

Court-Ordered Driving Instruction

42005. (a) The court may order any person convicted of a traffic violation to attend a traffic violator school licensed pursuant to Chapter 1.5 (commencing with Section 11200) of Division 5.

(b) In lieu of adjudicating a traffic offense, and with the consent of the defendant, or after conviction of a traffic offense, the court may order any person issued a notice to appear for a traffic violation to attend a traffic violator school licensed pursuant to Chapter 1.5 (commencing with Section 11200) of Division 5.

(c) Except as otherwise provided in subdivision (d), any person so ordered may choose the traffic violator school the person will attend. The court shall make available to each person subject to such an order the current list of traffic violator schools published by the department pursuant to Section 11205.

(d) In those counties where, prior to January 1, 1985, one or more individual courts, or the county acting on behalf of one or more individual courts, contracted for the provision of traffic safety instructional services to traffic violators referred by the court pursuant to a pretrial diversion program, the courts may restrict referrals under this section to those schools for traffic violators or licensed driving schools which are under contract with the court or with the county to provide traffic safety instructional services for persons referred pursuant to subdivision (a).

(e) A county described in Section 28023 of the Government Code may continue to provide the program authorized by this section in accordance with the provisions of current and future contracts as may be amended and approved by the individual courts within that county and the county shall be exempt from state regulations relative to maximum classroom attendance.

(f) Notwithstanding subdivision (b), a court may not order a person to attend traffic violator school in lieu of adjudicating an offense if the person was issued a notice to appear for a serious traffic violation, as defined in subdivision (i) of Section 15210, that occurred in a commercial motor vehicle, as defined in subdivision (b) of Section 15210.

(g) Any person who willfully fails to comply with a court order to attend traffic violator school is guilty of a misdemeanor.

Amended Ch. 1354, Stats. 1990. Effective January 1, 1991.

Amended Sec. 54, Ch. 724, Stats. 1999. Effective January 1, 2000.