

Statewide Traffic Tickets/Infractions Amnesty Program

September 2015

Amnesty Purpose

- Provides relief to individuals with outstanding eligible debt
- Provides relief to individuals with suspended driving privileges



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Amnesty Overview

Also helps to:

- Reduce amount of outstanding debt
- Resolve older cases (due prior to 2013)
- Provide a more realistic figure of statewide collectible debt



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Amnesty Overview

- SB 85/Vehicle Code section 42008.8
- October 1, 2015 to March 31, 2017
- Reduction v. DL reinstatement
- Mandatory v. Optional



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Civil Assessment

- Waived
- Not to be collected
- Can't be imposed for default
- VC 42008.8 (d)



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Civil Assessment

- If only civil assessment owed, outstanding balance will be zeroed out
- Civil assessment may be imposed, but not in amnesty context



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Implementation

- Which entity is responsible for administering the program?
 - Court or county
 - Joint effort in many instances
 - Suggest written agreements for shared workload circumstances



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Operational Impacts

- Case management and accounting system limitations
- Reporting capabilities
- Recalling warrants



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Questions?



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Eligibility

- Vehicle Code and Non-Vehicle Code infractions
- FTA/FTP warrants (VC 42008.8 (g) (2))
- Excludes Parking/DUI/Reckless driving (VC 42008.8 (f))
- Specified Vehicle Code misdemeanor violations may be included (optional)



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Amnesty Reduction Eligibility Criteria

- Citation filed with the court
- Initial due date for payment on or before January 1, 2013
- No restitution owed to a victim in the county
- No outstanding warrants in the county (fel/misd.)
- If on an installment payment or A/R plan, no payments made after June 24, 2015*

* Date subject to change



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Other Considerations

- Violations with a mandatory court appearance may be ineligible
- Court appearances without a payment are eligible
- Amnesty participants are not eligible for Traffic Violator School (TVS)
- Community service in lieu of payment determined locally



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Driver's License Hold Release

- Eligibility criteria less restrictive
- Driver's license hold is released for tickets that qualify for an amnesty reduction (VC42008.8(e)(1))
- For tickets that do not qualify for a reduction, the hold is released for those in good standing in a comprehensive collections program (VC42008.8(e)(2))



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Driver's License Hold Release

- \$50 program fee may be assessed (vc 42008.8 (f) (1))
- Use existing processes for communicating w/ DMV on DL holds
- \$55 DL reinstatement fee handled by DMV; can't be added to new/existing payment plan



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Questions?



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FAQs

- What is the impact of SB 405?
- Is a program required to identify and notify eligible individuals?
- Can vendors determine eligibility?
- Can an individual register for amnesty online/by phone?
- Do applicants need to appear before a judge to apply for amnesty?



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Program Costs

- \$50 amnesty program fee
- No other administrative fees permitted
- \$55 DMV DL reinstatement fee



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Participation Form

- Sample participation form, may be customized locally
- <http://www.courts.ca.gov/partners/documents/rc-amnesty2015-Sample-Amnesty-Participation-Form.docx>
- Capture participant information, eligibility declarations
- Assists w/ program performance tracking



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Payment Plans

- Payment plan an expected element of the program
- Ability to pay a key element (VC 42008.8 (i) (2))
- May extend beyond March 31, 2017
- No administrative fees allowed*

*Admin Fees = initiation/set up/processing fees



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Payment Processing

- 50% reduction on eligible violations
- 80% reduction with specified criteria:
 - Public assistance (GC 68632) OR
 - 125% federal poverty threshold
 - VC 42008.8 (h) (2)



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Default on Payment Plans

- VC 42008.8 (i) (3)
- Program mails notice
- 30 days to respond
- May refer to FTB or other third party collections vendor



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Questions?

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Program Reporting

- Quarterly basis
- Mandatory components:
 - Number of Cases Resolved
 - Revenues Collected
 - Program Operating Costs

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Program Reporting

- Recommended components:
 - Additional detail on cases resolved
 - Tracking work on unresolved cases
 - Help support future discussions on workload impact

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Amnesty Information

- Guidelines
- Sample Form
- Reporting Tool
- SB 85
- FAQs pending
- <http://www.courts.ca.gov/partners/941.htm>



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Outreach

- State level:
 - Judicial Council developed participant webpage and YouTube video in July
 - <https://www.youtube.com/watch?v=ff04lBgMPsS&feature=youtu.be>
 - DMV insert in vehicle registrations beginning late September, info. posted on DMV website
 - Provide outreach to advocacy groups, community organizations promoting program



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Outreach

- Local level:
 - Maintain and update program info. on websites, provide applicable links
 - Conduct outreach with local media, bar organizations, advocacy groups



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Open Forum

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Thank you!

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