



# Judicial Council of California

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## REPORT TO THE JUDICIAL COUNCIL

*Item No.: 23-159*

For business meeting on: September 19, 2023

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**Title**

Rules and Forms: Miscellaneous Technical  
Changes to Traffic Rules and Forms

**Agenda Item Type**

Action Required

**Effective Date**

January 1, 2024

**Rules, Forms, Standards, or Statutes Affected**

Amend Cal. Rules of Court, rule 4.107;  
revise forms TR-235, TR-300, TR-300o, TR-  
310, TR-310o

**Date of Report**

August 7, 2023

**Recommended by**

Traffic Advisory Committee  
Hon. Gail Dekreon, Chair

**Contact**

Jamie Schechter, 415-865-5327  
[Jamie.Schechter@jud.ca.gov](mailto:Jamie.Schechter@jud.ca.gov)

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### Executive Summary

The Traffic Advisory Committee recommends amending one rule of court and revising five traffic forms to incorporate changes resulting from legislation and correct a statutory reference. These changes are technical, minor, and noncontroversial. The committee recommends making the necessary corrections to conform to statutes and avoid causing confusion for court users, clerks, and judicial officers.

### Recommendation

The Traffic Advisory Committee recommends that the Judicial Council, effective January 1, 2024:

1. Amend rule 4.107 of the California Rules of Court to update the maximum civil assessment fee amount that was reduced by Assembly Bill 199 (Stats. 2022, ch. 57);
2. Revise *Officer's Declaration* (form TR-235) to resolve an incorrectly cited statute;
3. Revise *Agreement to Pay and Forfeit Bail in Installments* (form TR-300) and *Online Agreement to Pay and Forfeit Bail in Installments* (form TR-300o) to delete a field for

administrative fees that were repealed by AB 177 (Stats. 2021, ch. 257), and delete a warning regarding consequences from the Department of Motor Vehicles for failure to pay that were repealed by Assembly Bill 2746 (Stats. 2022, ch. 800); and

4. Revise *Agreement to Pay Traffic Violator School Fees in Installments* (form TR-310) and *Online Agreement to Pay Traffic Violator School Fees in Installments* (form TR-310o) to update a warning regarding consequences from the Department of Motor Vehicles for failure to pay that were repealed by Assembly Bill 2746. Revise *Agreement to Pay Traffic Violator School Fees in Installments* (form TR-310) to be consistent with *Online Agreement to Pay Traffic Violator School Fees in Installments* (form TR-310o), by clarifying the form is for violations of the Vehicle Code.

The proposed amended rule and revised forms are attached at pages 3–13.

### **Relevant Previous Council Action**

Although the Judicial Council has acted on these rules and forms previously, this proposal recommends only minor corrections unrelated to any prior action.

### **Analysis/Rationale**

The changes to these forms are necessary to conform to statutory changes and correct references.

### **Policy implications**

This proposal promotes accuracy and consistency with statutes and forms.

### **Comments**

This proposal was not circulated for public comment because the recommended changes are corrections, and minor modifications to directly implement statutory changes that are unlikely to create controversy, and are therefore within the Judicial Council’s purview to adopt without circulation. (See Cal. Rules of Court, rule 10.22(d)(2).)

### **Alternatives considered**

The committee considered revising the forms later, alongside more substantive revisions, including considering the need for the separate online form versions. However, recommending these minor revisions to the forms at this time appears to be the better option, to avoid courts and court users continuing to rely on inaccurate forms for an unforeseen amount of time. Additional changes may be made as time and resources allow.

### **Fiscal and Operational Impacts**

Operational impacts are expected to be minor. The proposed revisions may result in reproduction costs if courts provide hard copies of any of the forms recommended for revision. Because the proposed changes are minor, case management systems are unlikely to need updating to implement them.

