee collected by the courts and remitted to the Department of
24 Motor Vehicles.

25 (f) The amount of the administrative fees imposed on
26 classroom-based instruction should be fair and take into
27 consideration the effects these fees may have on reducing the
28 number of classes. Fewer classroom locations will result in fewer
29 options for California's drivers who require or need
30 classroom-based traffic school instruction.

31 SEC. 2. Section 11200 of the Vehicle Code is amended to read:

32 11200. (a) The department shall license *traffic violator* schools
33 ~~for traffic violators~~ for purposes of Section 41501 or 42005 and
34 to provide traffic safety instruction to other persons who elect to
35 attend. A person may not own or operate a traffic violator school
36 or, except as provided in Section 11206, give instruction for
37 compensation in a traffic violator school without a currently valid
38 license issued by the department.

1 (b) (1) ~~Any~~—A person who elects to attend a traffic violator
2 school shall receive from the traffic violator school and shall sign
3 a copy of the following consumer disclosure statement prior to the
4 payment of the school fee and attending the school:

5
6 “Course content is limited to traffic violator curricula approved
7 by the Department of Motor Vehicles. Students in the classroom
8 include traffic offenders, repeat traffic offenders, adults, and
9 teenagers, and those who have and those who have not been
10 referred by a court. Instructor training, business regulatory
11 standards, and Vehicle Code requirements of traffic violator
12 schools are not equal to the training, standards, and Vehicle Code
13 requirements of licensed driving schools (California Vehicle Code
14 Section 11200(b)(1)).”

15
16 (2) In the case of a minor who elects to attend a traffic violator
17 school, the minor’s parent or guardian shall sign the consumer
18 disclosure statement.

19 (3) A copy of each signed disclosure statement shall be retained
20 by the traffic violator school for a minimum of 36 months.

21 (c) New and modified departmental regulations necessitated by
22 this section shall be adopted and effective no later than September
23 1, 2011.

24 (d) ~~A~~(1) *Except as provided in paragraph (2), a licensed traffic*
25 *violator school shall notify the court by posting on the department’s*
26 *Web-based database established pursuant to subdivision (b) of*
27 *Section 11205 information regarding successful course*
28 *completions.*

29 (2) *Upon successful completion of the course of instruction*
30 *offered by a licensed classroom-based traffic violator school, the*
31 *traffic violator school may, instead of posting the information*
32 *required by paragraph (1), provide the student referred by a court*
33 *pursuant to Section 41501 or 42005 with a hard copy certificate*
34 *of completion. The student shall present this certificate of*
35 *completion to the court as proof of completion of instruction, and*
36 *no other proof of completion of instruction may be accepted by*
37 *the court. The required certificates of completion shall be provided*
38 *by the department to a classroom-based traffic school, at no cost*
39 *to the school.*

1 (e) A licensed traffic violator school shall give every person
2 who attends the school for purposes of Sections 41501 or 42005,
3 upon successful completion of the lesson plan and passage of the
4 postlesson knowledge test, a receipt indicating successful
5 completion. The receipt shall include contact information, including
6 the name of the traffic violator school, address of the school's
7 business location, name of the course instructor if classroom-based,
8 telephone number, e-mail address if appropriate, hours of operation,
9 and any other information that may be used to confirm course
10 completion.

11 ~~(f) This section shall become operative on September 1, 2011~~

12 -
13 *(f) This chapter does not abrogate or limit the inherent powers*
14 *of a court to order a traffic violator to attend and complete a traffic*
15 *violator school program of any length or duration, as determined*
16 *by the court to be reasonable under the circumstances of the case*
17 *before it.*

18 SEC. 3. Section 11202 of the Vehicle Code is amended to read:

19 11202. (a) Except as provided in subdivision (c), a traffic
20 violator school owner shall meet all of the following criteria before
21 a license may be issued for the traffic violator school:

22 (1) Maintain an established place of business in this state that
23 is open to the public. An office or place of business of a traffic
24 violator school, including any traffic violator school branch or
25 classroom location, shall not be situated within 500 feet of any
26 court of law.

