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2 MUNICIPAL COURT OF THE CITY OF WILSONVILLE OREGON
3 (Court)
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5 CITY OF WILSONVILLE) GENERAL ADMINISTRATIVE ORDER,
6 (City)) # 2 FOR 2021:
7)
8) A. REAFFIRMING VIOLATIONS BUREAU;
9) WHEN EFFECTIVE
10) B. DESIGNATING ITS MEMBERS
11) C. DEFINING ITS SCOPE AND AUTHORITY;
12) D. PROGRAMS: DIVERSIONS, FIX-ST
13 CITATIONS, AND FEES
14

15
16 A. REAFFIRMATION/WHEN EFFECTIVE: The City's Violations Bureau
17 (Bureau), is reaffirmed as authorized under ORS 153.800 as
18 amended by Oregon House Bill 2712, (Oregon Laws Chapter 597).
19 This order applies to all citations for offenses within the scope
20 of this Order, which occur on and after July 1, 2021. This order
21 when in effect replaces and supersedes prior City Court
22 Administrative Orders dealing with the Bureau. The superseded and
23 replaced Administrative Order(s) shall apply to all offenses
24 subject to Violation Bureau processing prior to July 1, 2021.

24 B. MEMBER DESIGNATION: Bureau membership shall include City of
25 Wilsonville (City) employees who have a job description/title
26 constituting that of a City Court Clerk.

1 C. SCOPE:

2 1. Each Bureau Member is under the direct supervisory authority
3 of any City Judge. The provisions of this Order do not in any
4 way limit or discourage a Bureau member from contacting a Judge
5 with respect to any given situation concerning any Bureau
6 matter. A Bureau member in good faith discretion can refer any
7 matter to a Judge. This order does not limit or restrict the
8 authority of any Court clerk in the performance of clerk duties
9 which are not Bureau duties.

10 2. A Bureau member may enter into standard Court deferred fine
11 payment agreements on the condition that full payment of all
12 fines addressed in any given agreement is required not later
13 than 6 calendar months after the date of the deferred payment
14 agreement. In entering into any deferred payment agreement a
15 Bureau member shall impose the applicable processing fee. If
16 defendant wishes to extend payment plan beyond six months, the
17 bureau shall use discretion in allowing extension. Such
18 extension will not exceed 60 days without approval from the
19 Judge.

20 3. The Bureau shall not process any traffic infraction which
21 includes one or more of the following:

22 a. A Class A Speed Racing Citation, a class A DWS and/or
23 DWR violation where: 1) there is no driving record
24 available dated later than 30 days prior to issuance of
25 the Citation, and/or 2) the Defendant is not eligible
26 for reinstatement, and/or 3) the defendant is being
charged with DWS/DWR and the suspension was associated
with one or more of the following:

- (A). a DUII conviction
- (B). a Refusal to Take a Breathalyzer Test
- (C). an uninsured accident
- (D). failure to file proof of financial responsibility
- (E). a speeding conviction
- (F). reckless endangerment of highway workers

b. Any violation for which the Court may or is required to suspend or revoke a license as part of the disposition on a conviction for such citation.

c. A defendant who appears to be eligible for youth offender diversion;

d. A non-traffic violation;

e. Skate Board Violations

f. More than 6 prior convictions within the last 5 years; a Class A infraction or a traffic crime within 18 months prior to the issuance of the pending citation counts as 3 prior convictions.

g. Bureau members shall not process any offense when the presumptive fine stated in the citation for the infraction is greater than the amount stated in Column 2 of the following chart.

4. Payment of presumptive fine will be treated as a no contest plea unless accompanied by a not guilty plea or request for hearing.

5. A citation is not eligible for Bureau reduction processing, on which a no contest plea is entered, and for which there is a request for a reduction in fine and/or

1 other disposition which differs from the dispositions
2 specified in the following chart.

3
4 5. Subject to the above:

5 a. For non-Special Zone Violations: On the condition
6 that the presumptive fine stated in the citation
7 for the following classified scheduled violations
8 is equal to that stated in column 2 of the
9 following chart; Bureau members may offer fine
10 reductions in accordance with the following
11 chart for classified violations based on the
12 defendant's driving record as weighted in 3 f
13 above. If the presumptive fine stated in the
14 citation is less than the presumptive fine
15 amount specified in column 2 of the following
16 chart the fine shall be that specified in the
17 following chart, applying the reduction if
18 applicable to the scheduled presumptive fine;
19 or the amount stated in the citation,
20 whichever is less.

21 b. For Special Zone Violations: Bureau members shall
22 impose fines in accordance with the following
23 chart, or with the presumptive fine amount
24 stated on the citation if less than the amount
25 scheduled in the chart. For Special Zone Status
26 Violations (as opposed to Special Zone Moving
Violations), which qualify for reduction bureau
members shall assess the non-special zone fine
for such offense.

c. Violations Bureau Members may not reduce the presumptive when there are more than 2 convictions within the last 3 years.

d. Offenses alleging a violation of a specific City Ordinance are not eligible for fine reduction.

e. If a defendant is eligible for fine reductions and is cited on a citation alleging more than two violations, a Bureau Clerk may enter a conviction with no fine for one alleged violation. The alleged violation for which no fine is imposed may not be a Class A, or Class B, or special violation. The following chart shall be used by the violation bureau in assessing fines and shall be displayed for the benefit of those cited as required by law.