## **Attachments and Links**

1. Cal. Rules of Court, rule 4.107, at page 3
2. Forms TR-235, TR-300, TR-300o, TR-310, and TR-310o, at pages 4–13

NAME OF COURT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME: TELEPHONE:		<p style="text-align: center;"><i>FOR COURT USE ONLY</i></p> <p style="text-align: center;"><b>DRAFT</b></p> <p style="text-align: center;"><b>Not approved by the Judicial Council</b></p>
<p style="text-align: center;"><b>PEOPLE OF THE STATE OF CALIFORNIA</b> vs.</p> DEFENDANT:		
<p style="text-align: center;"><b>OFFICER'S DECLARATION</b> <b>(Trial by Written Declaration—Vehicle Code, § 40902)</b></p>		
RETURN DATE:	ARRESTING/CITING OFFICER NAME/ID NO.:	CITATION NUMBER/DATE ISSUED:
AGENCY NAME:	OFFICE [IF ANY]:	CASE NUMBER:

**INSTRUCTIONS:** The defendant in the case listed above has opted for trial by written declaration pursuant to Vehicle Code section 40902. The officer named above shall check all statements that apply, date, sign, and complete and return this form to the court named above by the return date.

1. **OFFICER'S DECLARATION:** Except as expressly stated below, I have personal knowledge of the facts stated herein. The events occurred in the County of *(specify)*: \_\_\_\_\_ at about the date, time, and location stated in the citation.
  - a. ☐ At the time of the citation I was a peace officer on-duty ☐ for the exclusive or main purpose of traffic enforcement ☐ not for the exclusive or main purpose of traffic enforcement, and I ☐ was ☐ was not wearing a uniform as required by the Vehicle Code section 40800. Any vehicle used by me complied with Vehicle Code section 40800.
  - b. ☐ The offense(s) were not committed in my presence.
  - c. ☐ Any statement(s) made by the defendant were voluntary, recorded ☐ verbatim ☐ not verbatim and is/are reasonably complete and accurate in substance.
  - d. ☐ Safety is an element of the violation alleged. In my opinion, the defendant's operation of the vehicle was unsafe.
  - e. ☐ Any equipment used by me to gather evidence in support of this violation was properly maintained, in good working order, and I have been trained in its use.
  - f. ☐ Any traffic sign, signal, or device mentioned was official and properly located, maintained, in good working order, and clearly visible to a driver of a vehicle controlled, governed, or affected by such sign, signal, or device.
  - g. ☐ Any diagram(s) submitted is/are not exact or to scale, but is/are reasonably complete, accurate, and fairly depict(s) the location, situation, and events described.
  - h. ☐ Speed supported by the patrol vehicle's speedometer was a significant factor. Pursuant to department policy, the patrol vehicle used in connection with this citation was officially calibrated on *(date)*: \_\_\_\_\_  
The result was *(specify)*: \_\_\_\_\_  
The calibration was considered by me in determining defendant's speed.
  - i. ☐ Defendant was identified by Driver's License ☐ or other *(specify)*: \_\_\_\_\_
2. **THE METHOD(S) USED TO DETERMINE THE SPEED OF THE INVOLVED VEHICLE WAS/WERE:**
  - a. ☐ Odometer
  - b. ☐ Visual estimation
  - c. ☐ Pacing
  - d. ☐ Radar (see items 4, 5, 6, below)
  - e. ☐ Laser
  - f. ☐ Aircraft
  - g. ☐ Other *(specify)*: \_\_\_\_\_
3. ☐ Engineering and traffic survey (ETS) not required per Vehicle Code section 40802, subdivision (a)(2).
4. ☐ ETS completed within five (5) years prior to date of alleged violation.
  - a. ☐ ETS attached.
  - b. ☐ ETS on file with the court.
5. ☐ ETS completed within five (5) and seven (7) years prior to date of alleged violation.
  - a. ☐ ETS attached.

