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INTERNSHIP STUDY

THE ABOLITION OF MUNICIPAL COURTS

BY

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NINTH JUDICIAL CIRCUIT OF FLORIDA

LIBRARY
INSTITUTE FOR COURT MANAGEMENT

A Comprehensive Study of
THE ABOLITION OF MUNICIPAL COURTS
By Harrison W. Sheldon

PREAMBLE:

When the citizens of the State of Florida approved revision of Article V of the State Constitution, they approved abolition of municipal courts during 1977, unless terminated earlier by general or special law. Under revised Article V, if a municipality elects to abolish its court prior to the mandatory date, its jurisdiction will be assumed by the County Court. Suitable courtroom facilities are required to be provided by the municipality prior to January 1, 1977; otherwise, the caseload of municipal violations will be an increment to the caseload of the County Court division handling cases of the area in which the municipality is geographically situated.

The Ninth Judicial Circuit, comprised of Orange and Osceola Counties, is populous, with distribution as follows:

A. <u>Orange County</u>	<u>7/1/70 Census</u>	<u>7/1/73 Estimate</u>
1. Apopka	4,045	
2. Eatonville	2,100	
3. Maitland	7,157	
4. Oakland	250	
5. Ocoee	3,937	
6. Orlando	99,006	
7. Windermere	750	
8. Winter Garden	5,153	
9. Winter Park	21,895	
Total Population	344,311	407,353

B. <u>Osceola County</u>	<u>7/1/70 Census</u>	<u>7/1/73 Estimate</u>
1. Kissimmee	7,119	
2. St. Cloud	5,041	
Total Population	25,267	35,041
Total Population of Circuit	<u>369,578</u>	<u>442,394</u>

The following tables, depicting caseload increases from 1972 to 1973, graphically display the potential impact on the County Courts and supportive personnel of the abolition of municipal courts in the Ninth Judicial Circuit.

<u>Municipality</u>	<u>Violations Mandatory</u>				<u>1972 Total</u>	<u>Judge Hrs. Per Week</u>
	<u>Mun. Ord.</u>	<u>Judge Appear.</u>	<u>MVB</u>	<u>Other</u>		
Apopka	68	650	598	46	1,362	3
Eatonville	Breakdown by cases not available				412	2
Maitland	60	729	447	52	1,282	3
Oakland	Breakdown by cases not available				55	½
Ocoee	35	354	251	42	682	4
Orlando	580	4,253	5,003	170	12,800	36
Windermere	Breakdown by cases not available				78	1
Winter Garden	22	1,010	740	42	1,810	6
Winter Park	80	1,904	1,952	132	4,068	10
Kissimmee	63	1,030	923	74	2,080	4
St. Cloud	26	577	545	58	1,196	3

<u>Municipality</u>	<u>Violations Mandatory</u>				<u>1973 Total</u>	<u>Judge Hrs. Per Week</u>
	<u>Mun. Ord.</u>	<u>Judge Appear.</u>	<u>MVB</u>	<u>Other</u>		
Apopka	80	959	897	84	2,020	4½
Eatonville	28	578	Ø	32	638	4
Maitland	98	160	1,074	94	2,332	5
Oakland	6	48	Ø	12	66	½
Ocoee	34	461	344	40	879	4
Orlando	841	12,650	11,120	251	24,862	48
Windermere	15	352	Ø	60	427	2
Winter Garden	34	1,141	659	39	1,973	7
Winter Park	93	2,752	2,635	112	5,595	12
Kissimmee	65	1,574	1,415	59	3,113	4
St. Cloud	31	649	541	47	1,268	3

STATEMENT OF THE PROBLEM:

Before the study of the abolition of municipal courts was launched, five municipalities (Winter Park, Winter Garden, Oakland, Kissimmee and St. Cloud) in the Ninth Judicial Circuit had indicated intention to abolish their courts in 1974, a new instant caseload of almost 10,000 cases.

