

Penalties for Specific Misdemeanors

Veh C §§	Misdemeanors	Penalties
Designated misdemeanor violations of Veh C §2800 , §2801 , or §2803 ; Veh C §42002.1 .	Failure to stop and submit to inspection of equipment or for an unsafe condition endangering a person, or violations regarding hazardous waste placards or number of passengers.	First offense: Fine of up to \$50 or up to 5 days in county jail. Second offense within 1 year of prior conviction: Fine of up to \$100 and/or up to 10 days in county jail. Third or subsequent offense within 1 year of 2 or more prior convictions: Fine of up to \$500 and/or up to 6 months in county jail.
2800.1 , 40000.7(a)(3)	Fleeing from officer.	Fine of up to \$1000 and up to 1 year in county jail. Pen C §672 . Court may suspend defendant's license for up to 6 months. Veh C §13201(d) . Vehicle may be impounded for up to 30 days. Veh C §14602.7(a)
2800.2	Driving with willful or wanton disregard for safety of others while fleeing from pursuing officer.	May be treated as either misdemeanor or felony, punishable by imprisonment in state prison or county jail for 6 months to 1 year and/or by fine of \$1000–\$10,000. Court may suspend defendant's license for up to 6 months. Veh C §13201(d) . Conviction has traffic violation point count of 2 points. Veh C §12810(d)(1) .
2800.3(a)	Causing serious bodily injury while fleeing from pursuing officer.	May be treated as either misdemeanor or felony, punishable by 3–7 years in state prison or up to 1 year in county jail and/or \$2000–\$10,000 fine. Veh C §§12810(d)(1) , 13201(d) , discussed under Veh C §2800.2 , also apply.
2800.4	Driving in wrong direction while fleeing from pursuing officer in violation of Veh C 2800.1 .	May be treated as either misdemeanor or felony , punishable by imprisonment in state prison or county jail for 6 months to 1 year and/or by fine of \$1000–\$10,000. Court may suspend defendant's license for up to 6 months. Veh C §13201(d) .
4461(b)–(d) , 4461.5 , 40000.7(a)(7)	Lending of and permitting use of disabled person placard to person not entitled to placard.	Issuance of a notice of parking violation imposing a civil penalty of \$250–\$1000 Or Punishable as a misdemeanor as follows: \$250–\$1000 fine and/or 6 months in county jail. In addition to, or instead of fine, court may impose civil penalty of up to \$1500 for each conviction. Additional penalty of \$100 may be imposed under Veh C §4461.3 .
4463(b) , 4463.3 , 40000.7(a)(7)	Falsifying a disabled-person placard with fraudulent intent.	\$500–\$1000 fine and/or 6 months in county jail. In addition to, or instead of, fine, court may impose civil penalty of up to \$2500 for each conviction .
4463(c) , 4463.3 , 40000.7(a)(7)	Displaying falsified placard with fraudulent intent.	Issuance of a notice of parking violation imposing a civil penalty of \$250–\$1000 Or Punishable as a misdemeanor as follows: \$250–\$1000 fine and/or 6 months in county jail. In addition to, or instead of, fine, court may impose civil penalty of up to \$2500 for each conviction.