(Continued on reverse)

PEOPLE v. DEFENDANT (Name):

CASE NUMBER:

5. b. ☐ ETS on file with the court.
- c. ☐ Arresting/citing officer has successfully completed a radar operator course of not less than 24 hours approved and certified by the Commission on Peace Officer Standards and Training (POST).
- d. ☐ Laser or other electronic device was used to measure speed. Arresting/citing officer successfully completed an additional training course of not less than two hours approved and certified by POST.
- e. ☐ The speed measuring device used to measure the speed of defendant (Serial No: \_\_\_\_\_ ) meets or exceeds the minimum operational standards of the National Highway Traffic Safety Administration (NHTSA) and was last calibrated on (date): \_\_\_\_\_ by an independent certified laser/radar repair and testing/calibration facility.
- f. ☐ Equipment accuracy check conducted on (date): \_\_\_\_\_ at (time): \_\_\_\_\_ and again on (date): \_\_\_\_\_ at (time): \_\_\_\_\_
6. ☐ ETS completed within seven (7) and ten (10) years prior to the date of the alleged violation.
- a. ☐ A registered engineer has evaluated the section of the highway in question and has determined that no significant changes in roadway or traffic conditions have occurred.
- b. ☐ All of the elements marked under item 5, above, which are applicable.

7. **FACTS AND CIRCUMSTANCES** (Type or print only. State what happened):

☐ Continued on attachment.

8. **OTHER EVIDENCE AND STATEMENTS** (Explain any other evidence and statements):

☐ Continued on attachment.

9. **DIAGRAM(S)** (specify):

☐ Attached.

10. Number of pages attached: \_\_\_\_\_

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)

 \_\_\_\_\_  
(SIGNATURE)

ID Number: \_\_\_\_\_

Agency NCIC Number: \_\_\_\_\_

<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	<i>FOR COURT USE ONLY</i>  <b>DRAFT</b> <b>Not approved by</b> <b>the Judicial Council</b>
<b>PEOPLE OF THE STATE OF CALIFORNIA</b> <b>vs.</b>	
DEFENDANT:	
<b>AGREEMENT TO PAY AND FORFEIT BAIL IN INSTALLMENTS</b> <b>(Vehicle Code, § 40510.5)</b>	
<b>TO BE COMPLETED BY THE COURT</b> <b>Read carefully and, if you agree, sign and return the form to the clerk.</b>	CITATION NUMBER:
	CASE NUMBER:

1. I am the defendant in this case and I have been charged with the following infraction violation(s) of the Vehicle Code that do not require me to go into court:
 

a. §
b. §
c. §
d. §
e. §
2. My court appearance date or extension date has not passed, and I am providing proof of correction for any correctable violations.
3. I want to pay and forfeit bail for the violation(s) listed above. I understand that the court does not have to allow me to make installment payments.
4. I understand that by signing below, each violation that is reportable to the Department of Motor Vehicles (DMV) and has no proof of correction will be reported as a conviction.
5. **TERMS OF THE AGREEMENT:**

Total bail (including penalties) is \$ \_\_\_\_\_

Initial Payment (10% minimum): \$ \_\_\_\_\_

Remaining balance after first payment: \$ \_\_\_\_\_

( ) I agree to pay the remaining balance in monthly installments of at least \$ \_\_\_\_\_ due on the \_\_\_\_\_ day of each month, starting on (date): \_\_\_\_\_ and until paid in full on or before (date): \_\_\_\_\_.

( ) Other (explain): \_\_\_\_\_

I agree that: All payments must be made by the due date and there is no grace period.

If I do not make a payment on time, I may have to pay the rest of my unpaid bail immediately.

I understand that if I do not make the payment by each due date the court may:

Charge me with a failure to appear or pay under Vehicle Code section 40508.

Charge a civil assessment of up to \$100 (Pen. Code, § 1214.1) or have a warrant issued for my arrest.

Assign my case to a collection agency or the State Franchise Tax Board for collection.