27 ~~(2) Conform~~ *(A) Conform to the standards established by*
28 *regulation of the department.* ~~In~~

29 *(B) In* adopting the standards, the department shall consider
30 those practices and instructional programs that may reasonably
31 foster the knowledge, skills, and judgment necessary for
32 compliance with traffic laws. The department shall establish
33 standards for each instructional modality, which may include
34 requirements specific to each modality. The standards may include,
35 but are not limited to, classroom facilities, school personnel,
36 equipment, curriculum, procedures for the testing and evaluation
37 of students, recordkeeping, and business practices.

38 *(C) Unless expressly authorized by statute, the department shall*
39 *not adopt regulations pursuant to this paragraph that include*
40 *provisions requiring traffic violator schools to provide or process*

1 *paper-based documents for the purpose of course instruction*
2 *evaluations by students.*

3 (3) Procure and file with the department a bond of fifteen
4 thousand dollars (\$15,000) for home study schools and two
5 thousand dollars (\$2,000) for classroom-based schools executed
6 by an admitted surety and conditioned upon the applicant not
7 practicing fraud or making a fraudulent representation that will
8 cause a monetary loss to a person taking instruction from the
9 applicant or to the state or any local authority.

10 (4) Have the proper equipment necessary for giving instruction
11 to traffic violators.

12 (5) Have a lesson plan approved by the department, except as
13 provided for in paragraph (2) of subdivision (c), and provide not
14 less than the minimum instructional time specified in the approved
15 plan. The approved plan shall include a postlesson knowledge test.
16 The lesson plan for each instructional modality shall require
17 separate approval by the department.

18 (6) (A) Execute and file with the department an instrument
19 designating the director as agent of the applicant for service of
20 process, as provided in this paragraph, in any action commenced
21 against the applicant arising out of a claim for damages suffered
22 by a person by the applicant's violation of a provision of this code
23 committed in relation to the specifications of the applicant's traffic
24 violator school or a condition of the bond required by paragraph
25 (3).

26 (B) The applicant shall stipulate in the instrument that a process
27 directed to the applicant, when personal service cannot be made
28 in this state after due diligence, may be served instead upon the
29 director or, in the director's absence from the department's
30 principal offices, upon an employee in charge of the office of the
31 director, and this substituted service is of the same effect as
32 personal service on the applicant. The instrument shall further
33 stipulate that the agency created by the designation shall continue
34 during the period covered by the license issued pursuant to this
35 section and so long thereafter as the applicant may be made to
36 answer in damages for a violation of this code for which the surety
37 may be made liable or a condition of the bond.

38 (C) The instrument designating the director as agent for service
39 of process shall be acknowledged by the applicant before a notary
40 public.

1 (D) If the director or an employee of the department, in lieu of
2 the director, is served with a summons and complaint on behalf
3 of the licensee, one copy of the summons and complaint shall be
4 left with the director or in the director's office in Sacramento or
5 mailed to the office of the director in Sacramento. A fee of five
6 dollars (\$5) shall also be paid to the director or employee at the
7 time of service of the copy of the summons and complaint, or shall
8 be included with a summons and complaint served by mail.

9 (E) The service on the director or department employee pursuant
10 to this paragraph is sufficient service on the licensee if a notice of
11 the service and a copy of the summons and complaint are, on the
12 same day as the service or mailing of the summons and complaint,
13 sent by registered mail by the plaintiff or his or her attorney to the
14 licensee. A copy of the summons and complaint shall also be
15 mailed by the plaintiff or plaintiff's attorney to the surety on the
16 licensee's bond at the address of the surety given in the bond,
17 postpaid and registered with request for return receipt.

18 (F) The director shall keep a record of all processes served
19 pursuant to this paragraph showing the day and hour of service,
20 and shall retain the documents served in the department's files.