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5500, 40000.7(a)(10)	Failure to deliver to DMV: certificate of ownership, registration card, and license plates for vehicle before dismantling it.	First offense: \$50–\$500 fine and/or 5 days to 6 months in county jail. Subsequent offense: \$250–\$1000 fine and/or 30 days to 1 year in county jail.
10501, 40000.9	Filing a false report of a vehicle theft with a law enforcement agency.	First offense: general penalty applies. Subsequent offense: may be treated as either misdemeanor or felony, punishable by imprisonment in state prison and fine of up to \$10,000, or by imprisonment in county jail for up to 1 year and fine of up to \$1000. Pen C §672 .
10751, 42002.4	Purchase, sale, receipt, or possession of vehicles or components with removed or altered vehicle identification numbers.	Up to 6 months in county jail and fine of up to \$1000 if value of property does not exceed \$950. Up to 1 year in county jail and fine of up to \$1000 if value of property is more than \$950. Pen C §672 .
10752	Acquire, possess, sell, or offer for sale genuine or counterfeit vehicle identification number with intent to defraud.	May be treated as either misdemeanor, punishable by imprisonment in county jail for 90 days to 1 year, or as a felony, punishable by imprisonment in county jail for 16 months, or two years or three years, and by fine of \$250–\$5000.
10852–10853, 40000.9	Injuring or tampering with vehicle.	General penalty applies, except: Bailee may be given fine of up to \$1000 and/or sentence of up to 1 year in county jail. Veh C §10854 . Defendant may be given fine of up to \$2000 and/or sentence of up to 1 year in county jail for tampering with vehicle modified for disabled person. Veh C §42002.5 .
12500(a), 40000.11(b)	Driving without a valid driver's license.	On a first conviction, the court must inform the defendant that a motor vehicle is subject to forfeiture as a nuisance if it is driven on a highway in this state by an unlicensed driver who is a registered owner of the vehicle and has a prior misdemeanor conviction for a violation of Veh C §12500(a) , §14601 , §14601.1 , §14601.2 , §14601.3 , §14601.4 , or §14601.5 . Veh C §§14607.6, 14607.8 . Exemptions to licensing requirement. Veh C §12502(a) .
12951(b), 40000.11(i)	Refusing to present driver's license when demanded to do so by officer who is enforcing provisions of Vehicle Code.	Court must dismiss charge if motorist produces license in court that was valid at time of his or her arrest. On third or subsequent charge, dismissal is within court's discretion. If motorist produces temporary, interim, or duplicate license, court may not dismiss charge unless motorist also furnishes proof from DMV that license was issued before arrest, that motorist was eligible for license, and that license has not been suspended or revoked. General penalty applies.
13004.1	Manufacture or sale of fraudulent DMV identification cards.	\$250–\$1000 fine and mandatory 24 hours of community service. Court may not waive or suspend fine and community service. Alternatively, up to 1 year in county jail and fine of up to \$1000.

Penalties for Specific Misdemeanors

Veh C §§	Misdemeanors	Penalties
14601 , 40000.11(f)	Driving after license has been suspended or revoked for reckless or negligent driving under Veh C §12806(a), (c), §12809(e), §12810.5, §23103, §23104, or §23105 , when motorist has knowledge of suspension or revocation. Knowledge is rebuttably presumed if DMV has mailed notice of suspension or revocation to motorist by first class mail and the notice was not returned as undeliverable or unclaimed. Veh C §13106(a) .	First offense: \$300–\$1000 fine plus 5 days to 6 months in county jail. Second offense within 5 years of prior conviction for driving with suspended or revoked license: \$500–\$2000 fine plus 10 days to 1 year in county jail. As condition of probation, defendant must serve at least 10 days in county jail. Court may allow defendant to serve sentence on consecutive weekends. Veh C §14601.8 . Under specified circumstances, court must, with certain exceptions, order installation of ignition interlock device on vehicle under Veh C §23575 for up to 3 years from the date of conviction. On a first conviction, the court must inform the defendant that a motor vehicle is subject to forfeiture as a nuisance if it is driven on a highway in this state by a driver with a suspended or revoked license, who is a registered owner of the vehicle and has a prior misdemeanor conviction for a violation of Veh C §12500(a), §14601, §14601.1, §14601.2, §14601.3, §14601.4, or §14601.5 . Veh C §§14607.6, 14607.8 . Conviction has traffic violation point count of two points. Veh C §12810(e) .
14601.1 , 40000.11(f)	Driving after license has been suspended or revoked for other reasons, when motorist has knowledge of suspension or revocation. Knowledge is rebuttably presumed if DMV has mailed notice of suspension or revocation to motorist by first class mail and the notice was not returned as undeliverable or unclaimed. Veh C §13106(a) .	First offense: \$300–\$1000 fine and/or up to 6 months in county jail. Second offense within 5 years of prior conviction for driving with suspended or revoked license: \$500–\$2000 fine plus 5 days to 1 year in county jail. Court may allow defendant to serve sentence on consecutive weekends. Veh C §14601.8 . Veh C §§12810(e), 14607.6, 14607.8 , discussed under Veh C §14601 , also apply. Under specified circumstances, court must, with certain exceptions, order installation of ignition interlock device on vehicle under Veh C §23575 for up to 3 years from the date of conviction.