I understand that if I pay as agreed and if any proof of correction has been filed with the court as required, my bail forfeiture will be complete, and at that time, the case will be closed.

**By signing below, I affirm that I have read, understood, and accepted the above terms and conditions. I also affirm that I have read and understood my rights printed on the reverse side, and that I choose to give them up.**

(SIGNATURE OF DEFENDANT)	(DATE)	(TYPE OR PRINT NAME)
(DRIVER'S LICENSE/ID NUMBER)	(ADDRESS)	(CITY, STATE, AND ZIP CODE)
(TELEPHONE NUMBER)	<input type="checkbox"/> [I have provided a cellular phone number, and I authorize the court to send me SMS text messages or call reminders regarding payments that I owe under this agreement.] [Optional]	
(EMAIL ADDRESS)	<input type="checkbox"/> [I have provided an email address, and I authorize the court to send me electronic notices regarding payments that I owe under this agreement.] [Optional.]	

CLERK OF THE SUPERIOR COURT

ACCEPTED (date): \_\_\_\_\_ BY: \_\_\_\_\_

(DEPUTY CLERK)

## **ADVISEMENT OF RIGHTS**

By choosing to pay and forfeit bail in installments and not go into court, you will be giving up these rights:

- To appear in court without deposit of bail for formal arraignment, plea, and sentencing;
- To ask for community service (if available) instead of paying the total amount due;
- To request and have a court trial, to challenge the charges without deposit of bail, unless the court orders bail;
- To have a speedy court trial and have the charges dismissed if a speedy trial is requested but not provided;
- To be represented by an attorney at your expense;
- To subpoena or present witnesses and physical evidence using the power of the court at no cost to you and to testify on your own behalf;
- To confront and cross-examine all witnesses under oath testifying against you; and
- To remain silent and not testify.

At any time before your final payment, if you have experienced a change in financial circumstances, you may ask that the court consider your ability to pay. If the court considers your ability to pay, the court may modify your installment plan, allow you to complete community service (if available) instead of paying the total amount due, or suspend all or part of the fine. The court is not required to offer you any of the above options, and the court may deny your request.

[If you do not make a payment, please contact the court as soon as possible to make arrangements.]  
[Optional]

<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	<b>FOR COURT USE ONLY</b>  <b>DRAFT</b> <b>Not approved by</b> <b>the Judicial Council</b>
<b>PEOPLE OF THE STATE OF CALIFORNIA</b> <b>vs.</b>	
DEFENDANT:	
<b>ONLINE AGREEMENT TO PAY AND FORFEIT BAIL IN INSTALLMENTS</b> <b>(Vehicle Code, § 40510.5)</b>	

### TO BE COMPLETED BY THE COURT

**Read carefully, and if you agree, type your name below and submit the form.**

1. I am the defendant in this case, and I have been charged with the following infraction violation(s) of the Vehicle Code that do not require me to go into court:
 

a. §
b. §
c. §
d. §
e. §
2. My court appearance date or extension date has not passed [and I have provided proof of correction for any correctable violations (if applicable).]
3. I want to forfeit and pay bail for the violation(s) listed above. I understand that the court does not have to allow me to make installment payments.
4. I understand that by completing this agreement, each violation that is reportable to the Department of Motor Vehicles (DMV) and has no proof of correction will be reported as a conviction.

**5. TERMS OF THE AGREEMENT:**

Total bail (including penalties) is \$ \_\_\_\_\_

Initial Payment (10% minimum): \$ \_\_\_\_\_

[Online transaction fee (if applicable): \$ \_\_\_\_\_]

Total amount due today: \$ \_\_\_\_\_

Remaining balance after first payment: \$ \_\_\_\_\_

I agree to pay the remaining balance in monthly installments of at least \$ \_\_\_\_\_ due on the \_\_\_\_\_ day of each month, starting on *(date)*: \_\_\_\_\_ and until paid in full on or before *(date)*: \_\_\_\_\_.

