

IN THE MUNICIPAL COURT OF THE CITY OF TIGARD
COUNTY OF WASHINGTON, STATE OF OREGON

In the matter of:)
)
ESTABLISHING A TRAFFIC COURT) RULE 2
VIOLATIONS BUREAU PURSUANT) Supplemental Court Rule
TO ORS 153.800)

The court having determined that the efficient disposition of its responsibilities and the convenience of persons charged with traffic violations so requires, IT IS HEREBY ORDERED:

I. VIOLATIONS BUREAU

The court hereby establishes a Traffic Court Violations Bureau ("Bureau"), subject to the control and supervision of this court, which shall operate in accordance with the following:

1. The Court Administrator, Municipal Court Clerk, and Deputy Municipal Court Clerks are violations clerk and deputy violations clerks, respectively.

2. All traffic offenses, upon the defendant signing the "Appearance, Plea of Guilty, and Waiver" on the back of the summons (or the court form which may be used in its place and is entitled the same), and parking violations may be disposed of by the Bureau **except** for the following:
 - a. All major traffic offenses;
 - b. All violations issued to persons under 18 years of age;
 - c. All offenses involving accidents;
 - d. All offenses in a posted highway work zone or posted school zone;
 - e. Driving While Suspended and accompanying violations;
 - f. Speed Racing;
 - g. Careless Driving;
 - h. Open Container;
 - i. A person who has been found guilty of, or who has signed a plea of guilty or no contest to, one or more previous offenses in the preceding 12 months (as indicated on the driver's record and/or Tigard Municipal Court records); and
 - j. All motor carrier, overload and oversize violations.

The complaint and signed summons, or court form, shall be retained as indicated in the City's retention schedule.

3. The Bureau may impose the specified fine, instead of the base fine amount, as set forth in the attached "Violations Bureau Fine and Assessment Schedule" upon defendant's compliance, except with sections I-2 above.
4. Payment of base fine constitutes consent to forfeiture of the base fine by the Bureau, except when the base fine is accompanied by:
 - a. A not guilty plea;
 - b. A request for a hearing; or
 - c. A letter of explanation.
5. The Bureau shall endeavor to obtain immediate payment of fine but may:

Extend time for payment upon defendant signing a "Tigard Municipal Court Traffic Payment Agreement" form. The Bureau shall use discretion in allowing time for payment.
6. The Bureau shall impose the specified fines in the following "Violations Bureau Schedule." Costs, which are reflected in Violations Bureau schedule, include, but are not limited to, assessments as set forth under ORS 137.290 and 137.309.
7. The Bureau shall dispose of all fees collected as provided in ORS 153.630.

II. VIOLATIONS BUREAU FINE AND ASSESSMENT SCHEDULE

The Tigard Municipal Court Violations Bureau will assess fines and add to this amount the assessments required by State Statute. The fine and assessments are included in this schedule and are based on a three-year review of the defendant's driving record.

General Violations			
CLASSIFICATION	BASE FINE	1st	2nd
INDIVIDUAL			
Class D – Basic	\$145.00	\$109.00	\$115.00
Accident/Risk/Injury	\$160.00	No reduction	
Traffic Special Zone*	\$175.00	No reduction	
Class C – Basic	\$195.00	\$147.00	\$155.00
Accident/Risk/Injury	\$220.00	No reduction	
Traffic Special Zone*	\$265.00	No reduction	
Class B – Basic	\$295.00	\$222.00	\$235.00
Accident/Risk/Injury	\$345.00	No reduction	
Traffic Special Zone	\$420.00	No reduction	
Class A – Basic	\$495.00	No reduction	

Accident/Risk/Injury	\$570.00	No reduction	
Traffic Special Zone	\$745.00	No reduction	
CORPORATION	BASE FINE	1 st	
Class D – Basic	\$195.00	\$147.00	No reduction
Accident/Risk/Injury	\$220.00	No reduction	
Traffic Special Zone*	\$265.00	No reduction	
Class C – Basic	\$295.00	\$222.00	No reduction
Accident/Risk/Injury	\$345.00	No reduction	
Traffic Special Zone*	\$420.00	No reduction	
Class B – Basic	\$495.00	\$372.00	No reduction
Accident/Risk/Injury	\$570.00	No reduction	
Traffic Special Zone	\$745.00	No reduction	
Class A – Basic	\$895.00	No reduction	No reduction
Accident/Risk/Injury	\$1,035.00	No reduction	
Traffic Special Zone	\$1,325.00	No reduction	
* NOTE: For Class C and D violations, enhanced penalties for “Traffic Special Zones” apply only to speeding cases.			
Parking Violations			
	BASE FINE	1 ST	2 nd
Unlawful parking in a disabled space (ORS 811.615)	\$360.00	\$190.00	No reduction
--2 nd or subsequent offense	\$450.00	No reduction	No reduction
--If valid permit	\$20.00	\$20.00	\$20.00
Unlawful use of a disabled person parking permit by non-disabled person (ORS 811.625)	\$450.00	No reduction	
--Use of invalid permit (ORS 811.627)	\$450.00	No reduction	
--Misuse of permit (ORS 811.630)	\$360.00	\$190.00	
Blocking Disabled Parking Space (ORS 811.617)	\$50.00	No reduction	
Parking – Class D	\$45.00	No reduction	
TMC violations			
Chapter 10.32 – Misc Violations	\$295.00	\$222.00	\$235.00
10.32.235 – Jaywalking	\$145.00	\$109.00	\$115.00
10.28 – Parking	\$45.00	No reduction	
7.60 – Abandoned Vehicle	\$180.00	\$100.00	No reduction
Overtime parking violations	\$20.00	No reduction	

Miscellaneous Violations			
	BASE FINE	1 ST	2 nd
Helmet Violations (Bicycle, motor-assisted scooter, skateboarder, scooter rider, in-line skater – under 16 years of age) 814.485, 814.486, 814.534, 814.536, 814.600	\$122.00	No reduction	
Vehicle Registration – with compliance no compliance	\$145.00	\$109.00 No Reduction	\$115.00
No Operator's License - with compliance no compliance	\$295.00	\$222.00 No reduction	\$235.00

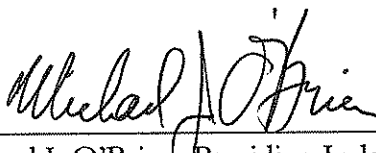
III. TERMS OF THIS ORDER

This order applies to all traffic offenses committed, on or after October 1, 2009, in that portion of Washington County lying within the corporate boundaries of the City of Tigard.

IV. PRIOR ORDERS

All prior orders of this Court concerning the matters covered herein are superseded and vacated by this Order.

DATED October 21, 2009.



 Michael J. O'Brien, Presiding Judge