21 (G) If the licensee is served with process by service upon the
22 director or a department employee in lieu of the director, the
23 licensee has 30 days after that service within which to answer any
24 complaint or other pleading filed in the cause. For purposes of
25 venue, if the licensee is served with process by service upon the
26 director or a department employee in lieu of the director, the service
27 is considered to have been made upon the licensee in the county
28 in which the licensee has or last had his or her established place
29 of business.

30 (7) (A) Meet the requirements of Section 11202.5, relating to
31 traffic violator school operators, if the owner is also the operator
32 of the traffic violator school. If the owner is not the operator of
33 the traffic violator school, the owner shall designate an employee
34 as operator who shall meet the requirements of Section 11202.5.

35 (B) A person may be an operator for more than one traffic school
36 if (i) the schools have a common owner or owners and (ii) the
37 schools share a single established business address.

38 (C) A traffic violator school with multiple branch locations may
39 designate a separate operator for each location, but shall designate
40 one of the operators as the primary contact for the department.

1 (8) Have an instructor who meets the requirements of Section
2 11206. An owner who is designated as the operator for the school
3 is authorized to act as an instructor without meeting the
4 requirements of Section 11206. The owner license may also include
5 authorization to act as an instructor if the owner is not designated
6 as the operator but meets the requirements of Section 11206. The
7 owner license shall specify if the owner is authorized to offer
8 instruction. If the owner is not approved to act as an instructor, the
9 school must employ an instructor licensed pursuant to Section
10 11206.

11 (9) Provide the department with a written assurance that the
12 school will comply with the applicable provisions of Subchapter
13 II or III of the Americans with Disabilities Act of 1990 (42 U.S.C.
14 Sec. 12101 et seq.), and any other federal and state laws prohibiting
15 discrimination against individuals with disabilities. Compliance
16 may include providing sign language interpreters or other
17 accommodations for students with disabilities.

18 (b) The qualifying requirements specified in subdivision (a)
19 shall be met within one year from the date of application for a
20 license, or a new application and fee are required.

21 (c) A court-approved program that was in operation prior to
22 July 1, 2011, shall file an application for licensure as a traffic
23 violator school by March 1, 2012. A court shall not approve a
24 traffic violator school program after July 1, 2011.

25 (1) A court-approved program may continue to operate as
26 approved by a court until the department makes a licensing
27 decision.

28 (2) The department shall approve or deny all completed
29 applications filed pursuant to this subdivision no later than
30 December 31, 2012.

31 (3) A court-approved program shall be exempt from paragraph
32 (5) of subdivision (a). The licensed program may continue to use
33 the curriculum approved by the court until the department
34 establishes curriculum standards in regulation. The court-approved
35 program must comply with the new curriculum standards by the
36 effective date established in regulation.

37 (d) Paragraphs (3) and (6) of subdivision (a) do not apply to
38 public schools or other public agencies, which shall also not be
39 required to post a cash deposit pursuant to Section 11203.

1 (e) Paragraph (7) of subdivision (a) does not apply to public
2 schools or other public educational institutions.

3 (f) A notice approved by the department shall be posted in every
4 traffic violator school, branch, and classroom location, and
5 prominently displayed on a home study or Internet program, stating
6 that any person involved in the offering of, or soliciting for, a
7 completion certificate for attendance at a traffic violator school
8 program in which the person does not attend or does not complete
9 the minimum amount of instruction time may be guilty of violating
10 Section 134 of the Penal Code.

11 ~~(g) This section shall become operative on September 1, 2011.~~

12 SEC. 4. Section 11205 of the Vehicle Code, as added by
13 Section 5.5 of Chapter 599 of the Statutes of 2010, is amended to
14 read:

15 11205. (a) The department shall provide a list of licensed
16 traffic violator schools on its Internet Web site. For each licensed
17 school, the list shall indicate the modalities of instruction offered
18 and specify the cities where classroom instruction is offered. ~~The~~
19 ~~sequential listing of licensed schools shall be randomized daily.~~

20 *The list shall include all of the following:*

21 *(1) The name of each traffic violator school.*

22 *(2) A telephone number used for student information.*

23 *(3) The county and the judicial district.*

24 *(4) The cities and ZIP codes where classes are available.*

25 *(b) Each traffic violator school owner shall be permitted one*
26 *school name in a judicial district.*

