



IN THE SIXTH JUDICIAL DISTRICT OF THE STATE OF OREGON
FOR THE COUNTIES OF UMATILLA AND MORROW

In the Matter of Violation Processing,
and Reauthorizing the Violations
Bureaus for Umatilla and Morrow
Counties

PRESIDING JUDGE ORDER
No. 20-007

(Replaces PJO 17-017)

Summary of Changes:

This Presiding Judge order incorporates and relies on the most current Chief Justice Order for Violations to authorize reductions in fine amounts and decisions by the Violations Bureau and authorizes Court Judicial Staff ('clerks') to facilitate the processing of Violations which are not part of the Violations Bureau authority to the appropriate judge for disposition.

WHEREAS ORS 153.800 permits the court to establish a violations bureau; and

WHEREAS THE Umatilla Circuit Court and the Morrow County Circuit Court continue to maintain violations bureaus for Umatilla and Morrow Counties; and

WHEREAS ORS 153.021(1) establishes the maximum reductions allowed for Class A through D Vehicle Code traffic violations; and

WHEREAS THE Chief Justice of the Oregon Supreme Court issues orders relating to the operations of violations bureaus and a presumptive fine schedule, described in Chief Justice Order 17-085 (CJO) and the 2020 "Schedule of Fines" on Violations (SOF-20), incorporated herein (Attachments A and B). Attachment C is a non-exclusive list of other than traffic Violations with related instructions.

THEREFORE, IT IS HEREBY ORDERED THAT THE RULES FOLLOWING MY SIGNATURE SHALL DIRECT THE OPERATION OF THE VIOLATIONS BUREAU.

DATED: June 5, 2020

DANIEL J. HILL
Presiding Judge of the Circuit Court

I. OPERATION

The rules prescribed here shall grant authority to, and direct the operation of, the Violations Bureaus of the Umatilla County Circuit Court and the Morrow County Circuit Court. Any forms or informational documents referenced in this PJO are available for download on the Court website or may be requested from the Violations Bureau at the prevailing copy fee.

1. The Violations Bureaus continue in the Umatilla and Morrow County Circuit Courts.
2. The Trial Court Administrator may designate court staff to administer the Violations Bureau (“clerks”).
3. Violation Offenses shall be cited to appear before the Violations Bureau. This includes:
 - a. Traffic law violations.
 - b. Snow Park violations.
 - c. Wildlife law violations.
 - d. Commercial Fishing laws and rules.
 - e. Overweight commercial vehicle violations.
 - f. Federal Motor Carrier Law violations.
 - g. Violations of Boating laws and rules.
 - h. Citations issued to a corporation for the above violations.
 - i. All other statutory violations other than misdemeanors treated as a violation by the prosecutor, or violations requiring a mandatory appearance before a judge as set forth herein.
4. The Violations Bureau shall serve as the ‘clearing house’ for information pertaining to options for responding to citations for violations and shall process statutory violations listed in Paragraph 3 either internally under authority of the CJO and this PJO to disposition (fine and conviction, fee and dismissal), or to trial before a judge. Other violations will be set before a judge for resolution, however the clerks shall be available to provide assistance by answering non-legal questions, providing plea forms, and processing written pleas to a judge for consideration either before in-court arraignment or after arraignment and prior to trial.
 - a. The Violations Bureau clerks may process citations where a defendant has had offenses within the last 12 month period.
 - b. If a citation is issued to a corporation, the corporation is required to submit their plea in writing. The Violations Bureau

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clerks will process the written plea based on the type of violation cited.

- c. The Violations Bureau clerks shall also monitor and recommend changes to the appropriate supervisor for action to improve the 6th District website related to information on and processing of violations to best fulfil the Court's commitment to simplify processes and eliminate barriers.
5. **State Vehicle Code Violations.** State Vehicle Code - Traffic violations are defined as any violation of ORS chapters 801 through 826 and Use of Marijuana in a Motor Vehicle (Oregon Laws 2016, ch. 24). Schedule I, II, or III overweight commercial vehicle citations (ORS 825) are not included in this definition and are addressed separately in this order. A defendant who has received a citation for one of these offenses has the right to plead 'not guilty' and be tried by a judge, or to plead 'no contest' or 'no contest with explanation' and pay the presumptive fine written on the citation. If eligible pursuant to the CJO, a defendant may request a reduction in the presumptive fine written on the citation. The Violations Bureau clerks are authorized to make a reduction in a fine based on Paragraph 3 of the CJO. Paragraph 5 of the CJO itemizes violations that may not be reduced from the presumptive fine and Paragraph 6 identifies violations that must be addressed by a judge including misdemeanors charged as violations and careless driving involving injury.
- a. Options Generally:
 - i. Plead 'no contest' by paying the presumptive fine on-line on the Oregon Courts website.
 - ii. Plead 'no contest' verbally or in writing with the Violations Bureau and pay the fine assessed by the Violations Bureau.
 - iii. Plead 'no contest' with the Violations Bureau and ask for judicial consideration of a reduction beyond the authority of the Violations Bureau.
 1. Submit a written plea and any statement that you would like the judge to consider to the Violations Bureau clerk.
 2. Documents are forwarded to a Judge for determination.
 3. Judgment completed by judge and returned to the Violations Bureau for processing.
 - iv. Plead 'not guilty' and request the citation be set for trial.
 1. Trial in person before a judge.

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2. Trial by telephone appearance. This requires a motion to appear by telephone. The form is available on the Court's website or by request from the Violations Bureau. Violations Bureau clerks can provide the defendant with the form or with information on where to find the form and instructions.
 3. Trial by declaration. Violations Bureau clerks can provide the defendant with the form or with information on where to find the form and instructions.
 4. Forms referenced in this subsection are available at no cost on the "Criminal – Miscellaneous" tab at <https://www.courts.oregon.gov/courts/umatilla/help/Pages/Forms.aspx>. They may also be purchased from the Violations Bureau at the current rate provided by Chief Justice Order (\$0.25/page).
- b. Charges may be resolved without trial if the defendant chooses to plead 'no contest' and pays the appropriate fine for the violation. The maximum fine for a violation is described by the specific statute or is defined by ORS 153.018. A lower presumptive fine is established by ORS 153.019 and ORS 153.020. The presumptive fine should be written on the citation. Statutory minimum fines are set forth in ORS 153.021.
- c. The Violations Bureau clerks shall refer to the Chief Justice Order (CJO) and fine schedule in determining whether a fine may be reduced, if requested, or accept the presumptive fine with a plea of 'no contest.'
- i. The Chief Justice has established by Order (Attachment A) a presumptive fine schedule with allowable reductions for some violations based on driving history. The chart in Attachment A reflects the presumptive fines for classified violations and reductions that a Violations Bureau clerk may make based on the defendant's documented driving record. Should CJO 17-085 or SOF-20 be updated, the most current ordered fine reduction chart shall apply.
- d. If a defendant submits in writing a plea of no contest with a request for a fine reduction greater than that provided in the CJO, the Violations Bureau clerks shall process the request as a 'no contest' plea to the appropriate judge. Violations Bureau clerks are authorized to advise defendants that if the judge

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determines that they have a violation or other criminal history which makes the presumptive fine inappropriate that the judge may require a trial and or the payment of a higher amount up to the maximum fine after further notice.

- e. Violations Bureau clerks are authorized to advise defendants that a plea of 'not guilty' exposes them to fines up to the statutory maximum for the offense. Pursuant to ORS 153.018 maximum fines are:
 - i. \$2,000 for a Class A violation;
 - ii. \$1,000 for a Class B violation;
 - iii. \$500 for a Class C violation; and
 - iv. \$250 for a Class D violation.
- f. Violations Bureau clerks shall insure that the individual who requests to plead 'no contest' to "Minor in Possession" statutes or to "Speed in Excess of 100 MPH" is the defendant on the citation and advise them that a judge will determine the period of time their driver's license will be suspended. The case is then referred to a judge for determination of the length of suspension.
- g. The Violations Bureau clerks shall coordinate with appropriate courtroom staff to assign trial dates.
 - i. As the processing center for violations, the clerks of the Violations Bureau will work with the courtroom Judicial Assistant to process cases to resolution prior to trial unless the Judge orders that the matter be docketed for in-court appearance.
 - ii. Defendants may use the form provided as part of the Uniform Citation or the Court's plea form to enter a plea prior to the first appearance date on the citation or enter a plea and payment on line or by calling the Violations Bureau.
 - iii. Defendants may file a written request for trial by telephone or declaration using the court's plea form or other specific court forms or by clear written request.
 - 1. Violations Bureau clerks may email a link to the plea form and other forms to defendants where needed or refer them to the website.

- 6. **Umatilla County Ordinance Violations.** All first appearances of Umatilla County Ordinance Violations are with the Violations Bureau.

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Umatilla County Ordinances are online at
<http://www.co.umatilla.or.us/bcc/code-ordinances.html>.

- a. Chapter 38, Code Enforcement, allows the Code Enforcement Officer to issue citations to appear to the Circuit Court. Under the ordinance the Circuit Court has authority as the hearings officer. Under Section 38.30 the base violation fine is \$500 for a non-continuing violation and \$1000 for a continuing violation.
 - i. Continuing violations unless resolved at the first appearance with County Counsel and the defendant before the Violations Bureau are set for appearance before a judge. If resolved by the parties then the Violations Bureau may process the disposition.
- b. Provisions of the Umatilla County Ordinances, located online at <http://www.co.umatilla.or.us/bcc/code-ordinances.html>, are enforceable by citation to the Circuit Court, including but not limited to Chapter 50, Solid Waste, online at <http://www.co.umatilla.or.us/bcc/codes/50.pdf>, Chapter 94, Nuisances, online at <http://www.co.umatilla.or.us/bcc/codes/94.pdf>, and Chapter 96, Noise, online at <http://www.co.umatilla.or.us/bcc/codes/96.pdf>. Ordinances may be enforced by the Code Enforcement Officer with citations to the Circuit Court.
- c. Non-continuing violations may be processed by the Violations Bureau at the presumptive fine of \$500.00. The Violations Bureau may accept a not guilty plea and set trial, or accept a no-contest plea and impose a reduced fine when there is no recent state or county offense listed in the CMS, on this scale:
 - i. No offenses within 36 months: \$200.00
 - ii. No offenses within 24 months: \$300.00
 - iii. No offenses within 12 months: \$400.00
- d. Continuing violations are marked on the citation either as a continuing violation or with a presumptive fine of \$1000.00. As noted above, these are set before a judge for hearing. The Violations Bureau provides the defendant a first appearance date for arraignment in court. If County Counsel and the defendant, and/or their attorney, resolve the matter prior to first appearance, then County Counsel submits the order and judgment for approval.
- e. The Violations Bureau and County Counsel coordinate for first appearance dates and times for citations.

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7. **Other Violations.** The CJO defines the Violations Bureau's authority to take pleas and accept presumptive fines without reducing the fine below the presumptive fine amount written on the citation, on certain violations. All violations are subject to the inclusion of other penalties (see Section II, paragraph *e. Step 5: Penalties*) including the addition of restitution or offense-specific monetary surcharges. A non-exclusive list of non-vehicle Code Violations, and the presumptive or minimum fine, and penalties, is attached as Attachment C.

In other limited situations the defendant must appear before the judge to enter a plea are set out in Section 7 below. These violations are referred to as "Mandatory Appearances."

