

Fines/Fees for Vehicle Offenses					
Authorizing Statute	Applies To	Amount	Ability to Pay Provision?	Fine Mandatory?	Original Effective Date / Most Recent Amendment
<b>Gov. Code, § 76000.10, subd. (c)(1)<sup>1</sup></b>  (Emergency Medical Air Transportation Act)	Every conviction for a violation of the Vehicle Code or a local ordinance adopted pursuant to the Vehicle Code; excludes parking offenses commencing with Veh. Code, § 40200.	\$4 <sup>2</sup>	No	Yes	2011/2021 <sup>3</sup>
<b>Pen. Code, § 1203.1bb</b>  (ignition interlock device - purchase and installation)	Grants of probation where person ordered to install an ignition interlock device.	Cost of purchasing and installing ignition interlock device per Veh. Code, § 13386.	No	Yes	1981 <sup>4</sup> /2020 <sup>5</sup>
<b>Pen. Code, § 1463.14</b>  (alcohol content testing - DUI/ DUI with bodily injury)	Convictions for a Veh. Code, § 23152 or § 23153 violation. <sup>6</sup>	An amount equal to the cost of testing for alcohol content, less \$50, up to a maximum of \$50. <sup>7</sup>	Yes	Yes	1991
<b>Veh. Code, § 23103, subd. (c)</b>  (reckless driving)	Convictions for reckless driving.	\$145 to \$1,000 <sup>8</sup>	No	No	1980/1984

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<b>Veh. Code, § 23104, subd. (a)</b>  (reckless driving causing bodily injury)	Convictions for reckless driving that causes bodily injury to a person other than the driver.	\$220 to \$1,000 <sup>9</sup>	No	No	1980/1985
<b>Veh. Code, § 23104, subd. (b)</b>  (reckless driving causing great bodily injury with prior conviction)	Convictions for reckless driving that causes great bodily injury to a person other than the driver, where previous Veh. Code, §§ 23103, 23104, 23105, 23109, 23109.1, 23152, or 23153 conviction.	\$220 to \$1,000 <sup>10</sup>	No	No	1980/1985
<b>Veh. Code, § 23105</b>  (reckless driving causing specified serious injury)	Convictions for reckless driving (Veh. Code, § 23103) causing one or more specified injuries.	\$220 to \$1,000	No	No	2007

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<b>Veh. Code, § 23109, subd. (e)(1)</b>  (speed contest on highway)	Convictions for motor vehicle speed contest on a highway (Veh. Code, § 23109, subd. (a)).	\$355 to \$1,000 <sup>11</sup>	No	No	1984 <sup>12</sup> /2006 <sup>13</sup>
<b>Veh. Code, § 23109, subd. (e)(2)</b>  (speed contest on highway causing bodily injury)	Convictions for motor vehicle speed contests on highway (Veh. Code, § 23109, subd. (a)) proximately causing bodily injury to person other than the driver.	\$500 to \$1,000	No	No	2006 <sup>14</sup>
<b>Veh. Code, § 23109, subd. (f)(1)</b>  (speed contest on highway occurring within 5 years of prior conviction)	Convictions for motor vehicle speed contests on highway (Veh. Code, § 23109, subd. (a)) occurring within five years of prior conviction for motor vehicle speed contest on highway (Veh. Code, § 23109, subd. (a)).	\$500 to \$1,000	No	Yes	1984 <sup>15</sup> /2006 <sup>16</sup>

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<p><b>Veh. Code, § 23109, subd. (f)(2)</b></p> <p>(speed contest on highway causing bodily injury that occurs within 5 years of prior conviction)</p>	<p>Convictions for motor vehicle speed contest on highway (Veh. Code, § 23109, subd. (a)) proximately causing bodily injury to person other than driver and occurring within five years of prior conviction for motor vehicle speed contest on highway (Veh. Code, § 23109, subd. (a)).</p>	<p>\$500 to \$1,000</p>	<p>No</p>	<p>Yes</p>	<p>2006<sup>17</sup></p>
<p><b>Veh. Code, § 23109, subd. (f)(3)</b></p> <p>(speed contest on highway causing serious bodily injury that occurs within 5 years of prior conviction)</p>	<p>Convictions for motor vehicle speed contests on highway (Veh. Code, § 23109, subd. (a)) proximately causing serious bodily injury to person other than driver and occurring within five years of prior conviction for motor vehicle speed contest on highway (Veh. Code, § 23109, subd. (a)).</p>	<p>\$500 to \$1,000</p>	<p>No</p>	<p>Yes</p>	<p>2006<sup>18</sup></p>