Penalties for Specific Misdemeanors

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14601.2 , 40000.11(f)	Driving after license has been suspended or revoked for driving under the influence.	<p>First offense: \$300–\$1000 fine plus 10 days to 6 months in county jail. As condition of probation, defendant must serve at least 10 days in county jail.</p> <p>Second offense within 5 years of prior conviction for driving with suspended or revoked license: \$500–\$2000 fine plus 30 days to 1 year in county jail. As condition of probation, defendant must serve at least 30 days in county jail.</p> <p><i>Note:</i> If conviction occurred within 7 years, but over 5 years, of the prior conviction, defendant must serve at least 10 days in county jail.</p> <p>If defendant designated as habitual offender under Pen C §193.7, Veh C §23546(b), §23550(b), §23550.5(d), or §23566(d), the punishment is a \$2000 fine plus 180 days in county jail. Veh C §14601.3(e)(3).</p> <p>Veh C §§12810(e), 14607.6, 14607.8, discussed under Veh C §14601, also apply.</p> <p>Court must order installation of ignition interlock device on vehicle under Veh C §23575 for up to 3 years from the date of conviction.</p> <p><i>Note:</i> DMV is responsible for mandating the installation of an ignition interlock device when a person has been convicted of Veh C §14601.2 within 10 years of a prior conviction of Veh C §14601.2, §14601.4, §14601.5, §23103.5, §23152, or §23153. The DMV will require the installation of an ignition interlock device for one, two, or three years. Veh C §23573(j).</p>
14601.3	Habitual traffic offender because of specified driving history record during period of license suspension or revocation.	<p>First offense: \$1000 fine plus 30 days in county jail.</p> <p>Second offense within 7 years of prior conviction: \$2000 fine plus 180 days in county jail.</p> <p>Veh C §§12810(e), 14607.6, 14607.8, discussed under Veh C §14601, also apply.</p>
14601.4	Causing bodily injury while driving with suspended or revoked license under Veh C §14601.2	<p>Defendant convicted of causing bodily injury is not eligible for any release program before serving minimum county jail term prescribed by Veh C §14601.2. On granting probation, court must require defendant to serve minimum county jail term as condition of probation.</p> <p>Veh C §§12810(e), 14607.6, 14607.8, discussed under Veh C §14601, also apply.</p> <p>Under specified circumstances, court must, with certain exceptions, order installation of ignition interlock device on vehicle under Veh C §23575 for up to 3 years from the date of conviction.</p> <p>DMV will not reinstate driving privileges until the department receives proof that an ignition interlock device has been installed as ordered.</p> <p><i>Note:</i> DMV is responsible for mandating the installation of an ignition interlock device when a person has been convicted of Veh C §14601.4 within 10 years of a prior conviction of Veh C §14601.2, §14601.4, §14601.5, §23103.5, §23152, or §23153. The DMV will require the installation of an ignition interlock device for one, two, or three years. Veh C §23573(j).</p>

