TRAFFIC ARRAIGNMENT ADVISEMENT

Welcome to the traffic arraignment calendar. The purpose of today's arraignment calendar is for the Court to advise you of the charges against you, go over all your options under Penal and Vehicle Codes, and for you to tell the Court how you wish to proceed. If you wish to proceed by way of an entry of plea today, the pleas that are available are guilty, not guilty or no contest. A plea of no contest has the same effect as a plea of guilty, except that it cannot be used against you in any civil action.

At each stage of the traffic court process, everyone is entitled to certain rights.

- First you have the right to have the citation or complaint against you read in open court.
- If you are charged with a misdemeanor, you have the right to be represented by an attorney. If you would like an attorney to assist you, and if you cannot afford to hire one, provided you meet certain financial guidelines, the Court can appoint the Public Defender to help you.
- You have the right to a trial on the citation or complaint filed against you.
    - If you are charged with a misdemeanor, you have the right to a jury trial, and when you are out of custody you have the right to such trial within 45 days of today's date.
    - If you are charged with an infraction you have the right to an Officer Court Trial within 45 days of today's date.
- Whether a misdemeanor or infraction, you may also waive the right to have your trial within 45 days, and choose a Jury Trial or Officer Court Trial date past 45 days.
- At the trial you have the right to see, hear, question, confront and cross-examine any witness that may appear or be called against you.
- At the trial you also have the right to bring to court any witness or evidence that may be helpful to your case, and use the subpoena powers of the court to enforce that right at no cost to you.
- At trial you have the right to testify in your own defense, or in the alternative, the right to not testify, remain silent, and not incriminate yourself.
- Lastly, you have the right to appeal the Court's decision.

If you enter a plea today of guilty or no contest to an infraction, the Court will set a base fine. The base fines for all traffic infractions are set by the California Legislature. Please be advised that fines and fees imposed by the legislature called "Penalties and Assessments" are always added to base fines. Penalties and Assessments differ for every case based on the vehicle code(s) cited, and an individual's past driving record, but typically

Penalties and Assessments substantially increase the base fine. For example: For a defendant with a perfect past driving record, a $35.00 base fine for a speeding citation, with all Penalties and Assessments added, will total approximately $237.00. (See Placer County Uniform Bail and Penalty Schedule http://www.placer.courts.ca.gov/fees/Uniform%20Bail%20Schedule%20January%202021.pdf)

If you enter a plea today of guilty or no contest to an infraction that is a moving violation under the Vehicle Code, it will appear as 1 point on your DMV driving record. If you wish to convert the 1 point moving violation to 0 points, and have the DMV mask the citation from your automobile insurance company, you may attend Traffic Violator School (TVS), if eligible. **You MUST state your request to take TVS at the time your case is being heard** or the point will be placed on your record until you complete TVS.

- To be eligible, it must be 18 months from the violation date for which you last attended TVS to the present violation date; and the violations must be qualifying Vehicle Code Section and speed. Also there is an additional fee for TVS in addition to the total amount of your traffic violation. Everyone in California who wishes to attend TVS must pay a $64.50 administrative fee, and the TVS court fee based on the traffic school you choose. Go to http://www.placer.courts.ca.gov/division-traffic-trafficschool.shtml for more information on eligibility and class locations.

The Judicial Officer will advise you of the charges on the citation, and will inquire if you have read this advisement. They will then ask how you wish to proceed. You may ask any questions you have, and then are required to enter a plea. If you plead guilty or no contest, a base fine will be assessed, and possible TVS discussed. If you enter a plea of not guilty and request an Officer Court Trial within 45 days, the Judicial Officer will set a trial date for you. If you enter a time waiver and request and Officer Court Trial beyond 45 days, the Court will direct you to contact the Clerk's Office (South Placer 916-408-6000 or Tahoe 530-584-3460) to select a trial date.

TRAFFIC ONLINE SERVICES

http://www.placer.courts.ca.gov/division-traffic-main.shtml

- **PAY TICKET** Your case will be updated and available for online payment within five (5) business days. Fines will be referred to Revenue Service for collection if not paid within fourteen (14) calendar days of the hearing date.
    - **Online:** http://www.placer.courts.ca.gov/online-case-access.shtml
    - **Mail:** P.O. Box 619077 Roseville, CA 95661
    - **Drop Box:** 24 hour drop box located at 10820 Justice Center Drive, Roseville CA 95678
    - **Payment Plan:** Contact the Clerk's Office South Placer 916-408-6000 or Tahoe 530-584-3460, for further information. There is an additional $35 fee for this service.
    - **Unable to pay:** Submit form TR-320 Can't Afford to Pay Fine ' http://www.placer.courts.ca.gov/forms/traffic/TR-320_3-26-2018.pdf .

- **TRAFFIC SCHOOL** http://www.placer.courts.ca.gov/division-traffic-trafficschool.shtml
- **VIEW LOCAL FORMS FOR TRAFFIC** http://www.placer.courts.ca.gov/forms-filing-forms.shtml
- **TRAFFIC FAQ** http://www.placer.courts.ca.gov/division-traffic-faq.shtml