- a. Pleas may be taken verbally or in writing. Plea options are:
- i. Plead 'no contest' verbally with the Violations Bureau and pay the presumptive fine written on the citation.
 1. Because the Violations Bureau clerk may not reduce this type of citation, any request for a reduction in the presumptive fine must be in writing, with a statement of the reasons for the reduction to be considered. These written requests are submitted to a Judge for determination of the fine;
 2. The defendant will receive notice in writing of the Judge's determination; or
 3. Defendants pleading 'no contest' to a violation in this category should be informed that the full assessment may be more than the presumptive fine due to restitution. Moreover, certain offenses, such as vicious or biting dog, have other significant collateral orders that may be applied for and the payment of a fine does not preclude the court being asked to issue other orders by law enforcement or the victim.
 - ii. Plead 'not guilty' verbally and request the citation be set for trial (see Section 5.a.iv for details).
 1. In person;
 2. Telephonic (with court approval); or
 3. Declaration (with court approval).
 - iii. File written appearance using either the form provided on the Uniform Citation or on the Court's Plea Entry Form. Plea options are:
 1. 'Not Guilty' – citation is set for trial (see Section 5.a.iv for details).

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- a. In person;
 - b. Telephonic appearance; or
 - c. Written Declaration.
 - 2. 'No Contest' – written documentation must be mailed or delivered to the court.
 - a. Violations Bureau clerks will submit plea and statements to the judge.
 - b. Judicial Assistant will prepare judgment for processing.
 - iv. For all violations under this section that go to a Judge for resolution based on a 'no contest' plea as a result of the defendant submitting a request for reduction by statement for consideration (statement in explanation), the Violations Bureau clerk shall review the Oregon Court Record and advise the judge of prior traffic offenses within the last 12, 24 and 36 months. Any defendant with an operator's license issued by another state may provide an official copy of their driving or other record.
8. **Mandatory Appearance Violations.** The Chief Justice has ordered that some violation offenses are outside the authority of the Violations Bureau to resolve. Those matters and other violations described in this section require personal appearance before a judge to enter a plea. These cases are to be cited to the courtroom for appearance or if cited to the Violations Bureau they will be assigned to a courtroom and notice of when and where will be sent to the defendant. For these cases the defendant may ask procedural questions of the Violations Bureau staff but must make their legal appearance before a trial judge. There is no restriction on the trial judge allowing telephonic appearance, nor is there any restriction on an attorney appearing for a defendant in such a Violation. See Attachment C for a list of statutory violations, denoting those with mandatory appearance violations to personally appear before the court, and offenses where a written appearance is required as an 'appearance to the court' or personal appearance. Mandatory personal appearance violations include:
- a. Careless Driving with serious physical injury or death.
 - b. Truancy.
 - c. Citations which state 'mandatory appearance' or on which the presumptive fine is omitted, except that:

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- i. If a citation omits the presumptive fine or the fine is illegible the clerk will ordinarily return it to the charging officer for clarification. If that is not an option, the case may be processed by the Violations Bureau at the statutory presumptive amount per the CJO with approval of a judge, unless the citation is a mandatory appearance or recites that mandatory appearance or is for careless driving with serious physical injury or death, typically also noted on the citation.
 1. The clerk must coordinate with a judge for approval to amend the citation to include the correct presumptive amount.
9. **Juvenile Citations.** A separate Presiding Judge Order, PJO 20-004, directs that all violations involving a juvenile are typically adjudicated in the Violations Bureau unless an applicable Municipal Court has chosen to process juvenile violations under the PJO. Violations for juveniles age 15-17 generally go to the Violations Bureau for processing unless ordered individually or by classification of offense to go to the juvenile department. If there is a question about assignment, Violations Bureau clerks coordinate with the Trial Court Administrator.
10. **Fix It Tickets.** The Violations Bureau clerks are authorized to process to dismissal certain “fix it” tickets for vehicle code violations. If correction is made timely and there is sufficient proof of correction submitted, then the Violations Bureau clerks will assess the minimum fine as the fee for the dismissal upon proof of correction by writing and or photographic proof. The clerks will not go look at the vehicle, and a letter is not enough proof. The court will need proof by photographs, receipts and possibly a declaration from you of what you did (use the declaration from the trial by declaration form).
 - a. ORS 807.010 Operating Vehicle without Driving Privileges. If a defendant cited for no operator’s license (as opposed not failure to carry operator’s license under ORS 807.570) provides proof of an appropriate and current grant of driving privileges from Oregon, or who as ‘not a resident of this state’ a grant of current driving privileges from another state or nation under ORS 807.020, or if a resident for less than 30 days at the time of the citation, or can demonstrate an exception as a utility under ORS 801.026 may obtain a dismissal of the citation.
 - i. For residents with a license, the failure to carry comes under ORS 807.570 (below) and will be dismissed without a fee if cited under ORS 807.010.

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- ii. For non-residents with a current license, the failure to carry comes under ORS 807.570 and will be dismissed without a fee if cited under ORS 807.010.
 - iii. For residents having moved to Oregon within the last 30 days prior to the date of the citation the defendant must show some evidence of initial occupancy or domicile dated within 30 days of the date of the citation and obtain an Oregon license. The VB may grant an extension of 30 days to obtain the license.
- b. ORS 807.570 Failure to Carry License (not failure to present if cited in that manner), a Class C Misdemeanor, where the citation was treated as a Violation by the Prosecutor, then upon proof of having a current grant of driving privileges, proof of such may be presented to the VB for presentation to the judge for possible dismissal upon the payment of the fee at the 20% minimum fine of a Class A Violation.
- c. Failure to use ignition interlock device, ORS 813.602. If a person is cited under this statute for failure to have an ignition interlock device has one of the following proofs of exemption issued prior to the date of the citation:
 - i. A certificate from the Oregon Department of Motor Vehicles;
 - ii. A court order exempting the defendant from using the interlock; or
 - iii. An order reflecting that the interlock is no longer required issued prior to the date of the citation;then the Violations Bureau may dismiss the citation. A copy of the proof document will be added to the defendant's Odyssey file for the citation.
- d. Fix it ticket dismissals by the Violations Bureau are authorized in the following matters:
 - i. Driving without proof of insurance (ORS 806.012);
 - ii. Expired vehicle registration/fail to register vehicle (ORS 803.300);
 - iii. Failure to change address for driver's license (ORS 807.420);
 - iv. Failure to change vehicle registration address (ORS 803.220);
 - v. Failure to maintain seat belts (ORS 811.225);
 - vi. Lack of proper exhaust system (ORS 815.250);

- vii. Repair of broken or improper equipment, such as headlamps (ORS 816.330), and mud guards or fenders (ORS 815.185;
- viii. Failure to display license plate (ORS 803.540) or obstructed license plate (ORS 803.550);
- ix. No rear view mirrors (ORS 815.235);
- x. Obstructed windows (ORS 815.220); and
- xi. Excessive window tinting (ORS 815.222).

II. The Violation Citation Process

1. The different types of citations are covered in detail in the sections that follow, but the steps in the process are essentially the same for all types of violations. The majority of citations to circuit court occur in Umatilla County; therefore, this document provides direction for Umatilla County process. If a violation occurs in Morrow County, it will most likely be cited to the Morrow County Justice Court which is not subject to this order. If the citation specifically requires appearance in the Morrow County Circuit Court, please refer to the court website at <https://www.courts.oregon.gov/courts/Umatilla/Pages/default.aspx> for contact and address information. All the rules contained herein otherwise apply to the Violations Bureaus of both Morrow County Circuit Court and Umatilla County Circuit Court.
2. There are three primary ways a violation may be cited:
 - a. If the offense is a traffic matter that does not require mandatory appearance, the first appearance is before a clerk of the Violations Bureau.
 - b. If the offense is a non-traffic violation, the citation may direct the defendant to the Violations Bureau or may direct the defendant to an immediate court date for first appearance. The Violations Bureau may accept oral pleas or assist a defendant in entering a written plea to the court using the form provided on the Uniform Citation or the Court's Violation Plea form prior to the appearance date, or the defendant may appear at the court at the date and time set on the citation. Additionally, the citation may be subject to a new notice from the court directing appearance to the violations bureau.
 - c. If the offense is a misdemeanor treated as a violation by the prosecutor, ordinarily the defendant will only find this out after first appearance to the court for arraignment. If the defendant pleads not guilty and requests trial, then after the date of arraignment but before trial the defendant may submit a written plea to the Violations Bureau for processing to the

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assigned Judge using the form provided on the Uniform Citation or the Court's Violation Plea form.

3. The Process

a. Step 1: Entering a Plea

1. Anyone who receives a traffic citation for a vehicle code offense must begin resolving the issue by entering a plea. Violations Bureau clerks will assist defendants in determining whether or not their citation requires a personal appearance before a judge or may be resolved before the Violations Bureau.

a. For most citations the plea must be entered with the Violations Bureau. The defendant must contact the court no later than the date to appear written on the citation and enter a plea on the charges in the citation. Whether the Violations Bureau has reduction authority or not, other violations than mandatory appearance are within the authority of the Violations Bureau to take a plea and so first appearance is with the Violations Bureau.

b. If the citation is for a violation that requires a mandatory appearance the plea may be entered at arraignment before a judge or may be submitted in writing to the court through the Violations Bureau prior to the date scheduled for appearance. The clerk will submit it to a judge for review.

i. The defendant is expected to appear personally in court regardless of submitting a plea or may hire an attorney to assist them (or motion the court for telephonic appearance).

2. If a defendant contacts the court to enter a plea prior to the court receiving the Uniform Citation, the Violations Bureau clerk will advise the defendant:

a. On vehicle code and other violations to contact the court again on or before the appearance date listed on the citation.

b. If the original citation is filed with the court after the appearance date listed on the citation, the defendant is advised that the Violations Bureau will mail a notice to them with a new date to

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appear. The defendant may elect to deposit the presumptive fine amount with the court pending entry of the citation, but a plea cannot be accepted before the citation is filed.

3. If the citation was issued in Umatilla County, the defendant (person who received the ticket) may enter a plea:
 - a. In person at the Umatilla County Courthouse, Room 209, 216 SE 4th Street, in Pendleton, Oregon;
 - b. Due to COVID-19 reductions, appearances in person are not currently available at the Stafford Hansell Government Center, Room 201, 915 S.E. Columbia Drive, in Hermiston, Oregon;
 - c. By telephone at (541) 278-0341 x3230; or;
 - d. In writing to Violations Bureau, 216 SE 4th St., Pendleton, OR 97801.

Failing to enter a plea on or before the appearance date will result in a default judgment of conviction, imposition of a fine, and may result in suspension of driving privileges.

There are three (3) plea options detailed in the respective sections below. These include 'not guilty,' 'no contest,' and 'no contest with written explanation.'

4. Plea Options

A citation may have more than one charge or violation on it. There is a separate fine calculated for each charge. A defendant is not obligated to enter the same plea for each charge.

“Not Guilty”

If the defendant pleads 'not guilty' to a violation, they have the right to a trial by a judge – called a “bench trial.” A defendant charged with a violation may choose to represent themselves or to be represented by an attorney at their own cost but does not have a right to a jury trial or to have court-appointed counsel.

“No Contest” or “No Contest with Explanation”

Although a plea of 'no contest' means the defendant is not admitting guilt, he or she is choosing not to contest/argue about the charge. A 'no contest' plea will result in conviction of the violation on the citation.

