

In the Matter of the Adoption of the)	CHIEF JUSTICE ORDER
Uniform Fine Schedule for Violations)	No. 20-022
)	
)	ORDER ESTABLISHING NEW UNIFORM
)	FINE SCHEDULE FOR VIOLATIONS
)	FILED IN CIRCUIT COURTS AND
)	SUPERSEDING CJO NO. 17-085
)	

ORS 153.800 directs the Chief Justice of the Supreme Court to establish a uniform fine schedule for violations prosecuted in circuit courts. A circuit court may establish a Violations Bureau, which has authority over violations pursuant to ORS 153.800. Felonies and misdemeanors are not subject to the authority of a Violations Bureau.

Additionally, ORS 153.806 authorizes the State Court Administrator to establish a Central Violations Bureau for the processing of violations in circuit courts. A circuit court may use the Central Violations Bureau in addition to establishing and operating a Violations Bureau under ORS 153.800. The uniform fine schedule must specify the violations that are subject to the authority of the Central Violations Bureau.

This order supersedes Chief Justice Order No. 17-085 to address the authority of the Central Violations Bureau and the extent to which it may reduce a fine. This order also clarifies how a Violations Bureau and the Central Violations Bureau handle a case where a defendant has had driving privileges for less than three (3) years in total, determine whether multiple charges are part of the same incident, and review a defendant’s driving record. Otherwise the fine schedule established in CJO No. 17-085 remains the same.

Therefore, pursuant to ORS 1.002, 153.800, and 153.806, I HEREBY ORDER:

1. The Violations Bureau and the Central Violations Bureau have authority over any violation charge, except as provided in subsection 6 of this order and except as prohibited by local order or procedure adopted in accordance with subsections 7 and 10 of this order.

2. The Violations Bureau and the Central Violations Bureau may presume that the presumptive fine is the fine amount on the citation.

3. The Violations Bureau and the Central Violations Bureau shall reduce the fine for a violation charge to the amount shown below in Chart 1 if:
 - a. The charge is a state law violation in the Vehicle Code, including state parking violations;
 - b. The charge is a Class A, B, C, or D violation;
 - c. The Violations Bureau or the Central Violations Bureau have authority over all charges on the citation or complaint as permitted under this order;

- d. The defendant requests a reduction in the amount of the fine;
- e. The Violations Bureau or the Central Violations Bureau reviews the defendant's driving record attached to the case that shows at least the three (3) years preceding the date of the current incident. The Violations Bureau and the Central Violations Bureau shall presume that the defendant's driving record satisfies this requirement if the defendant has had driving privileges for less than three (3) years in total; **AND**
- f. The defendant's combined driving record shows no more than two (2) prior convictions in the three (3) years preceding the incident date of the charge(s) for which the defendant is requesting a reduction. Convictions from the current incident do not count towards the total number of prior convictions.

If the defendant is convicted of multiple charges resulting from a single incident and qualifies for a reduction under paragraphs 3a through 3f, the Violations Bureau and the Central Violations Bureau shall apply the same reduction to each charge for which the defendant is convicted. The Violations Bureau and the Central Violations Bureau may presume that charges result from a single incident if all the charges are on a single citation or complaint or have the same incident date.

CHART 1:

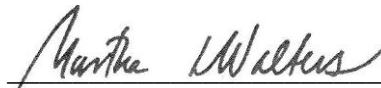
Classified Traffic Violations	Presumptive Fine	No Prior Convictions in Last 3 Years	1-2 Prior Convictions in Last 3 Years
Standard Traffic Violation			
(1) Class A violation	\$440	\$225	\$335
(2) Class B violation	\$265	\$135	\$200
(3) Class C violation	\$165	\$85	\$125
(4) Class D violation	\$115	\$65	\$90
Traffic Violation in Special Zone <small>(Highway Work Zone, Posted School Zone, Safety Corridor)</small>			
(5) Class A violation	\$875	\$440	\$660
(6) Class B violation	\$525	\$265	\$395
(7) Class C violation, speed only	\$325	\$165	\$245
(8) Class D violation, speed only	\$225	\$115	\$170

- 4. The Violations Bureau and the Central Violations Bureau may incorporate and impose the additional local surcharge amount when authorized by Chief Justice Order under the process set forth in ORS 1.188.
- 5. The Violations Bureau and the Central Violations Bureau have authority over but cannot impose a fine lower than the presumptive fine amount on any of the following:

- a. Classified traffic violations that do not meet the criteria for reduction under subsection 3 of this order;
 - b. Specific fine violations, including but not limited to snow park and driving at a speed of 100 mph or greater.
 - c. Violations of wildlife laws and rules under ORS chapters 496, 497, 498, and 501;
 - d. Violations of commercial fishing laws and rules under ORS chapters 506, 507, 508, 509, 511, and 513;
 - e. Schedule I, II, and III vehicle overweight violations under ORS chapter 825;
 - f. Federal motor carrier laws;
 - g. Violations of boating laws and rules under ORS chapter 830;
 - h. A citation issued to a corporation; and
 - i. Any other violation not listed in this order.
6. The Violations Bureau and the Central Violations Bureau do not have authority over a complaint or citation that includes one or more of the following charges:
- a. A violation where the presumptive fine is not included or is not legible;
 - b. Careless driving under ORS 811.135 involving the serious physical injury or death of a vulnerable user of a public way, as the defendant is required to personally appear per ORS 153.061(2); and
 - c. A misdemeanor treated as a violation under ORS 161.566 or 161.568. This prohibition does not apply to a misdemeanor charge changed to an offense that is a violation.
7. A circuit court may use the Central Violations Bureau in addition to establishing and operating a Violations Bureau under ORS 153.800. Additionally, a circuit court may establish by order a Violations Bureau schedule for violation of ordinances of a political subdivision, pursuant to, but not limited to, ORS 153.025.
8. Except as provided in subsection 7 of this order, a circuit court shall not issue an order regarding a Violations Bureau that contradicts this order.
9. Nothing in this order is intended to limit the authority of a judge to impose a greater or lesser amount of financial obligation upon conviction in an individual case where allowed by law.

10. Nothing in this order is intended to limit the ability of a circuit court to adopt local orders or procedures requiring the personal appearance by particular defendants or by all defendants in specified categories of offenses in accordance with ORS 153.061(5).
11. This order supersedes Chief Justice Order No. 17-085, dated December 18, 2017.
12. This order takes effect immediately and applies to offenses committed on or after July 1, 2020.

Dated this 12th day of June, 2020.



Martha L. Walters
Chief Justice