27 *(c) The list shall be organized alphabetically in sections for*
28 *each county and subsections for each judicial district within the*
29 *county. The order of the names within each judicial district shall*
30 *be rotated each time the list is accessed or printed.*

31 ~~(b)~~

32 *(d) (1) When a court or traffic assistance program (TAP)*
33 *provides a hard copy list of licensed traffic violator schools licensed*
34 *by the department to a traffic violator, the court or TAP shall*
35 *provide only a current date-stamped list downloaded from the*
36 *department's Internet Web site. The hard copy list shall be as*
37 *current as practicable, but in no event shall a list be distributed*
38 *with a date stamp that is more than 30 days old. The data to be*
39 *included on the hard copy list shall be the same as that specified*
40 *in paragraphs (1) to (4), inclusive, of subdivision (a).*

1 (2) *The department shall also make available, for easy download*
2 *by a licensed traffic violator school, and as may be required by a*
3 *court, data that includes that traffic violator school's license*
4 *number, name, primary business office address, primary telephone*
5 *number, and classroom location addresses, if any.*

6 (3) *The data for downloading should be presented by the*
7 *department in the form of a comma-separated value formatted file.*

8 (3) *The department may use and assign authorization codes*
9 *and passwords for the purpose of limiting unrestricted access to*
10 *this proprietary data.*

11 (e)

12 (e) *The department shall, by April 1, 2012, develop a Web-based*
13 *database that will enable the department, the courts, and traffic*
14 *violator schools to monitor, report, and track participation and*
15 *course completion. Traffic violator schools that are Internet based*
16 *or home-study based shall update course information within three*
17 *10 business days of class completion and provide to the courts*
18 *class completion information on a daily basis. Classroom-based*
19 *traffic schools may submit copies of the certificates of completion*
20 *to the department to meet these purposes.*

21 ~~(d) This section shall become operative on September 1, 2011.~~

22 SEC. 5. Section 11205 of the Vehicle Code, as amended by
23 Section 456 of Chapter 931 of the Statutes of 1998, is repealed.

24 ~~11205. (a) The department shall publish semiannually, or more~~
25 ~~often as necessary to serve the purposes of this act, a list of all~~
26 ~~traffic violator schools which are licensed pursuant to this section.~~
27 ~~The list shall identify classroom facilities within a judicial district~~
28 ~~that are at a different location from a licensed school's principal~~
29 ~~facility. The department shall transmit the list to each municipal~~
30 ~~court and to each superior court in a county in which there is no~~
31 ~~municipal court, with a sufficient number of copies to allow the~~
32 ~~courts to provide one copy to each person referred to a licensed~~
33 ~~traffic violator school. The department shall, at least semiannually,~~
34 ~~revise the list to ensure that each court has a current list of all~~
35 ~~licensed traffic violator schools.~~

36 ~~(b) Each licensed traffic violator school owner shall be permitted~~
37 ~~one school name per judicial district.~~

38 ~~(c) The referral list shall be organized alphabetically, in sections~~
39 ~~for each county, and contain subsections for each judicial district~~
40 ~~within the county. The order of the names within each judicial~~

1 district shall be random pursuant to a drawing or lottery conducted
2 by the department.

3 ~~(d) Except as otherwise provided in subdivision (d) of Section
4 42005, the court shall use either the current referral list of traffic
5 violator schools published by the department when it orders a
6 person to complete a traffic violator school pursuant to subdivision
7 (a) or (b) of Section 42005 or, when a court utilizing a nonprofit
8 agency for traffic violator school administration and monitoring
9 services in which all traffic violator schools licensed by the
10 department are allowed the opportunity to participate, a statewide
11 referral list may be published by the nonprofit agency and
12 distributed by the court. The agency shall monitor each classroom
13 location situated within the judicial districts in which that agency
14 provides services to the courts and is represented on its referral
15 list. The monitoring shall occur at least once every 90 days with
16 reports forwarded to the department and the respective courts on
17 a monthly basis.~~