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The difference between a plea of “no contest” and a plea of ‘no contest with explanation’ is that the defendant has the opportunity to write a letter to the Violations Bureau explaining any mitigating circumstances that might impact the Court’s decision regarding the penalty to be imposed. A plea of ‘no contest’ or ‘no contest with explanation’ will result in assessment of the presumptive fine or a reduced fine, if eligible, as described in Section __ above.

b. Step 2: Setting the Trial (if the plea is ‘not guilty’)

1. If the defendant pleads “not guilty” to a violation, they have the right to trial by a judge – called a “bench trial.” A defendant charged with a violation may be represented by an attorney at their own cost but does not have a right to a jury trial or to court-appointed counsel.
 - a. Defendants may ask the court for a trial by telephone appearance. This request must be submitted in writing. The court’s website has a simple “motion and order” form to simplify the process of requesting appearance by telephone. The form is available at <https://www.courts.oregon.gov/courts/umatilla/help/Pages/Forms.aspx> under the “Criminal-Miscellaneous”_drop-down.
 - b. If this request is granted, the defendant may call into the courtroom at the time scheduled for trial.
 - c. Defendants may ask the court for trial by declaration. A declaration is a written statement under penalty of perjury and is considered by a judge like sworn testimony. See Section IV for details on trials by declaration.
2. In most instances, a trial will be set soon after the ‘not guilty’ plea is received. The Violations Bureau will set trial at the trial location nearest the citing officer’s primary work location. Once trial is set, the Violations Bureau will mail defendant a notice showing the date, time and courtroom where the trial will be held. Attorneys and officers will receive electronic notice.
3. If the defendant has failed to appear for a trial in the past, the defendant is required to deposit the amount of the presumptive fine written on the citation before a trial date is set. In this situation, the defendant will have fourteen (14) calendar days from the date the clerk mails the notice of the deposit requirement to complete payment of the presumptive fine in full or change their plea to ‘no contest.’ Failure to do so will result in the Violations

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Bureau clerk entering a default conviction and imposing the presumptive fine and any mandatory suspension of driving privileges.

NOTE that a discretionary suspension period must be determined by a judge.

4. Except in the case of a trial by declaration, or an expressly approved order for telephonic appearance, the defendant must appear in person at a trial, or may choose to hire an attorney to appear with or for them. Failure to appear for the trial will result in a default judgment of conviction and imposition of a fine. Certain violations also result in a suspension of driving privileges for a period of time.
5. A defendant or officer may request one extension (continuance) of the trial date by telephone or in writing. The Violations Bureau clerk may grant the requested extension and will notify the other party and the assigned courtroom of the new date.
 - a. Any request for a second extension of the trial date must be made in writing to the courtroom assigned to hear the trial. The Violations Bureau may advise a party which courtroom will hear that specific case but may not grant a further extension to each party.
 - b. A proposed order for continuance should be included with the request, as a separate document, with any request for an additional extension. The order is a document on which the judge will write their decision about the motion for continuance.
 - c. The written letter must explain the reason for the extension.
 - d. In any case the request letter must be in writing and must be received by the court at least seven (7) calendar days prior to the date of trial.
 - e. Defendants may use the Motion and Order to Continue Violation Hearing form available on the court's website,
<https://www.courts.oregon.gov/courts/umatilla/help/Pages/Forms.aspx> under the "Criminal-Miscellaneous" drop-down to request a trial date change.
 - f. If the defendant is represented by an attorney, a copy of the motion and proposed order must be sent to the District Attorney. The request to the court must

include proof (a certificate of service) that it was served on the District Attorney.

- g. The original trial date remains in place until and unless a judge determines that the request is granted. If a continuance is granted, the defendant must appear on the new date. Only one continuance per party will be allowed. Failure by the defendant to appear for the trial will result in a default judgment of conviction and imposition of a fine and may result in a suspension of driving privileges. The defendant will be sent notice by mail if they or the State are granted a continuance. Attorneys and officers will receive electronic notice.

c. Step 3: The Trial (if the plea is 'not guilty')

1. The defendant must appear in person at a trial or may choose to hire an attorney to appear with or for them. Failure to appear for the trial will result in a default judgment of conviction and imposition of a fine and may result in a suspension of driving privileges.
 - a. At trial, the defendant is subject to the statutory maximum fine for the offense.
2. If the defendant is represented at trial by an attorney, the attorney is required to electronically file a notice of representation with the court and serve a copy of the notice on the District Attorney's Office. The District Attorney may choose to assign a prosecutor to also appear and represent the State in the case.
3. Trials are scheduled to last 15 minutes unless the defendant or the officer has requested additional time, in writing, in advance. If the defendant is not present in court when the case is called a default conviction will be entered in the citation; if the citing officer is not present, the citation will be dismissed.
4. Trial consists of the officer who wrote the citation telling the judge his or her explanation of why the citation was issued. The defendant then has the opportunity to tell his or her side of the story. Each person testifies under oath and may present evidence and/or witnesses. The judge will then determine whether or not the officer has met the burden of proof required to convict the defendant of any or all of the charges.

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d. Step 4: The Outcome – Finding of ‘Not Guilty’ or Conviction at Trial, or Plea of ‘No Contest’

1. Pleas of ‘no contest’ will result in entry of a conviction and notification to the Oregon DMV.
2. Bench trials and trials by declaration have two possible outcomes for each charge in the citation. The judge may find the burden of proof has been met by the officer and issue a judgment of conviction for the charge or may find the burden of proof was not met by the officer and issue a judgment of dismissal for that count.
3. If a charge is dismissed, any amount posted as bond will be applied toward the defendant’s outstanding court debt, and the remaining balance will be refunded by mail.
4. If a conviction is entered on any charge, one or more of the penalties explained below will apply.

e. Step 5: Penalties

1. The defendant will be sentenced to pay a monetary fine. The fine may be any amount up to the maximum for a violation of the statutory classification of the violation charged (A, B, C, D or Unclassified) as provided in law.
2. The defendant may also be sentenced to a mandatory or discretionary (judge’s choice) suspension of driving privileges in addition to the monetary fine. Failure to appear, or to pay fines and fees as ordered, may also result in suspension of driving privileges.
3. See Section V for detailed payment options. If a defendant plans to plead ‘no contest,’ they should be encouraged to consider paying their ticket online at the Oregon Courts’ ePay website:
<http://courts.oregon.gov/OJD/OnlineServices/ePay/Pages/index.aspx>. There is a small processing fee for this service.
4. The defendant may be found liable for restitution for any damage caused to the victim. This situation typically applies to non-traffic violations.
 - i. The prosecutor has ninety (90) days after entry of judgment to file a motion (request) for restitution.
 - ii. The defendant will receive notification by mail if this occurs.

- iii. If the defendant does not accept the amount of restitution requested, they must notify the Violations Bureau within two weeks (14 days) of receiving notice of the motion for restitution.
 - iv. If the Violations Bureau does not hear from the defendant within two weeks the amount of restitution requested by the prosecutor will be applied to the total financial obligation for the citation.
5. Some non-traffic violations may have other collateral consequences ordered by the court.

III. Special and Commercial Violation Categories

- 1. Tire Chains charged under ORS 815.140. Failure to use vehicle traction tires or chains pursuant to ORS 815.140 is a class C violation with a maximum fine of \$500.00 and a presumptive fine of \$165.00. A citation for this violation may be reduced by the Violations Bureau.
- 2. Commercial Motor Vehicle Chains. Pursuant to ORS 825.990(1) and OAR 740-100-0040 all commercial motor carriers are required to carry and to use chains when required as described in OAR chapter 734 division 17 rules (2020). Citations ordinarily will be entered as against the commercial motor carrier entity, rather than the driver, but the ORS controls.
 - a. Pursuant to ORS 825.990(1) incorporating OAR 740-100-0040 and the penalty describe in OAR 740-100-0100(3), failure to carry traction devices under ORS 825.990(1) and OAR 740-100-0040 is treated as a Class C Violation. This is further described in OAR 734-017-0012 and OAR 734-017-0015 (posting signs for whether to carry or use), and signs are described in OAR 734-017-0025. Presumptive fines apply, and the Violations Bureau cannot reduce.
 - b. Pursuant to ORS 825.990(1) incorporating OAR 740-100-0040, the failure to use chains when required is a Class A Violation. Minimum “use” is described in OAR 734-017-0010 and so if the use does not fit the minimum use definition then there would also be a failure to use. Presumptive fines apply, and these may not be reduced by the VB.
 - c. Nothing prohibits, however, citing Commercial Motor Carriers with a Class C Violation under ORS 815.140(1) for failure to use or failure to carry. That section applies specifically to the driver and states that a “person commits the offense of failure to use vehicle traction tires or chains if

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the person drives or moves or owns and causes or knowingly permits to be driven or moved any motor vehicle or trailer on any highway if the highway is posted showing conditions that require vehicle traction tires or chains and the vehicle is not equipped with vehicle traction tires or chains that are required for the posted conditions.” These may be reduced by the Violations Bureau.

- d. When filing these citations, if not cited under ORS 814.140, clerks will check the citation to determine whether the allegation as to FAILURE TO USE or FAILURE TO CARRY (or words to that effect) is clear on the face of the citation. After that the clerk will determine whether the citation charges ORS 825.990(1), which for court purposes will imply OAR 740-100-0040, or if OAR 740-100-0040 is cited, which implies ORS 825.990(1) for court purposes.
 - i. If the citation reflects OAR 740-100-0040 and/or ORS 825.990(1) and reflects FAILURE TO CARRY or FAILURE TO USE, then the clerk will note FAILURE TO CARRY as a Class C Violation or FAILURE TO USE as a Class A Violation.
 - ii. If the citation is unclear, then the clerk will consult with the supervisor or judge.
3. Commercial Motor Vehicle – No Chains Accident Enhancement. Under current law, there is no change to the presumptive fine for a failure to use chains when the failure was a substantial contributing factor in causing an accident or when it created substantial risk of injury to another person. If Violations Bureau clerks determine that there was an accident and that the defendant has a history of violations, the judge will be advised so that the judge can consider whether the presumptive fine is appropriate or whether a trial should be required or a higher fine assessed in lieu of trial.

IV. Trial by Declaration

A trial by declaration (sworn statement) consists of the defendant and the officer submitting their sworn statements on a form such as the sample provided on the circuit court website. If the defendant requests a trial by declaration and qualifies for this process future in-person court appearances may not be necessary.

A fillable sample form is available on the Court’s website at <https://www.courts.oregon.gov/forms/Documents/UMA-TrialDeclaration.pdf>

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NOTE: If the defendant does not qualify for a trial by declaration, they must comply with the process for a bench trial if pleading 'not guilty' to the charges in the citation.

1. If the defendant qualifies for a trial by declaration, they will be given a date by which the declaration must be received at the Court. The Violations Bureau will advise the defendant if they may have a trial by declaration and the date by which their declaration must be received.

The declaration is a sworn statement that explains the circumstances of the violation(s) with which the defendant was charged. This is the defendant's only chance to present their side of the case to the judge. The law enforcement officer who issued the citation will also have the opportunity to file a declaration in support of the charge(s).

