

## Sample Traffic Cases Fines, Costs and Statutory Assessments

### Sample #1

Speeding 9MPH Over Limit (First Offense) –

*Paid by Voluntary Assessment (Mail-in)*

Fine:	\$ 29.00
Court Costs:	\$ 20.00
Victims Compensation Fund:	\$ 10.00
DELJIS Fund:	\$ 1.00
Videophone Fund:	\$ 1.00
Transportation Trust Fund Assessment:	\$ 14.50
Court Security Fund:	\$ 10.00
Ambulance Fund:	\$ 10.00
<u>Fund to Combat Violent Crimes</u>	<u>\$ 15.00</u>
Total	\$ 110.50

### Sample #2

Speeding 15MPH Over Limit (Second Offense)

*Paid after Court hearing*

Fine:	\$ 55.00
Court Costs:	\$ 35.00
Victims Compensation Fund:	\$ 10.00
DELJIS Fund:	\$ 1.00
Videophone Fund:	\$ 1.00
Transportation Trust Fund Assessment:	\$ 27.50
Court Security Fund:	\$ 10.00
Ambulance Fund:	\$ 10.00
<u>Fund to Combat Violent Crimes</u>	<u>\$ 15.00</u>
Total	\$164.50

### Sample #3

Failure to Obey Stop Sign w/Seat Belt Assessment

*Paid after Court hearing*

Fine:	\$ 25.00
Court Costs:	\$ 35.00
Seat Belt Assessment	\$ 10.00
Victims Compensation Fund:	\$ 10.00
DELJIS Fund:	\$ 1.00
Videophone Fund:	\$ 1.00
Transportation Trust Fund Assessment:	\$ 12.50
Court Security Fund:	\$ 10.00
Ambulance Fund:	\$ 10.00
<u>Fund to Combat Violent Crimes</u>	<u>\$ 15.00</u>
Total	\$129.50

## Explanation of Fines, Costs and Assessments in Traffic Cases

**Fines:** Motor vehicle and traffic fines are established by statute. Speeding penalties are found at 21 Del. C. §4169(c). The general rules of the road penalty section is found at 21 Del. C. §4205. Similarly, the general penalty section for license offenses is found at 21 Del. C. §2757 and for registration violations at 21 Del. C. §2174. However, many violations carry a penalty specific to that offense. Payments made on fines goes to the State's General Fund.

**Fines are typically suspendable in whole or part at the discretion of the judge.**

**Court Costs:** Court Costs in criminal and traffic matters in the Justice of the Peace Court are established under Justice of the Peace Court Criminal Rule 58. Cases handled through the voluntary assessment mail-in or online payment procedures carry court costs of \$20.00. Cases taken before a judge for a plea or trial incur a court cost of \$35.00. **Court costs are suspendable in whole or part.**

**Victims Compensation Fund:** VCF is established by statute at 11 De. C. §9012(a). It is assessed on all criminal and traffic matters, and is not subject to suspension. VCF is computed at 18% of the base fine or \$10.00, whichever is greater. The fund to which these payments are made compensates victims of violent crime for losses directly associated with that crime.

**DELJIS Fund:** This \$1.00 assessment is dedicated to funding improvements to the Criminal Justice Information System, which includes the criminal history repository and criminal justice application programming. It is statutorily authorized by 11 Del. C. §4101(f).

**Videophone Fund:** The \$1.00 assessment offsets the cost of the statewide videophone system used extensively in the criminal justice community. Its statutory authorization is found at 11 Del. C. §4101(d).

**Court Security Fund:** This \$10.00 assessment funds physical security measures and security personnel for the Justice of the Peace Court. The fund is established under 10 Del. C. §8505 and Justice of the Peace Court Criminal Rule 58.

**Transportation Trust Fund Fee:** This assessment applies to traffic cases only and supplements the Transportation Trust Fund of the State of Delaware. The TTF fee is computed as 50% of the base fine, and **is suspendable only up to the same** percentage as the base fine is suspended. It is authorized under 11 Del. C. §4101(g).

**Fund to Combat Violent Crime:** This \$15.00 assessment is required under 11 Del. C. §4101(h), and may not be suspended. The Fund is split evenly between the Department of Homeland Security and local police agencies for the purpose of funding initiatives to combat violent crime.

**Seat Belt Assessment:** This assessment is imposed as a sentencing enhancement where a person is convicted of one traffic offense and also was not wearing a seatbelt. The penalty is 40% of the base fine up to \$20.00. Failure to wear a seatbelt may also be charged as a stand-alone civil offense, so long as no other violation of traffic laws has taken place. The funds from this assessment are applied to the Victims Rights Fund.

**Ambulance Fund Fee:** This \$10.00 assessment is required under 11 Del. C. §4101(j), and is assessed for all Title 21 violations to include traffic and civil traffic. This Fund will be distributed to volunteer ambulance companies to improve the funding of basic life support ambulance services.