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<p><b>Veh. Code, § 23109, subd. (i)(1)</b></p> <p>(aiding/abetting highway speed contest, engaging in speed exhibition on highway, placing a barricade on a highway related to speed contest or exhibition)</p>	<p>Convictions for aiding and abetting motor vehicle speed contest on highway (Veh. Code, § 23109, subd. (b)), engaging in motor vehicle exhibition of speed on highway (Veh. Code, § 23109, subd. (c)), or obstructing or placing barricade on highway incident to motor vehicle speed contest / exhibition upon highway (Veh. Code, § 23109, subd. (d)).</p>	<p>≤\$500<sup>19</sup></p>	<p>No</p>	<p>No</p>	<p>1984<sup>20</sup>/2022<sup>21</sup></p>
<p><b>Veh. Code, § 23536, subd. (a)</b></p> <p>(DUI)</p>	<p>Convictions for a first DUI (Veh. Code, § 23152).</p>	<p>\$390 to \$1,000</p>	<p>No</p>	<p>Yes</p>	<p>1982<sup>22</sup>/1999<sup>23</sup></p>

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<b>Veh. Code, § 23540</b>  (DUI with 1 prior)	Convictions for DUI (Veh. Code, § 23152) committed within 10 years of a separate conviction for either a wet reckless (reckless driving bargained down from a DUI charge) (Veh. Code, § 23103.5), a DUI (Veh. Code, § 23152), or a DUI causing bodily injury (Veh. Code, § 23153).	\$390 to \$1,000	No	Yes	2005
<b>Veh. Code, § 23546</b>  (DUI with 2 prior)	Convictions for DUI (Veh. Code, § 23152) committed within 10 years of two separate convictions for any of a wet reckless (reckless driving bargained down from a DUI charge) (Veh. Code, § 23103.5), a DUI (Veh. Code, § 23152), or a DUI causing bodily injury (Veh. Code, § 23153).	\$390 to \$1,000	No	Yes	1999

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<p><b>Veh. Code, § 23550</b></p> <p>(DUI with 3+ prior)</p>	<p>Convictions for DUI (Veh. Code, § 23152) within 10 years of three or more separate convictions for any of a wet reckless (reckless driving bargained down from a DUI charge) (Veh. Code, § 23103.5), a DUI (Veh. Code, § 23152), or a DUI causing bodily injury (Veh. Code, § 23153).</p>	<p>\$390 to \$1,000</p>	<p>No</p>	<p>Yes</p>	<p>1999</p>
<p><b>Veh. Code, § 23550.5, subd. (a)</b></p> <p>(DUI with prior felony DUI or felony vehicular manslaughter)</p>	<p>Convictions for DUI with or without bodily injury (Veh. Code, § 23152, § 23153) within 10 years of felony conviction of DUI (Veh. Code, § 23152 punished under §§ 23550 or 23550.5), DUI with bodily injury (Veh. Code, § 23153), or vehicular manslaughter (Pen. Code, § 192, subd. (c)(1)).</p>	<p>\$390 to \$1,000</p>	<p>No</p>	<p>Yes</p>	<p>1999</p>