2. Upon receiving the sworn statements of both the defendant and the officer, a judge will make a decision based on the declarations and relevant laws.
3. The Violations Bureau will notify the defendant of the judge's decision by mail. If the verdict is 'guilty' the defendant will be notified of the date by which the fine must be paid in full or arrangements made for a payment plan if eligible, and of any suspension of driving privileges that are imposed. See Section V below for payment options.

V. Payment Options

The Violations Bureau may accept payment of fines and fees for conviction by plea, trial or default of traffic and non-traffic violations in the following ways:

1. Payments.

As provided herein, pleas of 'no contest' or pleas of 'not guilty' where the defendant has failed to appear on any charge in the past must be accompanied by full payment of the presumptive fine written on the traffic citation. Payment must be in United States funds and as detailed below:

- f. Payment by mail with a written plea should be by personal check or money order (ORS 153.061(3)(b)). If the defendant has had an insufficient funds transaction in the past, a personal check may not be accepted.
- g. Payment in person may be by cash, check or money order, or credit or debit card (ORS 1.005) bearing the Visa®, MasterCard® or Discover® logo. If the defendant has had an insufficient funds transaction in the past, a personal check may not be accepted.

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- h. Payment over the telephone at (541) 278-0341 or online (see “j” below) may be by credit or debit card bearing the Visa®, MasterCard® or Discover® logo.
 - i. Returned checks for insufficient funds, closed account or any other reason will result in assessment of an “NSF Check” fee of \$35.00 (ORS 21.258(1); CJO 12-028).
 - j. Online Payments. Persons pleading ‘no contest’ or who have already been convicted of a violation are encouraged to use the Oregon Judicial Department’s online payment service called “Courts ePay” at <https://www.courts.oregon.gov> to register their plea by making their payment. A small processing fee is assessed for this service.
2. Payment Plans.
- Upon a plea of ‘no contest’ or a judgment of conviction a defendant with no delinquent court debt may:
- a. Request establishment of a monthly payment plan in which the fine and fees must be paid in full within a set period of time. Entering into a time payment plan with the circuit court will result in a required payment plan fee (see #3 below); or
 - b. Request deferral for not more than twenty-five (25) days. There is no additional fee if the fine is paid in full within twenty-five (25) days of entering a ‘no contest’ plea.
- NOTE: Failure to remain current with a payment plan will result in imposition of the additional fee described in #4 and may result in a suspension of driving privileges.
3. Payment Plan Fees. If your account is not paid in full within twenty-five (25) days, an additional assessment will be added to your account as follows (ORS 1.202(1)). Remaining balance of:
- | | |
|--------------------|-----------|
| ✓ \$1 - \$149.99 | \$50 fee |
| ✓ \$150 - \$399.99 | \$125 fee |
| ✓ \$400 or more | \$200 fee |
4. Delinquent Payments. If payment arrangements are not made or if your account is delinquent forty-five (45) days beyond the payment due date, the account will be turned over to a collection agency and an additional 28% collection assessment recovery fee will be added to your account (ORS 1.202(2)). The clerk should remind anyone entering on a payment plan that it is their responsibility to ensure their account is current. The court will not send “payment due” reminders, nor is the court responsible for any mail delays, etc.

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5. Special Provision for Payment Plans after License Suspension. Clerks of the Violations Bureau are authorized to establish a payment schedule for payment of fines and fees in certain circumstances for cases covered by this order where one suspension has been previously imposed for failure to pay fines.

At the written request of the defendant, a clerk may allow a onetime opportunity for a defendant to remove the suspension on a conviction or all self-identified convictions with a payment schedule. No citations with more than a single suspension may be bundled together under this provision. Where neither the court nor a collector has lifted a suspension previously, the clerk may establish a new payment schedule. When the initial payment and the license suspension reinstatement fee have been paid, the clerk will lift the license suspension. This may occur only once in a specific case, but may be done for each case the defendant has been suspended in this jurisdiction.

The defendant must make all payments timely and remain current on the payment plan. In the event of a subsequent suspension for failure to remain current on this payment plan, no further relief will be permitted on any conviction covered in the payment plan. The defendant must pay the entire amount owed in full prior to removal of the license resuspension.

If a defendant is in custody at the time of the application, then the clerk may establish a due date for the first payment accommodating the defendant's expected release date. For an in-custody defendant, the clerk will submit the appropriate order to the judge for signature.

A subsequent citation for Driving While Suspended where the underlying conviction occurred less than a year previously the suspension may not be lifted.

Payment plans established under this special provision must provide for full payment of the debt within 12 calendar months of the first payment date of the plan. The minimum payment for a payment plan under this section is \$100 per month.

The payment plan fee referenced in Section IX(3) above is applicable to establishment of a payment plan under this special provision.

VI. Appeal from a Default Judgment

A judge may consider granting relief from a default judgment under this Presiding Judge Order as follows:

1. A defendant against whom a default judgment is entered may file a motion for relief from default judgment, within a reasonable time, not to exceed one year after the entry of default (ORS 153.105).

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2. The court requires a written motion for relief, accompanied by an affidavit or declaration setting forth facts which demonstrate that the failure to appear or to exercise one of the options described in this Presiding Judge Order, was due to mistake, inadvertence, surprise or excusable neglect. At the time the motion for relief is filed, the defendant must pay to the court the balance of any amount of the fine imposed in the judgment still owing. The payment requirement may be waived or deferred per Judicial Department and court policy, subject to filing an Application & Declaration for Deferral or Waiver of Fees. A motion for relief cannot be filed until the payment is made, deferred or waived. The court may rule on the motion without a hearing or may require the defendant to appear and present oral argument.
3. If relief is granted, and if driving privileges have been suspended, all costs related to reinstatement of privileges with DMV are still required to be paid by the defendant to the DMV if required by that agency.

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

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.

This order revises the fine schedule established by Chief Justice Order No. 12-022 to update fine amounts in accordance with Oregon Laws 2017, chapter 712 (HB 2797), removes a reference to an offense that no longer exists, and updates a statutory reference. This order also incorporates the addendum to the fine schedule established by CJO No. 17-014, which provides that a Violations Bureau may impose an additional local surcharge amount when authorized by the Chief Justice under the process set forth by Oregon Laws 2016, chapter 78 (HB 4093). Otherwise, the fine schedule established in CJO No. 12-022 remains the same.

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

1. The Violations Bureau has authority over any violation, 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 may presume that the presumptive fine is the amount the officer writes on the citation.
3. The Violations Bureau shall reduce the fine for a violation to the amount shown below in Chart 1 if:
 - a. The offense is a state law violation in the Vehicle Code, including state parking violations;
 - b. The offense is a Class A, B, C, or D violation;
 - c. The Violations Bureau has authority over all of the 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 reviews the defendant's driving record that shows at least the three (3) years preceding the date of the current incident. If the defendant does not have an Oregon driving record that covers the past three (3) years, the defendant must provide the Violations Bureau with a copy of driving record from the state in which he or she is licensed or was previously licensed; **AND**

- f. The defendant's combined driving record shows no more than two (2) prior convictions in the three (3) years preceding the date of the current incident. Convictions from the current incident do not count towards the total number of prior convictions.

If the defendant is convicted of multiple offenses resulting from a single incident and qualifies for a reduction under paragraphs 3a through 3f, the Violations Bureau shall apply the same reduction to each offense for which the defendant is convicted.

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 (Highway Work Zone, Posted School Zone, Safety Corridor)			
(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. A circuit court's Violations Bureau may incorporate and impose the additional local surcharge amount when authorized by the Chief Justice Order under the process set forth by Oregon Laws 2016, chapter 78 (HB 4093).
5. The Violations Bureau has 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 does not have authority over a complaint or citation that includes one or more of the following:
 - 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 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 may 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. Effective January 1, 2018, this order supersedes Chief Justice Order No. 12-022, dated March 27, 2012, and Chief Justice Order No. 17-014, dated May 3, 2017. The fine schedule is the same as the schedule established by Order No. 12-022, except that this schedule updates the fine amounts in accordance with Oregon Laws 2017, chapter 712 (HB 2797), removes a reference to an offense that no longer exists, and updates a statutory reference. This order also incorporates the addendum to the fine schedule established by CJO No. 17-014, which provides that a Violations Bureau may impose an additional local surcharge amount when authorized by the Chief Justice under the process set forth by Oregon Laws 2016, chapter 78 (HB 4093).
- 12. This order applies to offenses committed on or after January 1, 2018.

Dated this 18th day of December, 2017.



Thomas A. Balmer
Chief Justice

2020 “SCHEDULE OF FINES” ON VIOLATIONS (SOF-20)

**PRESUMPTIVE, MINIMUM, AND MAXIMUM AMOUNTS
FOR VIOLATION OFFENSES IN OREGON**

EFFECTIVE JANUARY 1, 2020

ABOUT THE SCHEDULE

Effective Date: This “schedule of fines” (SOF-20) supersedes SOF-18 and all previous fine schedules and summaries for violations committed on or after January 1, 2020.

Changes to Previous Schedule (SOF-18): SOF-20 reflects the following substantive changes from SOF-18:

- Updates offense descriptions and adds the presumptive, minimum, and maximum fine amounts for boating offenses related to an aquatic invasive species permit pursuant to Oregon Laws 2019, chapter 154 (HB 2076) and Oregon Laws 2019, chapter 507 (SB 47).
- Adds the presumptive, minimum, and maximum fine amounts related to the new offenses of failure to drain water from a motor boat before transport in Oregon Laws 2019, chapter 154, section 2 (HB 2076) and unlawfully providing single-use plastic bags to customers in Oregon Laws 2019, chapter 434, section 4 (HB 2509).

Purposes: OSCA is publishing SOF-20 as a helpful guide for courts and law enforcement. The schedule is not a substitute for reading the actual law.

SOF-20 provides summarized information on:

- the amount a citing enforcement officer must enter on the citation in the place designated for “presumptive fine” when charging a person with a violation offense under **state** law, regardless of the court the officer cites the person to appear in; and
- the minimum and maximum amounts courts can impose on conviction.

The presumptive fine is the amount the defendant can pay to resolve the violation offense without having to do anything else, unless the law or the court requires the defendant to appear (see ORS 153.061). The court can impose a higher fine, up to the maximum statutory sanction, if the law or the court requires the defendant to appear.

Offenses Included: SOF-20 includes amounts for Class A, B, C, and D violations and common “specific fine violations.”

Local Surcharges (Jefferson County and Multnomah County): Pursuant to Chief Justice Orders 16-026 and 16-030, in accordance with the process set forth in ORS 1.188, there is a \$5 surcharge on each fine assessed by a circuit court for traffic offenses as defined in ORS 801.555(2) and parking ordinances in Jefferson and Multnomah Counties.

What Presumptive Fines Are Not/Do Not Do: The presumptive fines listed in SOF-20:

- are **not** bail, security-release amounts, or security-release deposit amounts; they do not affect security-release procedures under ORS 135.265;
- do **not** include any moneys for restitution or costs; and
- do **not** apply to misdemeanors or felonies.

Where to Find Schedules: SOF-20 and earlier schedules are posted in PDF on the Oregon Judicial Department’s website—www.courts.oregon.gov.

- Click on **Forms/Rules/Fees**.
- Click on the **Court Fees** tab.