I agree that: All payments must be made by the due date and there is no grace period.

If I do not make a payment on time, I may have to pay the rest of my unpaid bail immediately.

I understand that if I do not complete my payment plan, the court may:

Charge me with a failure to appear or pay under Vehicle Code section 40508.

Charge a civil assessment of up to \$100 (Pen. Code, § 1214.1) or have a warrant issued for my arrest.

Assign my case to a collection agency or the State Franchise Tax Board for collection.

I understand that if I pay as agreed [and if any proof of correction has been filed with the court as required], my bail forfeiture will be complete, and at that time, the case will be closed.

**I have read and understood my rights as explained in this agreement and attachment, and I choose to give them up. (See Attachment 1.) I have read, understood, and agreed to the terms and conditions stated above.**

I understand that by electronically filing this document, it will be deemed signed. (Code Civ. Proc., § 1010.6(b)(2)(A) and Cal. Rules of Court, rule 2.257(b).)

(TYPE NAME OF DEFENDANT)	(DRIVER'S LICENSE/ID NUMBER)	(ADDRESS)
(TELEPHONE NUMBER)	(CITY, STATE, AND ZIP CODE)	
(EMAIL ADDRESS)	<input type="checkbox"/> [I have provided a cellular phone number, and I authorize the court to send me SMS text messages or call reminders regarding payments that I owe under this agreement.] [Optional]	
	<input type="checkbox"/> [I have provided an email address, and I authorize the court to send me electronic notices regarding payments that I owe under this agreement.] [Optional]	

ACCEPTED *(date)*: \_\_\_\_\_ BY: \_\_\_\_\_

CLERK OF THE SUPERIOR COURT

Page 1 of 2



**ADVISEMENT OF RIGHTS**

By choosing to pay and forfeit bail in installments and not go into court, you will be giving up these rights:

- To appear in court without deposit of bail for formal arraignment, plea, and sentencing;
- To ask for community service (if available) instead of paying the total amount due;
- To request and have a court trial, to challenge the charges without deposit of bail, unless the court orders bail;
- To have a speedy court trial and have the charges dismissed if a speedy trial is requested but not provided;
- To be represented by an attorney at your expense;
- To subpoena or present witnesses and physical evidence using the power of the court at no cost to you and to testify on your own behalf;
- To confront and cross-examine all witnesses under oath testifying against you; and
- To remain silent and not testify.

At any time before your final payment, if you have experienced a change in financial circumstances, you may ask that the court consider your ability to pay. If the court considers your ability to pay, the court may modify your installment plan, allow you to complete community service (if available) instead of paying the total amount due, or suspend all or part of the fine. The court is not required to offer you any of the above options, and the court may deny your request.

[If you do not make a payment, please contact the court as soon as possible to make arrangements.]  
[Optional]

<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	<i>FOR COURT USE ONLY</i>  <b>DRAFT</b> <b>Not approved by</b> <b>the Judicial Council</b>
<b>PEOPLE OF THE STATE OF CALIFORNIA</b> <b>vs.</b>	
DEFENDANT:	
<b>AGREEMENT TO PAY TRAFFIC VIOLATOR SCHOOL FEES IN INSTALLMENTS</b> <b>(Vehicle Code, § 42007)</b>	
<b>TO BE COMPLETED BY THE COURT</b> <b>Read carefully and, if you agree, sign and return the form to the clerk.</b>	CITATION NUMBER:
	CASE NUMBER:

1. I am the defendant in this case. I have been charged with the following infraction violation(s) **of the Vehicle Code** that do not require me to go into court and that are eligible for confidential conviction(s) for completion of traffic violator school:

a. §                                      b. §                                      c. §                                      d. §                                      e. §

2. My court appearance date or extension date has not passed, and I am providing proof of correction for any correctable violations.

3. I want to pay the traffic violator school fees for the violation listed above. I understand that the court does not have to allow me to make installment payments.