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<p><b>Veh. Code, § 23550.5, subd. (b)</b></p> <p>(DUI with prior gross or felony vehicular manslaughter while intoxicated, or vehicular manslaughter while operating a vessel)</p>	<p>Convictions for DUI with or without bodily injury (Veh. Code, § 23152, § 23153) with previous conviction for gross vehicular manslaughter while intoxicated (Pen. Code, § 191.5, subd. (a)), felony vehicular manslaughter while intoxicated (Pen. Code, § 191.5, subd. (b)), or vehicular manslaughter while operating a vessel (Pen. Code, § 192.5, subd. (a)).</p>	<p>\$390 to \$1,000</p>	<p>No</p>	<p>Yes</p>	<p>1999</p>
<p><b>Veh. Code, § 23554</b></p> <p>(DUI with bodily injury)</p>	<p>Convictions for DUI with bodily injury (Veh. Code, § 23153).</p>	<p>\$390 to \$1,000</p>	<p>No</p>	<p>Yes</p>	<p>1999</p>



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<p><b>Veh. Code, § 23560</b></p> <p>(DUI with bodily injury with prior DUI)</p>	<p>Convictions for DUI with bodily injury (Veh. Code, § 23153) within 10 years of a conviction for wet reckless (reckless driving bargained down from a DUI charge) (Veh. Code, § 23103, as specified in § 23103.5), DUI (Veh. Code, § 23152), or DUI with bodily injury (Veh. Code, § 23153).</p>	<p>\$390 to \$5,000<sup>24</sup></p>	<p>No</p>	<p>Yes</p>	<p>1999</p>
<p><b>Veh. Code, § 23566, subd. (a)</b></p> <p>(DUI with bodily injury with 2+ prior DUIs)</p>	<p>Convictions for DUI with bodily injury (Veh. Code, § 23153) within 10 years of two or more convictions for wet reckless (reckless driving bargained down from a DUI charge) (Veh. Code, § 23103, as specified in § 23103.5), DUI (Veh. Code, § 23152), or DUI with bodily injury (Veh. Code, § 23153).</p>	<p>\$1,015 to \$5,000</p>	<p>No</p>	<p>Yes</p>	<p>1999</p>

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<p><b>Veh. Code, § 23566, subd. (b)</b></p> <p>(DUI with GBI with 2+ prior DUIs)</p>	<p>Convictions for DUI with bodily injury (Veh. Code, § 23153) that proximately causes GBI within 10 years of two or more convictions for wet reckless (reckless driving bargained down from a DUI charge) (Veh. Code, § 23103, as specified in § 23103.5), DUI (Veh. Code, § 23152), or DUI with bodily injury (Veh. Code, § 23153).</p>	<p>\$1,015 to \$5,000</p>	<p>No</p>	<p>Yes</p>	<p>1999</p>

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<b>Veh. Code, § 23568</b>  (Probation for DUI with bodily injury/ GBI with 2+ prior DUIs)	Grants of probation following a conviction under Veh. Code, § 23566 (DUI with bodily injury (Veh. Code, § 23153) or bodily injury with GBI within 10 years of two or more convictions for wet reckless (reckless driving bargained down from a DUI charge) (Veh. Code, § 23103, as specified in § 23103.5), DUI (Veh. Code, § 23152), or DUI with bodily injury (Veh. Code, § 23153)).	\$390 to \$5000 + Pen. Code, § 1203.1 restitution	No	Yes	1999
<b>Veh. Code, § 23645</b>  (alcohol abuse education and prevention)	Convictions for DUI (Veh. Code, § 23152) or DUI with bodily injury (Veh. Code, § 23153).	≤\$50	Yes	Yes <sup>25</sup>	1999

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<p><b>Veh. Code, § 23649<sup>26</sup></b></p> <p>(county alcohol and drug problem assessment program)</p>	<p>Convictions for DUI (Veh. Code, § 23152) or DUI with bodily injury (Veh. Code, § 23153) in a judicial district that participates in a county alcohol and drug problem assessment program.</p>	<p>≤\$100<sup>27</sup></p> <p>(levied on every fine, penalty, or forfeiture imposed and collected by the courts for a violation of Veh. Code, §§ 23152 or 23153)</p>	<p>Yes</p>	<p>Yes</p>	<p>1989/1999</p>
<p><b>Veh. Code, § 42000</b></p> <p>(catchall felony Vehicle Code violation conviction assessment)</p>	<p>Convictions for any felony under the Vehicle Code unless a penalty is expressly provided by the Vehicle Code.</p>	<p>\$1000 to \$10,000</p>	<p>No</p>	<p>Yes (if no other penalty expressly provided)</p>	<p>1959/1984</p>