(a)	(b)	(c)	(d)	(e)
2020 Schedule of Fines on Violations (SOF-20)	Presumptive Fine	Minimum Fine [153.021]	Maximum Fine (Individuals) [153.018(2)]	Maximum Fine (Corporations) [153.018(3)]
Standard [153.019]				
(1) Class A violation	\$440	\$225	\$2,000	\$4,000
(2) Class B violation	\$265	\$135	\$1,000	\$2,000
(3) Class C violation	\$165	\$85	\$500	\$1,000
(4) Class D violation	\$115	\$65	\$250	\$500
<i>*Local Surcharge Counties (example: Multnomah, Jefferson) add \$5 to fine amounts in each column (traffic offenses and parking only).</i>				
Traffic Violation in Special Zone [153.020]				
(5) Class A violation	\$875	\$225	\$2,000	\$4,000
(6) Class B violation	\$525	\$135	\$1,000	\$2,000
(7) Class C violation, speed only	\$325	\$85	\$500	\$1,000
(8) Class D violation, speed only	\$225	\$65	\$250	\$500
<i>*Local Surcharge Counties (example: Multnomah, Jefferson) add \$5 to fine amounts in each column (traffic offenses and parking only).</i>				
Tobacco and Alcohol				
(9) <u>A Viol.</u> OLCC licensee furnishing alcohol to a minor, 471.410(6), <u>first offense</u>	\$440	\$225	\$2,000	\$4,000
(10) <u>SF Viol.</u> OLCC licensee furnishing alcohol to a minor, 471.410(6), <u>second offense</u> (third or subsequent is a Class A misd.)	\$860	\$172	\$2,000	\$2,000
(11) <u>A Viol.</u> Allow minor to consume alcohol on property, 471.410(10), <u>first offense</u>	\$440	\$225	\$2,000	\$4,000
(12) <u>SF Viol.</u> Allow minor to consume alcohol on property, 471.410(10), <u>second or subsequent offense</u>	\$1,000	\$200	\$2,000	\$2,000
(13) <u>SF Traffic Viol.</u> Refusal to take test for intoxicants, 813.095	\$650	\$130	\$2,000	\$2,000
(14) <u>SF Viol.</u> Sell tobacco or inhalant delivery system to a person under 21, 167.755(2)(a)	\$10	\$2	\$50	\$2,000
(15) <u>SF Viol.</u> Sell tobacco or inhalant delivery system to a person under 21, 167.755(2)(b)(A), <u>manager/supervisor, first or second offense</u>	\$50	\$10	\$250	\$2,000
(16) <u>SF Viol.</u> Sell tobacco or inhalant delivery system to a person under 21, 167.755(2)(b)(B), <u>manager/supervisor, third or subsequent offense</u>	\$100	\$20	\$500	\$2,000
(16) <u>SF Viol.</u> Sell tobacco or inhalant delivery system to a person under 21, 167.755(2)(c)(A), <u>owner, first or second offense</u>	\$100	\$20	\$500	\$2,000
(17) <u>SF Viol.</u> Sell tobacco or inhalant delivery system to a person under 21, 167.755(2)(c)(B), <u>owner, third or subsequent offense</u>	\$200	\$40	\$1,000	\$2,000
<i>*Local Surcharge Counties (example: Multnomah, Jefferson) add \$5 to fine amounts in each column (traffic offenses and parking only).</i>				

(a)	(b)	(c)	(d)	(e)
2020 Schedule of Fines on Violations (SOF-20)	Presumptive Fine	Minimum Fine [153.021]	Maximum Fine (Individuals) [153.018(2)]	Maximum Fine (Corporations) [153.018(3)]
Special Traffic Violations				
(14) SF Traffic Viol. Speeding 100 mph or greater, 811.109(5)	\$1,150	\$230	\$2,000	\$2,000
(15) A Traffic Viol. Careless driving, serious injury or death of vulnerable user, 811.135(3)	N/A must appear	N/A	\$12,500	\$12,500
(16) SF Traffic Viol. Unlawful parking in a winter recreation parking area, 811.590	\$30	\$6	\$2,000	\$2,000
(17) SF Traffic Viol. Bicycle helmet, 814.485 and 814.486	\$25	\$5	\$2,000	\$2,000
(18) SF Traffic Viol. Motor-assisted scooter helmet, 814.534 and 814.536	\$25	\$5	\$2,000	\$2,000
(19) SF Traffic Viol. Skateboarder, scooter rider, in-line skater helmet, 814.600	\$25	\$5	\$25	\$25
<i>*Local Surcharge Counties (example: Multnomah, Jefferson) add \$5 to fine amounts in each column (traffic offenses and parking only).</i>				
Overweight--Schedule I [818.430(1)]				
(20) 1,000 or less	\$100	\$20	\$2,000	\$2,000
(21) 1,001 - 2,000	\$150	\$30	\$2,000	\$2,000
(22) 2,001 - 3,000	\$200	\$40	\$2,000	\$2,000
(23) 3,001 - 5,000	\$300	\$60	\$2,000	\$2,000
(24) 5,001 - 7,500	(a) * 0.15	(b) * 0.20	\$2,000	\$2,000
(25) 7,501 - 10,000	(a) * 0.16	(b) * 0.20	\$2,000	\$2,000
(26) 10,001 - 12,500	(a) * 0.20	(b) * 0.20	amt in (b)	amt in (b)
(27) 12,501 and over	(a) * 0.24	(b) * 0.20	amt in (b)	amt in (b)
<i>*Local Surcharge Counties (example: Multnomah, Jefferson) add \$5 to fine amounts in each column (traffic offenses and parking only).</i>				
Overweight--Schedule II [818.430(2)]				
(28) 100 - 5,000	\$200 + (a) * 0.10	(b) * 0.20	\$2,000	\$2,000
(29) 5,001 - 10,000	\$350 + (a) * 0.15	(b) * 0.20	\$2,000	\$2,000
(30) 10,001 - and over	\$600 + (a) * 0.30	(b) * 0.20	amt in (b)	amt in (b)
<i>*Local Surcharge Counties (example: Multnomah, Jefferson) add \$5 to fine amounts in each column (traffic offenses and parking only).</i>				
Overweight--Schedule III [818.430(4)]				
(31) 100 - 5,000	\$200 + (a) * 0.15	(b) * 0.20	\$2,000	\$2,000
(32) 5,001 - 8,250	\$350 + (a) * 0.20	(b) * 0.20	\$2,000	\$2,000
(33) 8,251 - 10,000	\$350 + (a) * 0.20	(b) * 0.20	amt in (b)	amt in (b)
(34) 10,001 - and over	\$500 + (a) * 0.30	(b) * 0.20	amt in (b)	amt in (b)
<i>*Local Surcharge Counties (example: Multnomah, Jefferson) add \$5 to fine amounts in each column (traffic offenses and parking only).</i>				

(a)	(b)	(c)	(d)	(e)
2020 Schedule of Fines on Violations (SOF-20)	Presumptive Fine	Minimum Fine [153.021]	Maximum Fine (Individuals) [153.018(2)]	Maximum Fine (Corporations) [153.018(3)]
Miscellaneous Other Violations				
(35) <u>SF Viol.</u> Scrap metal business violation, 165.117, <u>first through third offense</u>	\$1,000	\$200	\$2,000	\$2,000
(36) <u>SF Viol.</u> Scrap metal business violation, 165.117, <u>fourth or subsequent offense</u>	\$5,000	\$1,000	\$5,000	\$5,000
(37) <u>SF Viol.</u> Unlawful air pollution in the second degree, 468.936	\$5,000	\$1,000	\$25,000	\$25,000
(38) <u>D Viol.</u> Livestock running at large, 607.045 and 607.992(3), <u>first offense</u> (second or subsequent is a Class B viol.)	\$60	\$60	\$250	\$500
(39) <u>D Viol.</u> Operating a sailboat that is at least 12 feet in length w/o aquatic invasive species permit, 830.565 and 830.990(1)	\$115	\$65	\$250	\$500
(40) <u>D Viol.</u> Operating motor boat w/o aquatic invasive species permit, 830.565 and 830.990(1)	\$50	\$50	\$250	\$500
(41) <u>D Viol.</u> Failure to drain water from motor boat before transport, Or Laws 2019, ch 154, sec 2 (HB 2076) and 830.990(1)	\$50	\$50	\$250	\$500
(42) <u>D Viol.</u> Unlawfully providing single-use plastic bags to customers. Or Laws 2019, ch 434, sec 4 (HB 2509)	\$115	\$65	\$250	\$250
<i>*Local Surcharge Counties (example: Multnomah, Jefferson) add \$5 to fine amounts in each column (traffic offenses and parking only).</i>				

Sixth Judicial District Non-Traffic Violations List

Instruction	Use this general list of ‘generally’ non-traffic violations for general reference. Look to SOF-20 for specifics of schedule of fines for 2020. If a defendant <u>must appear to court</u>, this means that they either appear in person or by written plea using courts form or the Uniform Citation. <u>Mandatory appearance</u> cases, being just those in the Chief Justice Order, Truancy and Ordinances, must appear in court at the time set. Defendant can ordinarily pay the presumptive fine with a No Contest plea to the VB or plead No Contest and submit a statement in explanation for the judge to consider for a reduction; or plead Not Guilty and receive a court date for trial (or ask for trial by declaration or by telephone). However, judge may not reduce past the minimum fine in ORS 153.021, or 20% of other specific fine offense, or other as required by other law; and may determine from history of the defendant that the presumptive fine is inadequate, require trial or a higher fine to be paid in lieu of trial. ORS 153.061(5). Staff may advise defendants of the minimum, presumptive (which they can pay to the VB), and maximum fine, and that the judge may decide to require trial if a higher amount is not paid based on any history the defendant may have– in deciding whether to submit a statement in mitigation – explanation with a no contest plea. Staff are entitled to rely on the presumptive amount of the fine as set forth on the uniform citation by a law enforcement officer. However, if the amount is higher than the actual, then the VB is authorized to use the correct presumptive amount.
Offense Types	Alcohol, Drugs, Tobacco – ORS 471
	Boating offenses - ORS 830;
	Burning and fire offenses – ORS 477;
	Dogs and domestic animals, Livestock – ORS 609;
Offense Types	Wildlife – ORS 496; 498; 501; 506 For ORS 496; 498 - When alleged with a culpable mental state the offense is a Class A Misdemeanor – that means that the DA has prepared a formal information of misdemeanor as the Uniform Citation does not reflect a mental state. The DA may prepare a formal complaint but still treat the case as a Violation. If filed by UC, court staff can presume that any wildlife offense under chapter 496 and 498 are violations and under ORS 496.992(15) there is no privileges suspension for a Violation. For outright violations using the UC – for penalties see ORS 496.992, in summary, unless otherwise noted: A violation of a provision of the wildlife laws, or a rule adopted pursuant to the wildlife laws, that <u>does not involve the taking of wildlife</u> is a Class D violation. A violation of a provision of the wildlife laws, or a rule adopted pursuant to the wildlife laws, that <u>involves the taking of wildlife</u>, other than nongame mammals and game birds, is a Class A violation. A violation of a provision of the wildlife laws, or a rule adopted pursuant to the wildlife laws, that <u>involves the taking of nongame mammals or game birds</u> is a Class C violation if the offense is committed without a culpable mental state. A violation of a provision of the wildlife laws, or a rule adopted pursuant to the wildlife laws, that <u>involves the size or quantity limits for salmon, steelhead trout and sturgeon</u> is a Class A violation. A violation of a provision of the wildlife laws, or a rule adopted pursuant to the wildlife laws, <u>relating to the size or quantity limits for fish or shellfish</u>, is a Class C violation if the offense is committed without a culpable mental state. A violation of the