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Veh C §§	Misdemeanors	Penalties
14601.5, 40000.11(f)	Driving after license has been suspended or revoked for failing to submit to blood, breath, or urine test, or preliminary alcohol screening, or for having blood alcohol concentration of 0.08 or more, when motorist has knowledge of suspension or revocation. Knowledge is rebuttably presumed if DMV has mailed notice of suspension or revocation to motorist by first class mail and the notice was not returned as undeliverable or unclaimed. Veh C §13106(a).	First offense: \$300-\$1000 fine and/or up to 6 months in county jail. Second offense within 5 years of prior conviction for driving with suspended or revoked license: \$500-\$2000 fine plus 10 days to 1 year in county jail. Court must consider defendant's ability to pay minimum fine and may reduce fine to less than statutory minimum in interest of justice and for reasons stated in record. Veh C §§12810(e), 14607.6, 14607.8, discussed under Veh C §14601, also apply. Under specified circumstances, court must, with certain exceptions, order installation of ignition interlock device on vehicle under Veh C §23575 for up to 3 years from the date of conviction. DMV will not reinstate driving privileges until the department receives proof that an ignition interlock device has been installed as ordered. <i>Note:</i> DMV is responsible for mandating the installation of an ignition interlock device when a person has been convicted of Veh C §14601.5 within 10 years of a prior conviction of Veh C §14601.2, §14601.4, §14601.5, §23103.5, §23152, or §23153. The DMV will require the installation of an ignition interlock device for one, two, or three years. Veh C §23573(j).
14610.1	Manufacture or sale of fraudulent drivers' licenses.	\$250-\$1000 fine and mandatory 24 hours of community service. Court may not waive or suspend fine and community service. Alternatively, up to 1 year in county jail and fine of up to \$1000.
16030	Giving false evidence of insurance to officer or court, including an expired or cancelled insurance policy.	Fine of up to \$750 and/or up to 30 days in county jail. Court must suspend or restrict driver's license for 1 year. Suspension may not be terminated until 1 year from date of suspension and until defendant files proof of financial responsibility. Suspension must be reinstated if defendant fails to maintain proof of financial responsibility for 3 years.
20001, 20003- 20004	Hit-and-run causing injury or death.	May be treated as either misdemeanor or felony, punishable by imprisonment in state prison or county jail for up to 1 year and/or \$1000-\$10,000 fine. Violation resulting in death or permanent serious injury is punishable by imprisonment in state prison for 2-4 years, imprisonment in county jail for 90 days to 1 year, and/or \$1000-\$10,000 fine. Court may reduce or eliminate minimum term of imprisonment in interests of justice and for reasons stated in record. Violation resulting in other injury is punishable by imprisonment in state prison, imprisonment in county jail for up to 1 year, and/or \$1000-\$10,000 fine. In imposing minimum fine, court must consider defendant's ability to pay, and may reduce amount of fine to less than the minimum in interests of justice and for reasons stated in record. DMV must revoke defendant's license for 1 year. Veh C §13350(a)(3), (c). Conviction has traffic violation point count of 2 points. Veh C §12810(a).