4. **TERMS OF THE AGREEMENT:**

The total fee (including an administrative fee of \$ \_\_\_\_\_) is \$ \_\_\_\_\_

Initial Payment (10% minimum): \$ \_\_\_\_\_

Remaining balance after first payment: \$ \_\_\_\_\_

( ) I agree to pay the remaining balance within 90 days. I will pay in monthly installments of at least \$ \_\_\_\_\_ due on the \_\_\_\_\_ day of each month, starting on (date): \_\_\_\_\_ and until paid in full on or before (date): \_\_\_\_\_.

( ) Other (explain): \_\_\_\_\_

I agree that: All payments must be made by the due date and there is no grace period.

If I do not make a payment on time, I may have to pay the rest of my unpaid fees immediately.

I understand that if I do not complete my payment plan the court may:

Charge me with a failure to pay under Vehicle Code section 40508.

Charge a civil assessment of up to \$100 (Pen. Code, § 1214.1) or have a warrant issued for my arrest.

Report convictions to the Department of Motor Vehicles.

Assign the case to a collection agency or the State Franchise Tax Board for collection.

I understand that my case will continue to be open until the date that my last installment is paid. If I pay as agreed and if my proof of completion of traffic school is reported, a confidential conviction will be reported to the DMV and no further proceedings will be held.

**By signing below, I affirm that I have read, understood, and accepted the above terms and conditions. I also affirm that I have read and understood my rights printed on the reverse side, and that I choose to give them up.**

(SIGNATURE OF DEFENDANT)	(DATE)	(TYPE OR PRINT NAME)
(DRIVER'S LICENSE/ID NUMBER)	(ADDRESS)	(CITY, STATE, AND ZIP CODE)
(TELEPHONE NUMBER)	<input type="checkbox"/> [I have provided a cellular phone number, and I authorize the court to send me SMS text messages or call reminders regarding payments that I owe under this agreement.] [Optional]	
(EMAIL ADDRESS)	<input type="checkbox"/> [I have provided an email address, and I authorize the court to send me electronic notices regarding payments that I owe under this agreement.] [Optional.]	

CLERK OF THE SUPERIOR COURT

ACCEPTED (date): \_\_\_\_\_ BY: \_\_\_\_\_  
 (DEPUTY CLERK)

## ADVISEMENT OF RIGHTS

By choosing to pay traffic violator school fees in installments and not go into court, you will be giving up these rights:

- To appear in court without deposit of bail for formal arraignment, plea, and sentencing;
- To ask for community service (if available) instead of paying the total amount due;
- To request and have a court trial, to challenge the charges without deposit of bail, unless the court orders bail;
- To have a speedy court trial and have the charges dismissed if a speedy trial is requested but not provided;
- To be represented by an attorney at your expense;
- To subpoena or present witnesses and physical evidence using the power of the court at no cost to you and to testify on your own behalf;
- To confront and cross-examine all witnesses under oath testifying against you; and
- To remain silent and not testify.

At any time before your final payment, if you have experienced a change in financial circumstances, you may ask that the court consider your ability to pay. If the court considers your ability to pay, the court may modify your installment plan, allow you to complete community service (if available) instead of paying the total amount due, or suspend all or part of the fine. The court is not required to offer you any of the above options, and the court may deny your request. If the court grants your request, you may no longer be eligible for traffic school.

[If you do not make a payment, please contact the court as soon as possible to make arrangements.]  
[Optional]

<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	<i>FOR COURT USE ONLY</i>  <b>DRAFT</b> <b>Not approved by</b> <b>the Judicial Council</b>
<b>PEOPLE OF THE STATE OF CALIFORNIA</b> <b>vs.</b>	
DEFENDANT:	
<b>ONLINE AGREEMENT TO PAY TRAFFIC VIOLATOR SCHOOL FEES IN INSTALLMENTS</b> <b>(Vehicle Code, § 42007)</b>	

### TO BE COMPLETED BY THE COURT

**Read carefully and, if you agree, type your name below and submit the form.**

1. I am the defendant in this case. I have been charged with the following infraction violation(s) of the Vehicle Code that do not require me to go into court and that are eligible for confidential conviction(s) for completion of traffic violator school:
 

a. §
b. §
c. §
d. §
e. §
2. My court appearance date or extension date has not passed [and I have provided proof of correction for any correctable violations.]