	nonresident licensing provisions of ORS 497.102 or 497.121 is a Class A violation if the offense is committed without a culpable mental state. A violation of ORS 496.994 is a Class A violation if the offense is committed without a culpable mental state. A violation of ORS 498.136, 498.142 or 498.146 is a Class A violation if the offense is committed without a culpable mental state.		
ORS	Offense Code and Description	Degree List	Notes
506.895	Aid/Assist in Violation of Commercial Fishing Laws	VA - Violation Class A	ORS 506.991(2) as A Vio. – all related fish or products are forfeited
496.695	Aiding Assisting Counseling or Sharing in the Proceeds of a Wildlife Violation	VA - Violation Class A	Look to the offense being aided as that offense classification applies to the aid-assist viol.
496.695	Aiding Assisting Counseling or Sharing in the Proceeds of a Wildlife Violation	VC - Violation Class C	
496.695	Aiding, Assisting Counseling or Sharing in the Proceeds of a Wildlife Violation	VD - Violation Class D	
496.994	Obstructing the taking of wildlife prohibited. A person commits the offense of obstructing the taking of wildlife if the person, having no right to do so, interferes with the lawful taking, or the process of taking, of wildlife by another with the intent to prevent the taking. Class A Misdemeanor if DA charged.	VA - Violation Class A with UC without culp mental state	
498.065	Aim Firearm from Moving Vehicle During Hunting Season	VD - Violation Class D	Repealed 1969. If cited with this, the VB shall dismiss the citation.
471.410(10)(a) SEE SOF-20	Allow Underage Person Consume Alcohol/Remain on Prop - 1st Offense	VA - Violation Class A	
471.410(10)(b) SEE SOF-20	Allow Underage Person Consume Alcohol/Remain on Prop - 2nd or Subsequent Offense	VS - Violation Specific Fine	\$1000 presumptive
830.345(1)	Anchoring Boat Obstructing Passageway	VB - Violation Class B	
498.032	Angle/Hunt or Offer to Angle/Hunt for Compensation	VD - Violation Class D	

497.415	Apply for or Obtain License/Tag/Permit While Revoked	VD - Violation Class D	
830.235	Backfire Device Requirements Violation	VB - Violation Class B	
830.825	Boat Hull Identification Number Violation	VC - Violation Class C	
830.215(3)	Boat Operator or Passenger Fail to Wear Flotation Dev	VB - Violation Class B	
830.230(1)	Boat Sound Signaling Device Requirements Violation	VD - Violation Class D	
830.780	Boat w/o Proper Display of Valid/Effective ID Number	VD - Violation Class D	
830.340	Boating Navigation/Right-of-Way Violation	VB - Violation Class B	
477.515(4)	Burning in Violation of Permit Rules - First Offense - ORS 477.515(4) incorporates rules under the State Board of Forestry and the Department of Environmental Quality, and does not create an offense on its own.	VD - Violation Class D	
477.515(4)	Burning in Violation of Permit Rules - Second Offense	VC - Violation Class C	
477.515(4)	Burning in Violation of Permit Rules - Third Offense	VA - Violation Class A	
478.930(2)	Burning Waste Materials/Trash w/o Permit	VD - Violation Class D	
477.515(1)	Burning Without a Permit - First Offense	VD - Violation Class D	
477.515(1)	Burning Without a Permit - Second Offense	VC - Violation Class C	
477.515(1)	Burning Without a Permit - Third Offense	VA - Violation Class A	
508.040	Buying or Receiving Food Fish from Unlicensed Person	VA - Violation Class A	
166.663	Casting Light from a Vehicle While Possessing Weapons	VB - Violation Class B	
475B.376	Delivery or Poss/Manuf with Intent to Sell/Deliver MJ Paraphernalia to Person Under 21	VB - Violation Class B	SDMP/M
498.036	Disguise Wildlife Sex Size or Species	VA - Violation Class A	
498.036	Disguise Wildlife Sex Size or Species	VC - Violation Class C	

609.060	Dog Running at Large – This offense is based on a county ordinance for dog at large.	VB - Violation Class B	UMA does not have an ordinance and notice for this statute. If citation is filed, dismiss the citation until ordinance is created (if ever).
609.095	Dog as Public Nuisance: chase, damages property, scatters garbage, trespasses, noise, in heat and running at large, potentially dangerous dog;	VB Violation Class B	Potential collateral orders
609.098	Maintaining Dangerous Dog. – inflicts serious injury; or acts as potentially dangerous dog; EXCEPT (3)(a) is a Class A Misdemeanor (look for treatment as a Violation and Restitution issues); (3)(b) kills a person is a felony. If the defendant is the keeper then court must order that the dog must be killed in a humane manner.	Class A misdemeanor – look for violation treatment (VA)	Potential collateral orders – Must appear to court; staff should look for restitution requests. If there is a restitution request then in court appearance is required.
609.100	County or City dog license enforcement. If county or city has a dog license requirement then this is the enforcement statute.	VB – Violation Class B	Potential collateral orders
609.169	Keeping dog with knowledge that it has harmed livestock	VB – Violation Class B	Potential collateral orders
PERSON with a DOG – Restitution or impoundment fees	DAMAGES, RESTITUTION AND IMPOUND FEES. A person with a dog (probably is also a KEEPER), under ORS 609.990(5) In addition to any fine or sentence imposed under this section, a court may order a person who violates ORS 609.060 (2), 609.095, 609.098, 609.100, 609.169 or 609.405 to pay <u>restitution</u> for any physical injury, death or property damage caused by the dog as a result of the keeper's violation of ORS 609.060 (2), 609.095, 609.098, 609.100, 609.169 or		For violations, the court allows the statutory period for restitution recovery (90 days from judgment) by filed motion for a person

	609.405. <u>The court may also order the person to pay the cost of keeping the dog in impoundment.</u>		or the state or officer to file to request these supplemental orders.
DOG KEEPER	RESTRAINTS, RESTRICTIONS, DESTRUCTION. “Keeper” means a person who owns, possesses, controls or otherwise has charge of a dog, other than kennel or entity under ORS 609.035(4), In addition to any fine imposed or restitution ordered of a keeper for a violation of ORS 609.060 (2), 609.095, 609.100, 609.169 or 609.405, then the court may impose reasonable restrictions on the keeping of the dog to ensure the safety or health of the public. The keeper must pay the cost of complying with reasonable restrictions. As used in this subsection, “reasonable restrictions” may include, but is not limited to, sterilization. If the dog is a potentially dangerous dog, the court may order the dog killed in a humane manner.		For violations, the court allows the statutory period for restitution recovery (90 days from judgment) by filed motion for a person or the state or officer to file to request these supplemental orders.
607.365	Drive Animal from Range - Viol	VB - Violation Class B	
167.830	Employ Minor in Place of Public Entertainment	VD - Violation Class D	
497.441	Engage in Activity While License/Tag/Permit Is Revoked	VD - Violation Class D	
659A.413	Fail to Allow Use Employee Toilet to Person w/Condition	VD - Violation Class D	
87.007(3)	Fail to Comply w/ Residential Property Sale Notice Req	VA - Violation Class A	
686.455	Fail to File Report - Suspected Aggravated Animal Abuse	VA - Violation Class A	
508.535	Fail to Keep Record of Fish Rec'd or Allow Record Insp	VA - Violation Class A	
433.850.	Fail to Provide Employment Place Free of Smoke/Aerosols/Inhalants	VA - Violation Class A	
475.978	Fail to Record Sale/Transfer Methyl Sulfonyl Methane	VA - Violation Class A	
830.710	Fail to Rpt Boat Transfer/Abandon/Destr or Change of Address	VD - Violation Class D	
163A.040(4)	Fail to Sign and Return Address Verification – pertaining to ORS 163A.035(4).	VB - Violation Class B	
830.998(1)	Fail to Stop for Inspection - Aquatic Invasive Species	VD - Violation Class D	

596.460(1)	Failing to Keep Diseased Livestock Within an Enclosure	VA - Violation Class A	
676.150(6)	Failing to Report Prohibited Conduct	VA - Violation Class A	
163.577	Failing to Supervise a Child – this includes (1) (c) for failing to attend school, so this element should be a truancy cite, and they must appear to truancy court if cited under (1)(c) Fails to attend school as required under ORS 339.010.	VA - Violation Class A	Must go to truancy court if cited under 163.577(1)(c)
830.335	Failure of Boat Operator to Keep Proper Lookout	VB - Violation Class B	
830.094	Failure to Carry/Present Boating Safety Certificate	VD - Violation Class D	
163.580.	Failure to Display Sign Stating That Sale of Smoking Devices to Persons Under 18 is Prohibited	VB - Violation Class B	
433.365(1)	Failure to Inoculate Dog Against Rabies	VB - Violation Class B	
497.022	Failure to Issue License/Tag/Permit in Accordance with Rules	VD - Violation Class D	
508.540	Failure to Keep/Submit Records Pay Fish/Wildlife Fees	VA - Violation Class A	
830.785	Failure to Make Proper Application for ID Number	VC - Violation Class C	
830.475(4)	Failure to Perform Duties of Witness to Boat Accident	VC - Violation Class C	
830.795(2)	Failure to Properly Place Validation Stickers on Boat	VB - Violation Class B	
830.944(1)	Failure to Remove an Abandoned Vessel	VA - Violation Class A	
478.930(1)	Failure to Remove Hazards after inspection by district inspection officer (and written notice), or failure to comply with fire district code adopted under ORS 478.910. There is no posted evidence that a fire district in Umatilla County has adopted a fire prevention code under ORS 478.910/.920 as a predicate to a citation under 478.930(1),(2), though FD1 has a burn policy.	VD - Violation Class D (ORS 478.990)	VB may process a citation and rely on the citation without regard to the predicate requirements.
480.085	Failure to Remove Unused Explosives	VB - Violation Class B	
837.060(2)	Failure to Renew Aircraft Registration	VA - Violation Class A	
830.480	Failure to Report a Boating Accident	VC - Violation Class C	
733.345(1)	Failure to Report an Animal Bite	VB - Violation Class B	

419B.010	Failure to Report Child Abuse	VA - Violation Class A	
124.060	Failure to Report Elder Abuse	VA - Violation Class A	
508.530	False Reports/Violation of Fish/Wildlife Rules	VA - Violation Class A	
477.710	Fire Spread Prevention Violation - First Offense	VD - Violation Class D	
477.710	Fire Spread Prevention Violation - Second Offense	VC - Violation Class C	
477.710	Fire Spread Prevention Violation - Third Offense	VA - Violation Class A	
163.197(2)(a)	Hazing	VA - Violation Class A	
163.197(2)(b)	Hazing	VB - Violation Class B	
497.308	Holding Wildlife Without a Permit or Violating Terms of Permit	VA - Violation Class A	
497.308	Holding Wildlife Without a Permit or Violating Terms of Permit	VC - Violation Class C	
498.126	Hunt or Locate Game Animals or Birds by Aircraft	VD - Violation Class D	
501.015	Hunt/Trap Wildlife on a Wildlife Refuge	VD - Violation Class D	
501.005	Hunting During Suspension of Season/Fire Danger	VD - Violation Class D	
498.120	Hunting on Cultivated/Enclosed Land of Another	VD - Violation Class D	
498.158	Hunting/Trapping in Certain Governmental Districts	VD - Violation Class D	
830.830(6)	Improper Display of Boat Dealer/Manufacturer ID Number	VB - Violation Class B	
498.146	In/Near Vehicle Possess Weapon/Shining Light on Animals - See ORS 496.992(9)	VA - Violation Class A	
609.169	Keeping a Dog that Injured or Killed Livestock	VB - Violation Class B	
610.045	Keeping Coyote in Captivity	VA - Violation Class A	
837.090	Landing Aircraft on Highway/Public Park/Public Grounds	VA - Violation Class A	
508.300	Landing Albacore Tuna Without a License	VA - Violation Class A	
830.560	Launch Boat w/Aquatic Species Ext/Invasive Species Int	VB - Violation Class B	
601.140	Leaving Carcass of Domestic Animal Unburied	VD - Violation Class D	