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20002, 40000.13(b)	Hit-and-run causing property damage.	Up to \$1000 fine and/or up to 6 months in county jail. Court may also suspend defendant's license for up to 6 months. Veh C §13201(a) . DMV may also suspend defendant's license. Veh C §13361(a) . Court may condition probation on payment of restitution to owner of damaged property. See <i>People v Carbajal</i> (1995) 10 C4th 1114, 1123, 43 CR2d 681. Case may also be resolved by civil compromise under Pen C §1377 . See <i>People v Tischman</i> (1995) 35 CA4th 174, 176–181, 40 CR2d 650. Conviction has traffic violation point count of 2 points. Veh C §12810(a) .
21464	Defacing or interfering with traffic control devices; purchasing, manufacturing, installing, or selling devices designed to interfere with traffic control devices.	Willful violation resulting in injury or death may be treated as either misdemeanor, punishable by imprisonment in county jail for up to 6 months, or as a felony, punishable by imprisonment in county jail for 16 months, or two years or three years, and by \$5000–\$10,000 fine; willful violation not resulting in injury or death is punishable by a fine of not more than \$5000. Court may allow offender to perform community service in place of all or part of fine.
21651(b), 40000.13(d)	Driving wrong way on divided highway.	General penalty applies, except that willful violation resulting in injury or death may be treated as either misdemeanor, punishable by imprisonment in county jail for up to 6 months, or as a felony, punishable by imprisonment in county jail for 16 months, or two years or three years; \$1000 fine (misdemeanor) or \$10,000 fine (felony) (Pen C §672). Conviction has traffic violation point count of 2 points. Veh C §12810(d)(1) .
23103, 40000.15	Reckless driving.	\$145–\$1000 fine and/or 5–90 days in county jail. Court may suspend defendant's license for up to 30 days on first conviction, up to 60 days on second conviction, and up to 6 months on any subsequent conviction. Veh C §13200 . DMV may also suspend license on second or subsequent conviction. Veh C §13361(b) . Vehicle may also be impounded for up to 30 days. Veh C §14602.7(a) . Conviction has traffic violation point count of 2 points. Veh C §12810(c) . See also Veh C §40008 . If vehicle impounded at time of arrest, and defendant was not authorized by registered owner to operate the vehicle, the court must order the defendant to reimburse the owner for towing, storage, and administrative charges incurred to obtain possession of the vehicle. Veh C §23109.2 .
23104, 40000.15	Reckless driving that proximately causes bodily injury.	\$220–\$1000 fine and/or 30 days to 6 months in county jail. When defendant has prior conviction under Veh C §23103 , §23104 , §23105 , §23109 , §23109.1 , §23152 , or §23153 , charge may be treated as either misdemeanor, punishable by imprisonment in county jail for 30 days to 6 months, or as felony, punishable by imprisonment in county jail for 16 months, or two or three years, and/or by \$220–\$1000 fine. Court may suspend defendant's license for up to 6 months. Veh C §13201(b) . DMV must revoke license for 1 year. Veh C §13350(a)(3), (c) .

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23105	Reckless driving causing specified bodily injuries.	May be treated as either misdemeanor, punishable by imprisonment in county jail for 30 days to 6 months, or as felony, punishable by imprisonment in county jail for 16 months, or two or three years, and/or by \$220–\$1000 fine. Court may suspend defendant’s license for up to 6 months. Veh C §13201(b) . DMV must revoke license for 1 year. Veh C §13350(a)(3), (c) .
23109(a), (e)–(f), 40000.15	Engaging in speed contest on highway.	<p>First offense: \$355–\$1000 fine or 24 hours to 90 days in county jail or by both fine and imprisonment. 40 hours of community service required. Court may suspend or restrict defendant’s license for 90 days to 6 months. Veh C §13352(a)(8).</p> <p>Second offense within 5 years of prior conviction: \$500–\$1000 fine plus 4 days to 6 months in county jail. If the second offense proximately causes bodily injury, the minimum county jail term is 30 days. If the second offense proximately causes serious bodily injury, the offense is punishable as either a misdemeanor or felony, punishable by imprisonment in state prison or county jail for 30 days to 1 year and \$500–\$1000 fine. Court may also suspend or restrict defendant’s license for 6 months, which may not be reinstated w/o proof of financial responsibility. Veh C §13352(a)(9). Court may order probation in suitable case. As condition of probation, defendant must serve 48 hours to 6 months in county jail, and defendant’s license must be suspended or restricted for 6 months. Court may not strike prior conviction for sentencing purposes to avoid imposing, as part of sentence or term of probation, minimum county jail term, or to avoid revoking, suspending, or restricting defendant’s license. Veh C §23109.5(a). Court must mark any restriction on defendant’s license and notify DMV. Court may permit defendant to serve sentence on his or her days off.</p> <p>If vehicle is registered to defendant, court may impound it for 1–30 days.</p> <p>If vehicle impounded at time of arrest, and defendant was not authorized by registered owner to operate the vehicle, the court must order the defendant to reimburse the owner for towing, storage, and administrative charges incurred to obtain possession of the vehicle. Veh C §23109.2.</p> <p>Conviction has traffic violation point count of 2 points. Veh C §12810(d)(1).</p>
23109(b)–(d), (i), 40000.15	Engaging in exhibition of speed on a highway; aiding or abetting speed contest or exhibition; obstructing or placing barricade or obstruction on highway for purpose of facilitating speed contest or exhibition.	<p>Up to \$5000 fine and/or up to 6 months in county jail.</p> <p>If vehicle impounded at time of arrest for violation of Veh C §23109(c), and defendant was not authorized by registered owner to operate the vehicle, the court must order the defendant to reimburse the owner for towing, storage, and administrative charges incurred to obtain possession of the vehicle. Veh C §23109.2.</p> <p>Conviction of Veh C §23109(c) has traffic violation point count of 2 points. Veh C §12810(d)(1).</p>