	1	2	3	4
Class Violation	Fine	In prior 3 years up to 2 convictions Eligible for 10% Reduction	In prior 3 years no convictions Eligible for 20% Reduction	
Class A Presumptive Fine	\$440	\$396	\$352	
Class A Special Zone Fine	\$880	\$792	\$704	
Class B Presumptive Fine	\$265	\$239	\$212	
Class B Special Zone Fine	\$530	\$477	\$424	
Class C Presumptive Fine	\$165	\$149	\$132	
Class C Special Zone Fine	\$330	\$297	\$264	
Class D Presumptive Fine	\$115	\$104	\$92	
Class D Special Zone Fine	\$230	\$207	\$184	

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2 D. PROGRAMS: Unless otherwise stated what follows under this section
3 applies to all citations whether or not Bureau qualified for
4 reduction.

5 1. Fix-it Ticket Equipment. Members are authorized to
6 dismiss the following violations and assess the applicable
7 administrative fee (unless otherwise directed) if the
8 defendant has demonstrated that the violation has been
9 remedied and with the citing officers consent.

10 a. Altered license plates: if the violation is based on
11 material or covering placed on, over, or in front of
12 the plate that alters the appearance of the plate; or
13 a frame or plate holder.

14 b. Expired Vehicle Registration Stickers;

15 c. Failure to Display License Plates;

16 d. Lighting Equipment Violations;

17 e. Improper Fenders and/or Mudguards (no administrative
18 fee imposed for mudguards);

19 f. Tinted Windows

20 g. Failure to Carry Registration: if valid registration
21 forms are furnished to the Bureau Member

22
23 2. Other Fix-Its: A defendant may demonstrate that these
24 violations have been remedied through furnishing materials
25 to the Member as described below.
26

- 1 a. Driving without Insurance, and/or Failure to Furnish
2 Proof Of Insurance: if there was no accident involved
3 in the alleged violation and the defendant produces
4 proof sufficient to the Bureau Member(s) on the
5 letterhead of the insurer or the defendant's
6 insurance agent that insurance was in force on the
7 vehicle operated by the defendant when the pending
8 citation was issued. (No administrative fee).
- 9 b. Expired driver's license: if the citation occurs
10 within 90 days of the license expiration date and the
11 renewed license is furnished to the Bureau Member
12 (administrative fee).
- 13 c. Failure to Change Name/Address on Driver's License:
14 if the updated license is furnished to the Bureau
15 Member (administrative fee).
- 16 d. Failure to Properly Display Valid Handicap Permit: if
17 proof sufficient to the Bureau Member that the person
18 held a valid permit at the time of citation is
19 produced. The court may only suspend up to all but
20 \$20 of the fine. (No administrative fee).

21 3. Seatbelt Diversion - A Bureau Member may allow diversion
22 on a citation alleging a seatbelt violation if no prior
23 convictions for seatbelt violations appear on the
24 defendants driving record and the defendant pleads guilty,
25 and consents to the imposition of conviction and the
26 presumptive fine to be paid on the citation if there is a
failure to complete Diversion. Offered diversion shall be
in lieu of further prosecution on the safety belt
violation. Defendant shall pay the applicable
administrative fee, plus associated class cost. Upon

1 completion of the seatbelt diversion class, the Member
2 shall dismiss the violation.

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4 E. Payment deferrals under standard deferred payment
5 agreements, Administrative, and Reinstatement fees. The
6 Violations Bureau Members and non-Members shall impose the
7 following payment schedules:

8 1. Payment deferrals:

- 9 a. 30 Days Or Less - \$10 Fee
- 10 b. 31 through 60 Days - \$20 Fee
- 11 c. 61 days or more - \$50 Fee

12 For six-month payment plans, there shall be a
13 monthly payment required. First payment must be
14 within 30 days of court appearance and
15 subsequent payments due each month thereafter.
16 Monthly payments shall be 1/6 of the balance
17 due OR a minimum amount approved by the Judge.

18 2. License reinstatement: In a single transaction,
19 \$20.00 for the first violation and \$10.00 for each
20 one thereafter

21 3. Administrative Fees incurred to process programs
22 and other instances when a citation is dismissed:

- 23 A. \$30.00 for a Class D violation
- 24 B. \$50.00 for a Class C violation
- 25 C. \$75.00 for a Class B violation
- 26 D. \$100 for a Class A violation
- E. Seatbelt Diversion Administrative fee: \$25.00

DATED: June 17, 2021

Fred Weinhouse
Municipal Court Judge
City of Wilsonville

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