607.045 SEE SOF-20	Livestock at Large - 1st Vio	VD - Violation Class D	
607.045 SEE SOF-20	Livestock at Large - Prior Vio	VB - Violation Class B	
609.095	Maintaining a Dog That Is a Public Nuisance	VB - Violation Class B	
419B.016	Making a False Report of Child Abuse	VA - Violation Class A	
167.770	Failure to post under age 21 prohibition sign	VA – Violation Class A	
167.785	Minor in Possession of Tobacco or Inhalant Delivery System	VD - Violation Class D	MIPTB 167.785
471.420(1)	Minor purchase or attempt to purchase alcohol, possession of alcohol	Class B Vio	
471.420(3)	Minor entering licensed premises	Class B Vio	
471.430(4)(b)	Minor Possessing Alcoholic Beverages While Operate MV	VA - Violation Class A	
471.430(5)	MIP - With (1),(3) or (4), AND misrepresentation of age, then court can order community service; and under (1) driving privileges shall be suspended under ORS 809.260 and 809.280; and (6) - under (1), (3), (4) upon default, suspension of driving privileges; and or with conviction, court can order assessment and treatment under ORS 471.432, and SHALL order it if they have a prior conviction.	Misrepresent Age is Class A violation	For all of 471.420 - If defendant has a prior MIP then Must Appear to Court; if no prior then can pay presumptive and will receive notice of license suspension, and any treatment orders issued by the court. License suspension must go to judge for action.
MPTO	Minor Purchase/Attempt to Purch/Acquire/Possess Tobacco	VB - Violation Class B	
830.370(1)	Mooring Boat to Buoy/Beacon	VB - Violation Class B	
830.220(1)	Motorboat Fire Extinguisher Requirements Violation	VC - Violation Class C	

830.360	Motorboat Operator Allow Person to Ride/Sit Proh Sect	VB - Violation Class B	
830.240	Motorboat Ventilating Systems Requirements Violation	VC - Violation Class C	
509.370	Net Salmon in International Waters of Pacific Ocean	VA - Violation Class A	
496.994	Obstructing the Taking of Wildlife	VA - Violation Class A	
497.268	Occupational License Holder Refusing Inspection	VD - Violation Class D	
390.678	Ocean Shore Zones for Motor Vehicle/Aircraft Use	VA - Violation Class A	
471.410(6)(b)(A)	OLCC Licensee Furnishing Alcoholic Liquor to an Underage Person - 1st Offense	VA - Violation Class A	
471.410(6)(b)(B)	OLCC Licensee Furnishing Alcoholic Liquor to an Underage Person - 2nd Offense	VS - Violation Specific Fine	\$860 presumptive
830.362	Operate Motorboat w/ Person Hold On/Occupy Aft Section	VB - Violation Class B	
498.153	Operate/Park Motor Vehicle in Violation of Restrictions	VA - Violation Class A	
830.185	Operating a Boat in Violation of Speed Restrictions	VB - Violation Class B	
830.300.	Operating a Boat in Violation of Statutory Provisions	VB - Violation Class B	
830.810(1)	Operating a Boat Without a Certificate of Title	VD - Violation Class D	
390.729	Operating a Class I ATV on Ocean Shore Without a Permit	VA - Violation Class A	
830.345(2)	Operating Boat in Bathing/Swimming Area	VB - Violation Class B	
830.245	Operating Boat in Tidewater w/o Required Safety Devices	VC - Violation Class C	
830.770(1)	Operating Boat w/o Certificate Number	VD - Violation Class D	
830.775(1)	Operating Boat w/o Certificate of Registration/Decals	VB - Violation Class B	
830.565 SEE SOF-20	Operating Manually Propelled Boat-No Inv Species Permit	VD - Violation Class D	\$115 presumptive
830.210	Operating/Permitting Operation of Improperly Equip Boat	VB - Violation Class B	
830.355	Overloading Boat	VB - Violation Class B	
HB 2076 SEE SOF-20	Fail to drain water from motor boat before transport	VD- Violation Class D	\$50.00 presumptive
390.990	Park and Recreation Violation – a person commits a Class A violation if the person violates: (1)	VA - Violation Class A	Look for a recitation of the

	(a) ORS 390.678 (prohibited zone for vehicles and aircraft) (b) Any rule adopted under ORS 390.124. (c) Any rule adopted under ORS 390.340. (d) ORS 390.729. (e) Any rule adopted under ORS 390.845. For speeding in a park the fine is the same as – (2) ORS 811.109 for violation of a specific speed limit imposed under law or violation of a posted speed limit.		subcategory for the offense, but overall it's the same as a Class A unless (2) speeding and then should be the presumptive under 811.109
390.990	Parks & Rec Rule Viol--Class B	VB - Violation Class B	
390.990	Parks & Rec Rule Viol--Class C	VC - Violation Class C	
390.990	Parks & Rec Rule Viol--Class D	VD - Violation Class D	
498.102	Permitting Dog to Hunt Run or Track Game Bird	VC - Violation Class C	
498.102	Permitting Dog to Hunt Run or Track Game Mammal	VA - Violation Class A	
167.785	Person Under 18 Years of Age Possessing Tobacco or Inhalant Delivery System	VD - Violation Class D	
475B.316(2)	Person Under 21 Entering or Attempting to Enter Premises	VB - Violation Class B	
MEMJP	Person Under 21 Entering or Attempting to Enter Premises	VB - Violation Class B	
475B.316(3)(b)	Person Under 21 Possessing Marijuana Item While Operating Motor Vehicle	VA - Violation Class A	
PMJMV	Person Under 21 Possessing Marijuana Item While Operating Motor Vehicle	VA - Violation Class A	
475B.316(1)	Person Under 21 Possessing/Attempting to Purchase/Purchase Marijuana Item	VB - Violation Class B	
MIPMJ	Person Under 21 Possessing/Attempting to Purchase/Purchase Marijuana Item	VB - Violation Class B	
471.430(1)	Person under 21 Purchase or Possess Alcoholic Beverage	VB - Violation Class B	
830.215(1)	Personal Flotation Device Requirements Violation	VB - Violation Class B	
509.125	Place Substance in Water to Drive Fish from Closed Area	VA - Violation Class A	
509.031	Poss Game Fish Incidentally Taken During Comm Fishing	VA - Violation Class A	
498.228	Possess/Import Fish Taken Outside of State Boundaries	VA - Violation Class A	
509.105	Possess/Import/Transport Fish Taken in Another State	VA - Violation Class A	

475.306(2)	Possess/Store Cannabinoid Extract in Public View	VB - Violation Class B	
CXPV	Possess/Store Cannabinoid Extract in Public View	VB - Violation Class B	
509.160.	Possessing, Selling, Trading or Distributing Shark Fins	VA - Violation Class A	
475.752(3)(e)	Possession Controlled Substance in Schedule V	VB - Violation Class B	
PP4	Possession of >4 and <=8 Marijuana Plants	VB - Violation Class B	
830.944(2)	Possession of a Derelict Vessel	VA - Violation Class A	
498.242	Possession of Live Walking Catfish/Caribe/Piranha	VA - Violation Class A	
475B.306(1)	Produce/Process/Possess/Store Marijuana in Public View	VB - Violation Class B	
MJPV	Produce/Process/Possess/Store Marijuana in Public View	VB - Violation Class B	
477.512	Prohibited Acts During a Fire Season	VA - Violation Class A	
508.500	Prohibited Conduct Regarding Licenses and Permits	VA - Violation Class A	
497.400	Prohibited Conduct Regarding Licenses Tags and Permits	VD - Violation Class D	
498.046	Prohibitions - Toxic Substances Accessible to Wildlife	VD - Violation Class D	
181A.995	Providing Private Security Services w/o Certificate	VA - Violation Class A	
498.022	Purchase Sale or Exchange of Wildlife or Wildlife Part	VA - Violation Class A	
498.022	Purchase Sale or Exchange of Wildlife or Wildlife Part	VC - Violation Class C	
509.130	Put Substance/Explosive in Water to Take/Destroy Fish	VA - Violation Class A	
837.374	Reckless Interference of Unmanned Aircraft System with Aircraft	VA - Violation Class A	RIUAA?
830.315(2)	Reckless Operation of Boat - Speed	VB - Violation Class B	
830.365	Reckless Waterskiing/Surfboarding/Similar Activities	VB - Violation Class B	
497.036	Refuse Inspection of License Tag Permit or Wildlife	VD - Violation Class D	
162.245	Refusing to Assist a Peace Officer	VB - Violation Class B	
162.255	Refusing to Assist in Fire-Fighting Operations	VB - Violation Class B	

498.052	Releasing Domestically-Raised or Out-of State Wildlife	VD - Violation Class D	
498.042	Removal/Parts of a Wildlife Carcass/Wasting Wildlife	VA - Violation Class A	
498.042	Removal/Parts of a Wildlife Carcass/Wasting Wildlife	VC - Violation Class C	
501.035	Remove/Alter Wildlife Refuge Hunting/Trapping Signs	VD - Violation Class D	
506.220	Remove/Destroy Closed Water Monuments/Markers	VA - Violation Class A	
498.136	Restrictions on Hunting from a Motor-Propelled Vehicle - See ORS 496.992(9)	VA - Violation Class A if by UC.	
498.142	Restrictions on Hunting with Artificial Light – See ORS 496.992(9).	VA - Violation Class A	
600.150	Restrictive Confinement of a Pregnant Pig	VA - Violation Class A	
165.114(4)	Sale of Educational Assignments/Preparation Asst	VA - Violation Class A	
165.114(5)	Sale of Educational Assignments/Preparation Asst w/Prior	VS - Violation Specific Fine	Fine max up to \$10,000.00. Must appear to court.
165.117 SEE SOF-20	Scrap Metal Business Violation	VS - Violation Specific Fine	Presumptive is \$1000.00, but with 3 prior convictions its \$5000.00. (sec 7).
498.029	Sell/Trade/Barter/Exchange Fox/Skunk/Raccoon as Pet	VA - Violation Class A	ORS 498.993, if defendant is a entity then fine max is \$10,000.00 and describes a specific fine violation. Must appear to court.
167.755 SEE SOF-20	Selling Tobacco Products/Inhalant Delivery Systems to a Person Under 21 - Fine depends on the classification of the defendant as just a person (like employee), a manager or supervisor, or owner, with graduated fines based on that status. Citation should reflect named PERSON or ENTITY.	VS - Violation Specific Fine	Person: presumptive is \$10 under (1)(a)or (b); Manager – supervisor of retail business, 1-2d