18 ~~(e) The court may charge a traffic violator a fee to defray the
19 costs incurred by the agency for the monitoring reports and services
20 provided to the court. The court may delegate collection of the fee
21 to the agency. Fees shall be approved and regulated by the court.
22 Until December 31, 1996, the fee shall not exceed the actual cost
23 incurred by the agency or five dollars (\$5), whichever is less.~~

24 ~~(f) If any provision of subdivision (d) or (e) of Section 11205,
25 as added by Section 4 of Assembly Bill 185 of the 1991-92 Regular
26 Session, or the application thereof to any person, is held to be
27 unconstitutional, that Section 11205 is repealed on the date the
28 decision of the court so holding becomes final, and on that date,
29 this section shall become operative.~~

30 SEC. 6. Section 11208 of the Vehicle Code is amended to read:

31 11208. (a) The department shall charge a fee, to be determined
32 by the department, for the following traffic violator school program
33 activities:

34 (1) Original issuance of a traffic violator school owner, operator,
35 instructor, and branch or classroom location license: *either, or*
36 *both, of the following:*

37 (A) *A traffic violator school owner, operator, or instructor*
38 *license.*

39 (B) *An approval for a branch office or a classroom location.*

1 (2) ~~Renewal of a traffic violator school owner, operator,~~
 2 ~~instructor, and branch or classroom location license. either, or~~
 3 ~~both, of the following:~~

4 (A) ~~A traffic violator school owner, operator, or instructor~~
 5 ~~license.~~

6 (B) ~~An approved branch office.~~

7 (3) ~~Issuance of a duplicate or corrected traffic violator school~~
 8 ~~owner, operator, instructor, and branch or classroom location~~
 9 ~~license either a duplicate or corrected traffic violator school owner,~~
 10 ~~operator, or instructor license, or for a duplicate or corrected~~
 11 ~~copy of a branch office or classroom location approval.~~

12 (4) ~~Transfer of an operator or instructor license from one traffic~~
 13 ~~violator school to another.~~

14 (5) ~~Approval of curriculum, based on the instructional modality~~
 15 ~~of the curriculum.~~

16 (6) ~~Fees for administering the examinations pursuant to Sections~~
 17 ~~11206 and 11207.~~

18 (b) ~~The fees authorized under subdivision (a) shall be sufficient~~
 19 ~~to defray the actual cost to the department to administer the traffic~~
 20 ~~violator school program, except for routine monitoring of~~
 21 ~~instruction, printing classroom course completion certificates, and~~
 22 ~~renewing approved current classroom locations.~~

23 (c) ~~A single administrative fee shall be assessed against, and~~
 24 ~~collected by the court pursuant to Section 42007.1 from, each~~
 25 ~~driver traffic violator who is allowed or ordered or permitted to~~
 26 ~~attend, and complete the course of instruction at, a traffic violator~~
 27 ~~school. Included in this fee shall be an amount determined by the~~
 28 ~~department to be sufficient to defray the cost of routine monitoring~~
 29 ~~of traffic violator school instruction, printing classroom course~~
 30 ~~completion certificates, and renewing approved current classroom~~
 31 ~~locations.~~

32 ~~(d) This section shall become operative on September 1, 2011.~~

33 (d) ~~For purposes of this section and Section 42007.1, “approved~~
 34 ~~current classroom location” means a classroom location that~~
 35 ~~received original approval from the department, which was listed~~
 36 ~~on the classroom-based school’s most recent classroom renewal~~
 37 ~~application, or any new classroom location subsequently added~~
 38 ~~by the school and approved by the department prior to the school’s~~
 39 ~~next renewal application.~~

40 SEC. 7. Section 42005 of the Vehicle Code is amended to read:

1 42005. (a) Except as otherwise provided in this section, after
2 a deposit of the fee under Section 42007 or bail, a plea of guilty
3 or no contest, or a conviction, a court may order or permit a person
4 who holds a noncommercial class C, class M1, or class M2 driver's
5 license who pleads guilty or no contest or is convicted of a traffic
6 violation to attend a traffic violator school licensed pursuant to
7 Chapter 1.5 (commencing with Section 11200) of Division 5.