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<p><b>Veh. Code, § 42006</b></p> <p>(night court assessment)</p>	<p>Convictions for a violation of the Vehicle Code or local ordinance adopted pursuant to the Vehicle Code, except parking related offenses, where the fee is imposed and collected by a trial court that conducts a night or weekend session of the court.</p>	<p>\$1 for every fine, forfeiture, and traffic violator school fee imposed and collected by any court that conducts a night or weekend session of the court.</p>	<p>No</p>	<p>No</p>	<p>1966/1982</p>
<p><b>Veh. Code, § 42009</b></p> <p>(highway construction or maintenance area fine)</p>	<p>Convictions for specific Vehicle Code violations listed in subd. (b) when committed in a highway construction/maintenance area when traffic regulated or construction/maintenance work being performed.</p>	<p><u>Misdemeanor</u>: Double the amount otherwise prescribed.</p> <p><u>Infraction</u>: Fine one category higher than the penalty otherwise prescribed.</p>	<p>No</p>	<p>Yes</p>	<p>1994</p>

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<b>Veh. Code, § 42010</b>  (Safety Enhancement - Double Fine Zone fine)	Convictions for specific Vehicle Code violations listed in subd. (b), when committed in an area designated a Safety Enhancement-Double Fine Zone.	<u>Misdemeanor</u> : Double the amount otherwise prescribed.  <u>Infraction</u> : Fine one category higher than the penalty otherwise prescribed.	No	Yes	1997

<sup>1</sup> The Emergency Medical Air Transportation penalty of \$4 imposed for every violation of the Vehicle Code does not apply to juveniles declared wards of the court with a sustained DUI allegation because this penalty applies to criminal convictions, and juvenile adjudication of wardship is not a criminal conviction. (*In re S.J.* (2020) 50 Cal.App.5th 885, 891.)

<sup>2</sup> The Gov. Code, § 76000.10, subd. (c)(1), penalty “is in addition to the state penalty assessed pursuant to Section 1464 of the Penal Code. The penalty shall not be included in the base fine used to calculate the state penalty assessment pursuant to subdivision (a) of Section 1464 of the Penal Code, the state surcharge levied pursuant to Section 1465.7 of the Penal Code, and the state court construction penalty pursuant to Section 70372, and to calculate the other additional penalties levied pursuant to this chapter.” (Gov. Code, § 76000.10, subd. (c)(2).)

<sup>3</sup> The assessment of penalties pursuant to Gov. Code, § 76000.10 terminates on December 31, 2022. (Gov. Code, § 76000.10, subd. (f).) Gov. Code, § 76000.10 becomes “inoperative on July 1, 2024, and, as of January 1, 2025, is repealed.” (Gov. Code, § 76000.10, subd. (h).)

<sup>4</sup> Originally added as Pen. Code, § 1203.1b. “Assembly Bill No. 3323 enacted Penal Code section 1203.1b in 1980, effective January 1, 1981. (Stats. 1980, ch. 555, § 1, p. 1538.)” (*People v. Washington* (2002) 100 Cal.App.4th 590, 595.)

<sup>5</sup> Renewing code section by extending operative date from July 1, 2021. (Pen. Code, § 1203.1bb, subd. (c).)

<sup>6</sup> A county board of supervisors may authorize, by resolution, this additional penalty. (Pen. Code, § 1463.14, subd. (b).)

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<sup>7</sup> A defendant convicted of a DUI offense is not to be assessed for an additional \$50 for chemical testing pursuant to Pen. Code, § 1463.14, subd. (a), over and above any base fine imposed upon conviction. (75 Op.Atty.Gen. 117, 7-15-92.)