	SEE SOF-20 for specifics. ORS 167.755(1)(a) or (b) for a person as to – (a) tobacco or (b) inhalant delivery; ORS 167.755(c) – manager or supervisor ORS 167.755(d) - owner		violation, \$50 presumptive; 3d or subsq \$100 presumptive
509.025	Selling/Transporting Food Fish Taken by Angling	VA - Violation Class A	
530.050	State Forestry Rule Violation	VA - Violation Class A	
607.510	Stock at Large on Hwy - Viol	VB - Violation Class B	
607.261	Stock at Large on Range - Vio	VB - Violation Class B	
517.990(5)	Surface Mining Cause Harm to Health or Environment – (1) 517.990(1) operating without a permit is a Class A violation. (2) violation of any provision of ORS 517.750 to 517.901 is a Class A Violation. (3) violation of ORS 517.910 to 517.989 has a max fine of \$10,000 (must appear to court) (4) violation ORS 517.910 to 517.989, max fine of \$10,000 (must appear to court) (5) – causes substantial harm to human health or the environment while: does not have a permit, is violating an operating permit or plan.	VS - Violation Specific Fine	Sec (1) use Class A presumptive. Sec 2, 3, 4 and 5 must appear to court
511.016	Take Striped Bass - Commercial Use from State Waters	VA - Violation Class A	
509.510	Take/Disturb Shellfish - Marked Beds	VA - Violation Class A	
509.600	Take/Injure/Destroy Fish Near Fishway	VA - Violation Class A	
498.026	Take/Transact in Threatened or Endangered Species	VA - Violation Class A	
498.026	Take/Transact in Threatened or Endangered Species	VC - Violation Class C	
508.116	Taking Intertidal Animals by Permit Without a License	VA - Violation Class A	
509.365	Taking Salmon by Net in Oregon Ocean Waters	VA - Violation Class A	
498.002	Taking, Angling, Hunting, or Trapping in Violation of Wildlife Law or Rule	VA - Violation Class A	
498.002	Taking, Angling, Hunting, or Trapping in Violation of Wildlife Law or Rule	VC - Violation Class C	
498.002	Taking, Angling, Hunting, or Trapping in Violation of Wildlife Law or Rule	VD - Violation Class D	

508.025	Taking/Processing/Dealing in Food Fish Without License	VA - Violation Class A	
509.375	Transport/Possess Salmon Netted in Prohibited Waters	VA - Violation Class A	
498.216	Trespass on or Angle from or Too Close to a Fishway	VD - Violation Class D	
830.350	Trying/Testing Racing Motorboat in Prohibited Area	VB - Violation Class B	
471.430(3)	Underage Person Enter/Attempt to Enter Prohibited Area	VB - Violation Class B	
509.011	Unlawful Acts During Closed Season	VA - Violation Class A	
468.936 SEE SOF-20	Unlawful Air Pollution in the Second Degree	VS - Violation Specific Fine	\$5000.00 presumptive and Max fine is \$25,000.
498.006	Unlawful Chasing/Harassing/Disturbing Wildlife	VD - Violation Class D	
166.630.	Unlawful Discharge or Attempt to Discharge a Weapon	VB - Violation Class B	
477.550	Unlawful Entry into a Restricted Forestland Area	VD - Violation Class D	
475B.227(3)	Unlawful Import or Export of a Marijuana Item	VB - Violation Class B	
IEMV	Unlawful Import or Export of a Marijuana Item	VB - Violation Class B	
IEMJ	Unlawful Import or Export of Marijuana Item	VB - Violation Class B	
UASPP	Unlawful Operation of an Unmanned Aircraft System Over Private Premises - Prior Conviction	VA - Violation Class A	UASPC? 837.370(3)(b)
UASP	Unlawful Operation of Unmanned Aircraft System Over Private Premises	VB - Violation Class B	UASPV? 837.370(3)(a)
475.337(3)(a) PMVB	Unlawful possession by person 21 years of age or older. Unlawful Possession of a Marijuana Item - having not more than allowed – 475B.337(a)-(f)	VB - Violation Class B	PMJVB?
476.735 RSKYL	Unlawful Release of a Sky Lantern – “sky lantern” means an unmanned self-contained luminary device that uses heated air produced by an open flame or produced by another source to become or remain airborne.	VA - Violation Class A	SKYLR? 476.735
508.550	Unlawful Sale of Food Fish from License Holder's Boat	VA - Violation Class A	
509.006	Unlawful Take/Possess/Buy/Sell/Handle Food Fish	VA - Violation Class A	
496.996	Unlawful Taking of Wildlife - Decoy	VD - Violation Class D	

167.343	Unlawful Tethering	VB - Violation Class B	
508.240	Unlawful to Take/Keep/Sell Fish for Commercial Purposes	VA - Violation Class A	
509.120	Unlawful Use - Electric Device Disturb Movement of Fish	VA - Violation Class A	
477.740	Unlawful Use of Fire - First Offense	VD - Violation Class D	
477.740	Unlawful Use of Fire - Second Offense	VC - Violation Class C	
477.740	Unlawful Use of Fire - Third Offense	VA - Violation Class A	
167.808(5)(a)	Unlawful Use or Possession of an Inhalant	VC - Violation Class C	
164.383	Unlawfully Applying Graffiti	VA - Violation Class A	
167.765	Unlawfully Locating Tobacco Products or Inhalant Delivery Systems in an Area Accessible by Customers	VB - Violation Class B	
TIAL	Unlawfully Locating Tobacco Products or Inhalant Delivery Systems in an Area Accessible by Customers	VB - Violation Class B	
164.386	Unlawfully Possessing a Graffiti Implement	VC - Violation Class C	
10.080(1)	Unlawfully Seeking Placement on a Jury or Jury List	VB - Violation Class B	
167.780	Unlawfully Selling/Dispensing Tobacco Products or Inhalant Delivery Systems from a Vending Machine	VB - Violation Class B	
837.372	Unmanned Aircraft System Near Critical Infrastructure Facility	VA - Violation Class A	UACI
830.305	Unsafe Operation of a Boat	VA - Violation Class A	
506.226	Use Electric Current/Shock to Capture Adult Salmonids	VA - Violation Class A	
498.208	Use Electricity or Foreign Substance to Take Game Fish	VA - Violation Class A	
509.230	Use Illegal Fish Gear In/Outside State Jurisdiction	VA - Violation Class A	
498.112	Use Live Bird Targets for Competitive Shooting	VD - Violation Class D	
508.030	Use of Fishing Gear Without Possession of a License	VA - Violation Class A	
811.482	Use of Marijuana in a Motor Vehicle	VB - Violation Class B	UMJMV
509.415	Use of Unlawful Crabbing Gear	VA - Violation Class A	

509.235	Using Chinese Sturgeon Line	VA - Violation Class A	
475B.381	Using Marijuana Item in a Public Place	VB - Violation Class B	
830.180	Using Motorboat on Waters Where Prohibited	VB - Violation Class B	
508.775	Viol of Columbia River Salmon Gillnet Fishery Perm Regs	VA - Violation Class A	
497.248	Viol of Private Hunting Preserve License/Record Regs	VD - Violation Class D	
509.040	Viol Prohibitions re Small Immature or Spawning Salmon	VA - Violation Class A	
506.991(2)	Violate Commercial Fish Laws w/o Culpable Mental State	VA - Violation Class A	
830.990(2)	Violating a Boating Law or Rule	VD - Violation Class D	
830.990(3)	Violating a Boating Law or Rule	VC - Violation Class C	
830.990(4)	Violating a Boating Law or Rule	VB - Violation Class B	
830.990(5)	Violating a Boating Law or Rule	VA - Violation Class A	
609.100	Violating Dog License Requirement	VB - Violation Class B	Look to ORS 498.102(4) for dog unlawfully hunting.
830.090	Violating Requirements for Operation of a Motorboat by a Minor	VD - Violation Class D	
517.790	Violating Surface Mining Permit Requirement	VA - Violation Class A	
508.260	Violation Boat License/Decal Commercial Fish/Shellfish	VA - Violation Class A	
508.312	Violation Commercial Bait Fishing License Requirements	VA - Violation Class A	
508.235	Violation Commercial Fishing License Requirements	VA - Violation Class A	
508.945	Violation of Black/Blue Rockfish Permit and Gear Regs	VA - Violation Class A	
390.851	Violation of Boat Activity Pass on the Deschutes River	VC - Violation Class C	
508.926	Violation of Dungeness Crab Fishery Permit Regulations	VA - Violation Class A	
477.993(1)(a)	Violation of Fire Prevention Statutes or Rules	VD - Violation Class D	
477.993(1)(b)	Violation of Fire Prevention Statutes or Rules	VC - Violation Class C	

477.993(1)(c)	Violation of Fire Prevention Statutes or Rules	VA - Violation Class A	
496.146	Violation of Fish and Wildlife Commission Rules	VD - Violation Class D	
508.306	Violation of Fish Bait Dealer License Requirements	VA - Violation Class A	
497.252	Violation of Fish Propagation License or Record Requirements	VD - Violation Class D	
509.110	Violation of Food Fish Shipment Record Requirements	VA - Violation Class A	
497.218	Violation of Fur Dealer License or Record Requirements	VD - Violation Class D	
497.360	Violation of Hunter Safety Certificate Requirement	VD - Violation Class D	
497.075	Violation of Non-Resident Wildlife License Requirements	VA - Violation Class A	
569.990(1)	Violation of Noxious Weed Requirements	VB - Violation Class B	
508.880	Violation of Ocean Pink Shrimp Fishery Permit Regs	VA - Violation Class A	
508.801	Violation of Ocean Troll Salmon Fishery Permit Regs	VA - Violation Class A	
475B.448(2)	Violation of OLCC Marijuana Rules	VC - Violation Class C	
VMR	Violation of OLCC Marijuana Rules	VC - Violation Class C	
498.406	Violation of Outdoor Club Laws by an Individual	VA - Violation Class A	
498.406	Violation of Outdoor Club Laws by Other Than Individual – Statute differentiates between a charged person or an entity. A person may pay the presumptive; whereas an entity must appear to court.	VS - Violation Specific Fine	ORS 498.993 – Class A violation by a person (use presumptive fine); by an entity, max fine of \$10,000 (entity must appear to court).
508.106	Violation of Permit for Carp and Other Nongame Fish	VA - Violation Class A	
830.225	Violation of Requirements for Lighting on Boats	VB - Violation Class B	
561.993	Violation of Requirements on Agriculture Products	VD - Violation Class D	

497.298	Violation of Scientific Taking Permit Requirements	VD - Violation Class D	
830.175	Violation of State Marine Board Regulations	VB - Violation Class B	
497.238	Violation of Taxidermy License or Record Requirements	VD - Violation Class D	
469.990(2)	Violation of Weed Control Requirements	VA - Violation Class A	
497.075	Violation of Wildlife License/Tag/Permit Requirements	VD - Violation Class D	
497.228	Violation of Wildlife Propagation License or Record Requirements	VD - Violation Class D	
509.112	Wasting or Destroying Food Fish	VA - Violation Class A	
357.975	Willfully or Maliciously Detaining Library Materials	VB - Violation Class B	
HB 2509 SEE SOF-20	Unlawfully providing single use bags to customers	VD – Violation Class D	Presumptive \$115