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23109.1	Engaging in speed contest causing specified bodily injuries.	May be treated as either misdemeanor, punishable by imprisonment in county jail for 30 days to 6 months or as felony, punishable by imprisonment in county jail for 16 months, or two or three years, and/or by \$500–\$1000 fine. Court may suspend or restrict defendant’s license for 90 days to 6 months. Veh C §13352(a)(8). DMV must revoke license for 1 year. Veh C §13350(a)(3), (c). Court may not strike prior conviction for sentencing purposes to avoid imposing, as part of sentence or term of probation, minimum county jail term, or to avoid revoking, suspending, or restricting defendant’s license. Veh C §23109.5(a). Conviction has traffic violation point count of 2 points. Veh C §12810(d)(1).
23110(a)	Throwing any substance at a vehicle or occupant of a vehicle on a highway.	General penalty applies, except that willful violation with intent to do great bodily injury is a felony, punishable by imprisonment in state prison. Veh C §23110(b).
23112.5, 40000.70	Failing to notify CHP or other appropriate agency as soon as possible of hazardous spill on highway caused by motorist.	Treated as misdemeanor, not infraction. Mandatory fine of at least \$2000.
23114, 40000.16	Second or subsequent violation of Veh C §23114, relating to preventing contents of vehicle from spilling on highway, within 2 years of prior violation.	Treated as misdemeanor, not infraction. General penalty applies
23224	Possession of alcoholic beverage in vehicle by driver or passenger under age 21.	Fine of up to \$1000 and/or up to 6 months in county jail. Court must suspend defendant’s license for 1 year. Veh C §13202.5(a), (d)(4). Court may impound defendant’s vehicle for 1–30 days.
23225, 23223, 40000.20	Third or subsequent violation relating to storage or possession of open container by passenger charter or party carrier driver.	General penalty applies.
23247(e)–(g)	Driving by person with restricted license under Veh C §13352, §23575, or §23700 of vehicle not equipped with functioning ignition interlock device.	Fine of up to \$5000 and/or up to 6 months in county jail. If defendant’s driving privilege is restricted under Veh C §13352, court must notify DMV to terminate the restriction and to suspend or revoke defendant’s license for the remaining period of the originating suspension or revocation and until all reinstatement requirements under Veh C §13352 are met. If defendant’s driving privilege is restricted under Veh C §23575 or §23700, court must notify DMV to suspend defendant’s license for 1 year.

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23573(g)(2), (i)	Driving in violation of terms of exemption from ignition interlock device installation requirements.	Fine of up to \$5000 and/or up to 6 months in county jail.
23573(i)	Willful failure to install ignition interlock device within 30 days.	Fine of up to \$5000 and/or up to 6 months in county jail.
27317	Install, tamper with, alter, or modify for compensation, vehicle's computer system or supplemental restraint system, or knowingly distribute or sell previously deployed air bag.	Fine of up to \$5000 and/or up to one year in county jail.
38316, 40000.24(b)	Reckless driving of off-highway motor vehicle.	\$50–\$500 fine and/or 5–90 days in county jail.
38317, 40000.24(c)	Reckless driving of off-highway motor vehicle causing personal injury.	\$100–\$1000 fine and/or 30 days to 6 months in county jail.
40008(a)–(b)	Interference with driver, driving too closely, or reckless driving with intent to capture picture, sound recording, or other physical impression for commercial purpose; endangering child.	Fine of up to \$2500 and/or up to 6 months in county jail. If child is endangered, fine of up to \$5000 and/or up to 1 year in county jail.