3. I want to pay the traffic violator school fees for the violation(s) listed above. I understand that the court does not have to allow me to make installment payments.

**4. TERMS OF THE AGREEMENT:**

The total fee (including an administrative fee of \$ \_\_\_\_\_) is \$ \_\_\_\_\_

Initial Payment (10% minimum): \$ \_\_\_\_\_

[Online transaction fee: \$ \_\_\_\_\_]

Total amount due today: \$ \_\_\_\_\_

Remaining balance after first payment: \$ \_\_\_\_\_

I agree to pay the remaining balance within 90 days. I will pay in monthly installments of at least \$ \_\_\_\_\_ due on the \_\_\_\_\_ day of each month, starting on (date): \_\_\_\_\_ and until paid in full on or before (date): \_\_\_\_\_.

I agree that: All payments must be made by the due date and there is no grace period.

If I do not make a payment on time, I may have to pay the rest of my unpaid fees immediately.

I understand that if I do not complete my payment plan the court may:

Charge me with a failure to pay under Vehicle Code section 40508.

Charge a civil assessment of up to \$100 (Pen. Code, § 1214.1) or have a warrant issued for my arrest.

Report convictions to the Department of Motor Vehicles (DMV).

Assign the case to a collection agency or the State Franchise Tax Board for collection.

I understand that my case will continue to be open until the date that my last installment is paid. If I pay as agreed and if my proof of completion of traffic school is reported, a confidential conviction will be reported to the DMV and no further proceedings will be held.

**I have read and understood my rights as explained in this agreement and attachment, and I choose to give them up. (See Attachment 1.) I have read, understood, and agreed to the terms and conditions stated above.**

I understand that by electronically filing this document it will be deemed signed. (Code Civ. Proc., § 1010.6(b)(2)(A) and Cal. Rules of Court, rule 2.257(b).)

(TYPE NAME OF DEFENDANT)	(DRIVER'S LICENSE/ID NUMBER)	(ADDRESS)
(CITY, STATE, AND ZIP CODE)		
(TELEPHONE NUMBER)	<input type="checkbox"/> [I have provided a cellular phone number, and I authorize the court to send me SMS text messages or call reminders regarding payments that I owe under this agreement.] [Optional]	
(EMAIL ADDRESS)	<input type="checkbox"/> [I have provided an email address, and I authorize the court to send me electronic notices regarding payments that I owe under this agreement.] [Optional]	

ACCEPTED (date): \_\_\_\_\_ BY: \_\_\_\_\_

(CLERK OF THE SUPERIOR COURT)

Page 1 of 2

**ADVISEMENT OF RIGHTS**

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- To request and have a court trial, to challenge the charges without deposit of bail, unless the court orders bail;
- To have a speedy court trial and have the charges dismissed if a speedy trial is requested but not provided;
- To be represented by an attorney at your expense;
- To subpoena or present witnesses and physical evidence using the power of the court at no cost to you and to testify on your own behalf;
- To confront and cross-examine all witnesses under oath testifying against you; and
- To remain silent and not testify.

At any time before your final payment, if you have experienced a change in financial circumstances, you may ask that the court consider your ability to pay. If the court considers your ability to pay, the court may modify your installment plan, allow you to complete community service (if available) instead of paying the total amount due, or suspend all or part of the fine. The court is not required to offer you any of the above options, and the court may deny your request. If the court grants your request, you may no longer be eligible for traffic school.

[If you do not make a payment, please contact the court as soon as possible to make arrangements.]  
[Optional]