8 (b) Pursuant to Title 49 of the Code of Federal Regulations, the
9 court may not order or permit a person who holds a class A, class
10 B, or commercial class C driver's license to complete a licensed
11 traffic violator school, in lieu of adjudicating any traffic offense
12 or order that a conviction of a traffic offense by a person holding
13 a class A, class B, or commercial class C driver's license be kept
14 confidential.

15 (c) The court shall not order that a conviction of an offense be
16 kept confidential according to Section 1808.7 or permit a person,
17 regardless of the driver's license class, to complete a program at
18 a licensed traffic violator school in lieu of adjudicating an offense
19 if either of the following applies to the offense:

20 (1) It occurred in a commercial motor vehicle, as defined in
21 subdivision (b) of Section 15210.

22 (2) Is a violation of Section 20001, 20002, 23103, 23104, 23105,
23 23140, 23152, or 23153, or of Section 23103, as specified in
24 Section 23103.5.

25 (d) A person ordered to attend a traffic violator school pursuant
26 to subdivision (a) may choose the traffic violator school the person
27 will attend. The court shall provide to each person subject to that
28 order or referral *a hard copy of the department's current list of*
29 *licensed traffic violator schools available and printed pursuant to*
30 *Section 11205.*

31 (e) A person who willfully fails to comply with a court order
32 to attend traffic violator school is guilty of a misdemeanor.

33 ~~(f) This section shall become operative on July 1, 2011.~~

34 (f) *This section does not abrogate or limit the inherent powers*
35 *of a court to order a traffic violator to attend and complete a traffic*
36 *violator school program of any length or duration, as determined*
37 *by the court to be reasonable under the circumstances of the case*
38 *before it.*

39 SEC. 8. Section 42007.1 of the Vehicle Code is amended to
40 read:

1 42007.1. (a) The amount collected by the clerk pursuant to
2 subdivision (a) of Section 42007 shall be in an amount equal to
3 the total bail set forth for the eligible offense on the uniform
4 countywide bail schedule plus a forty-nine-dollar (\$49) fee, and a
5 fee determined by the department to be sufficient to defray the
6 cost of routine monitoring of traffic violator school instruction,
7 *providing classroom course completion certificates, and renewing*
8 *an approved current classroom location* pursuant to subdivision
9 (c) of Section 11208, and a fee, if any, established by the court
10 pursuant to subdivision (c) of Section 11205.2 to defray the costs
11 incurred by a traffic assistance program.

12 (b) Notwithstanding subdivision (b) of Section 42007, the
13 revenue from the forty-nine-dollar (\$49) fee collected under this
14 section shall be deposited in the county general fund. Fifty-one
15 percent of the amount collected under this section and deposited
16 into the county general fund shall be transmitted therefrom monthly
17 to the Controller for deposit in the Immediate and Critical Needs
18 Account of the State Court Facilities Construction Fund,
19 established in Section 70371.5 of the Government Code.

20 (c) The fee assessed pursuant to subdivision (c) of Section 11208
21 shall be allocated to the department to defray the costs of
22 monitoring traffic violator school instruction, *providing classroom*
23 *course completion certificates, and renewing approved current*
24 *classroom locations.*

25 (d) *For purposes of this section “approved current classroom*
26 *location” has the same meaning as defined in subdivision (d) of*
27 *Section 11208.*

28 SEC. 9. No reimbursement is required by this act pursuant to
29 Section 6 of Article XIII B of the California Constitution because
30 the only costs that may be incurred by a local agency or school
31 district will be incurred because this act creates a new crime or
32 infraction, eliminates a crime or infraction, or changes the penalty
33 for a crime or infraction, within the meaning of Section 17556 of
34 the Government Code, or changes the definition of a crime within
35 the meaning of Section 6 of Article XIII B of the California
36 Constitution.

O