<sup>8</sup> 1980 amendment increased minimum and maximum fines from \$25 and \$250 to \$60 and \$500 respectively; second 1980 amendment increased minimum fine from \$60 to \$130; 1982 amendment increased minimum fine from \$130 to \$145; 1983 amendment increased maximum fine from \$500 to \$1,000.

<sup>9</sup> 1980 amendment increased minimum fine from \$100 to \$135; second 1980 amendment increased minimum fine from \$135 to \$205; 1982 amendment increased minimum fine from \$205 to \$220; 1984 amendment increased maximum fine from \$500 to \$1,000.

<sup>10</sup> 1980 amendment increased minimum fine from \$100 to \$135; second 1980 amendment increased minimum fine from \$135 to \$205; 1982 amendment increased minimum fine from \$205 to \$220; 1984 amendment increased maximum fine from \$500 to \$1,000.

<sup>11</sup> 1984 amendment increased maximum fine from \$500 to \$1,000.

<sup>12</sup> 1983 amendment added subdivision (e), which was redesignated subdivision (e)(1) by amendment in 2005.

<sup>13</sup> 2005 amendment redesignated former subdivision (e) as subdivision (e)(1) and added subdivision (e)(2).

<sup>14</sup> 2005 amendment redesignated former subdivision (e) as subdivision (e)(1) and added subdivision (e)(2).

<sup>15</sup> 1983 amendment added subdivision (f), which was redesignated subdivision (f)(1) by amendment in 2005.

<sup>16</sup> 2005 amendment redesignated former subdivision (f) as (f)(1) and added (f)(2) and (f)(3).

<sup>17</sup> 2005 amendment redesignated former subdivision (f) as (f)(1) and added (f)(2) and (f)(3).

<sup>18</sup> 2005 amendment redesignated former subdivision (f) as (f)(1) and added (f)(2) and (f)(3).

<sup>19</sup> 1984 amendment increased maximum fine from \$250 to \$500.

<sup>20</sup> 1983 amendment redesignated former subdivision (d) as subdivision (i).

<sup>21</sup> 2021 amendment redesignated former subdivision (i) as subdivision (i)(1) and added subdivision (i)(2).

<sup>22</sup> Originally enacted as Veh. Code, § 23160, added by Stats. 1981, c. 940, p. 3571, § 32.

<sup>23</sup> Renumbered § 23536 by Stats. 1999, c. 22 (SB 24).

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<sup>24</sup> In *People v. Cruz* (2013) 219 Cal. App. 4th 61, 64, the trial court identified the statutory basis for only \$294 of the \$2,744 fine, leaving an unspecified amount of \$2,450. A mandatory fine under Vehicle Code section 23560, “of not less than three hundred ninety dollars (\$390) nor more than five thousand dollars (\$5,000),” was not identified by the trial court as included in the stated fine. “[W]here the parties have not mentioned the amount of the fine during the plea negotiation, and where the trial court has not threatened or promised any particular amount of fine during the plea colloquy, the amount of the fine is not part of the plea agreement, and the trial court is free to impose a fine within the statutory range.” (*Id.* at p. 65, quoting *People v. Villalobos* (2012) 54 Cal.4th 177, 184.) The appellate court found that the amount was left to the court’s discretion, and the \$2,450 was within that discretion. (*Id.* at 66.)

<sup>25</sup> Payment of this penalty assessment shall be ordered upon conviction of Vehicle Code section 23152 or 23153 and, if probation is granted, the payment shall also be ordered as a condition of probation. (Veh. Code, § 23645, subd. (b).)

<sup>26</sup> Formerly § 23249.55; renumbered 1999.

<sup>27</sup> This assessment can only be levied upon a fine, penalty or forfeiture that was imposed and collected by the court. (Veh. Code, § 23649.) When the court imposes a fine against the defendant, but subsumes the fine into the defendant's presentence credit award, the fine was never collected and the Vehicle Code section 23649 assessment should not be imposed. (*People v. Benner* (2010) 185 Cal.App.4th 791, 797.)