



Issue Brief: Electronic Citations: Fees and Disbursements

Issue Brief 2: Electronic Citations: Fees and Disbursements (February 2014)

This Brief was produced by the Traffic Resource Center for Judges, an initiative of the National Center for State Courts (NCSC). The Traffic Resource Center is a cooperative effort between the Department of Transportation and the National Center for State Courts (NCSC) to establish a resource for judges, court administrators, court clerks, and other court staff on issues related to traffic adjudication.



About the Author:

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Traffic citations have relied for decades upon transcription from law enforcement to motorist to court. In order to increase efficiency and eliminate the need for reliance on handwritten documents, state and local governments have slowly started to adopt electronic citations, defined broadly as "[the practice of having law enforcement print out a ticket on-site while simultaneously sending a copy to the court via wireless technology.](#)" While e-citations have decided advantages over the older paper and pen systems, states have tried to grapple with how to pay for the technology and allow courts to be able to receive and process such citations.

One solution that has come up often in state legislatures is the use of special fees and funds. Illinois, for example, in 2010 enacted a \$5 fee on defendants that plead or were found guilty in traffic, misdemeanor, municipal ordinance, or conservation cases with 60% going to the Circuit Court Clerk Electronic Citation Fund and 40% to the law enforcement agency that made the arrest to defray the cost for electronic citations. ([SB 3508 of 2010](#))

Since then the Illinois bill has served as model for legislation introduced in other states. Interestingly, however, not every version has kept the \$5 + 60%/40% split or even provided for funding to go to the courts at all.



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The following table provides details and descriptions of bills introduced in 2013 and 2014 that address the issue of electronic citations, fees, and disbursements of fees:

Bill	Amount of fee	Disbursement of fee	Offenses	Status
Alabama SB 302	Amount to be set by county/municipal government	60% to clerk, 40% to arresting law enforcement agency	any traffic, misdemeanor, municipal ordinance, or conservation case	In Senate Finance Committee
Alaska HB 108 of 2013 (Original)	Amount to be set by Department of Public Safety	100% to Department of Public Safety	state or municipal traffic law, offenses for which bail or fine may be mailed in under AS 12.25.195(a), all criminal cases	Amended
Alaska HB 108 of 2013 (Amended)	\$10	100% to Department of Public Safety	misdemeanors and "minor offenses" as defined by Supreme Court rule	Carried over from 2013 session
Georgia HB 720	\$5	60% to clerk, 40% to arresting law enforcement agency	Motor Vehicles and Traffic Law (Title 40)	In House Judiciary Non-Civil Committee
Hawaii HB 1442 of 2013	\$5	100% Department of Transportation	Traffic Violations (Chapter 291)	Carried over from 2013 session
Hawaii SB 1252 of 2013	\$5	60% to clerk, 40% to arresting law enforcement agency	Traffic, misdemeanor, municipal ordinance, or conservation citations	Carried over from 2013 session
Hawaii SB 887 of 2013	\$5	100% Department of Transportation	Traffic Violations (Chapter 291)	Carried over from 2013 session
Maryland HB 190 of 2013	\$5	\$3 to clerk, \$2 to arresting law enforcement agency	All criminal cases, plus traffic, parking, and impoundment cases	Withdrawn at sponsor's request



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Maryland HB 201	\$5	\$3 to clerk, \$2 to arresting law enforcement agency	All criminal cases, plus traffic, parking, and impoundment cases	Rejected by House Judiciary Committee 2/10/14
Massachusetts HB 3230 of 2013	\$5	60% to clerk, 40% to arresting law enforcement agency	traffic, misdemeanor, municipal ordinance, or conservation citation	Carried over from 2013 session
Mississippi HB 1071 of 2013	\$5	60% to clerk, 40% to arresting law enforcement agency	traffic, misdemeanor, municipal ordinance, or conservation citation	Died in committee
Mississippi HB 605	\$5	60% to clerk, 40% to arresting law enforcement agency	traffic, misdemeanor, municipal ordinance, or conservation citation	Died in committee
Mississippi HB 657	\$5	60% to clerk, 40% to arresting law enforcement agency	traffic, misdemeanor, municipal ordinance, or conservation citation	Died in committee
Mississippi HB 863 of 2013	\$5	60% to clerk, 40% to arresting law enforcement agency	traffic, misdemeanor, municipal ordinance, or conservation citation	Died in committee
Mississippi HB 905 of 2013	\$5	60% to clerk, 40% to arresting law enforcement agency	traffic, misdemeanor, municipal ordinance, or conservation citation	Died in committee
Mississippi HB 996	\$5	60% to clerk, 40% to arresting law enforcement agency	traffic, misdemeanor, municipal ordinance, or conservation citation	Died in committee
Mississippi HB 1071 of 2013	\$5	60% to clerk, 40% to arresting law enforcement agency	traffic, misdemeanor, municipal ordinance, or conservation citation	Died in committee
Mississippi HB	\$5	60% to clerk, 40% to arresting law	traffic, misdemeanor, municipal ordinance, or	Approved by full House; removed



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1212 of 2013		enforcement agency	conservation citation	by Senate amendment
Missouri HB 1273	\$5	60% to clerk, 40% to arresting law enforcement agency	traffic, misdemeanor, municipal ordinance, conservation, or other citations	In House Crime Prevention and Public Safety Committee
New York AB 8351 of 2013	\$5	60% to clerk, 40% to arresting law enforcement agency	traffic, misdemeanor, municipal ordinance, or conservation citation	Carried over from 2013 session
Oklahoma SB 1872	\$5	60% to clerk, 40% to arresting law enforcement agency	speeding 1-9 MPH over, misdemeanor traffic violation, misdemeanor driving under the influence of alcohol or other intoxicating substance, felony of driving under the influence of alcohol or other intoxicating substance	In Senate Judiciary Committee
Pennsylvania HB 1919 of 2013	Up to \$5, amount to be set county	60% to clerk, 20% to special courts; 20% to arresting law enforcement agency	summary offense or misdemeanor	Carried over from 2013 session
Rhode Island HB 7097	\$5	60% to clerk, 40% to arresting law enforcement agency	Every Motor Vehicle Offense under Chapter 31 not disposed of by a finding of not guilty or dismissed	Deferred for further study by Senate Judiciary Committee
Tennessee HB 202 / SB 1023 of 2013	Up to \$5, amount to be set by clerk	60% to clerk, 40% to arresting law enforcement agency	any citation issued	Carried over from 2013 session
Tennessee HB 546 / SB 846 of 2013	\$5	\$1 to clerk, \$4 to arresting law enforcement agency	any offense cited in an electronic traffic citation	House: died House Transportation Committee.



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				Senate: Approved by Senate Transportation Committee. Carried over into 2014 session.
Tennessee HB 2368 / SB 2350	\$5	\$1 to clerk, \$4 to arresting law enforcement agency	any offense cited in an electronic traffic citation	In Transportation Committees
Virginia HB 477	Up to \$5, amount to be set by city or county	100% to local law enforcement	traffic, misdemeanor, municipal ordinance, or conservation citation	Approved by full House 1/31/14. Approved by House Courts of Justice Committee 2/12/14.
Wyoming HB 155 (Original)	\$5	50% to clerk, 50% to arresting law enforcement agency	all misdemeanor criminal or traffic citations	Amended
Wyoming HB 155 (Amended)	\$2	unspecified	all city and town ordinances	Approved as amended by House Judiciary Committee 2/18/14

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