As city officials, enlightened by conferences on abolition of their courts, realized the ramifications thereof, one by one they withdrew notice of intention to abolish, in a chorus of "We can't afford the loss of revenue!" This cogently illustrates the prevalence of an attitude on the part of municipal officials that their courts are primarily a source of revenue, with the meting out of justice only a secondary consideration. One report received from a Florida county in which eight municipal courts were abolished a year ago pointed out that the only criticism of handling by the County Court was the diminution of revenue, a trend observed almost consistently in reports of absorption of municipal courts into the State Courts System. Circuits in which municipal courts are still in existence may benefit by this knowledge if there is included in pre-abolishment conferences an emphasis that income production is not among the priorities.

Another problem to be met head-on is that of planning to hold County Court in every municipality, a worthy aim, but

one which must be undertaken only in view of: 1) Bench time lost in excessive travel by a County Judge to widely scattered locations, 2) The need to conserve gasoline, 3) Economy in the total court operation when counties perform assume all funding in January 1977.

Postponement of abolition of any municipal courts in the Ninth Judicial Circuit has afforded an opportunity to use the experience of others in being forewarned of problem areas in development of better guideline procedures.

Corollary to the plaint of municipalities over loss of revenue is the protest by some county officials over the disparity between court costs collected and the actual expenses incurred in the handling of increased caseloads. One Clerk of Court, reflecting on a caseload increased by 9,849 municipal cases during an 8-month period, quoted the following fiscal facts:

"Actual cost is based on two factors: 1. Actual salaries paid to staff members during the 8-month period. 2. Actual income received as the result of the establishment of the rule setting costs.

"Salaries Paid	\$41,026.00	Income Received	\$23,387.00
Cases Handled	9,849	Cases Handled	9,849
Per Case Cost	\$4.17	Average Income Per Case	\$2.37

$\$1.80 \times 9,849 \text{ cases} = \$17,728.20 \text{ deficit}$

"The above figures, as we pointed out above include the cost to this office in salaries only. During the period covered, other expenses were incurred, some sizeable. Additional costs, due solely to increased volume, receipt of traffic fines and parking meter violations required the purchase of a cash register for \$3,360.00, also three typewriters for \$1,512.00. Other expenses for supplies and dockets are not included. No salaries for finance department personnel to prepare jury lists as well as jury and witness payrolls are included."

Provincialism is all too often encountered in personnel of small municipal court operations. If the theory is true that an example of professional performances by Judges, clerks, State Attorneys and Public Defenders will ease out the opposite approach, then local law enforcement officers will readily observe that casual facts and incomplete evidence lead to dismissal of cases. A change to a more proficient operation will be sure to follow.

OBJECTIVES:

As the mandatory date for abolition of municipal courts approaches, the entire adjudicative system will experience ever-increasing workloads. Preparing to meet the challenge of disposing of the spiraling workload with speed

and justice is the formidable task confronting those responsible for the administration of justice. Effective administration will be essential.

In the position of highest priority is the development of comprehensive guideline procedures for assumption by County Court of the caseloads of abolished municipal courts. The criminal caseload currently being handled by the courts of the Ninth Judicial Circuit is requiring the full effort of all judicial segments to maintain the dockets in compliance with speedy trial requirements and comply with revised rules of procedure.

An orderly absorption into the State Courts System of abolished municipal courts is the objective, and basic tentative guidelines have been established toward accomplishment of that aim.

The privilege of having the County Judge sit in a location within the municipality and convenient as to time and place to its citizens and police officers is contingent, among other factors, upon the ability of the municipality to furnish appropriate and adequate facilities. Minimum standards of acceptability will be documented for transmittal to proper municipal authorities. Facilities, including courtroom space, furnishings, computer equipment and maintenance, will be examined and suggestions made for upgrading to meet minimum acceptable standards. Survey of custodial facili-

ties in the larger municipalities will be made to determine their adequacy.

A comprehensive survey of caseload and personnel of each municipal court will be reviewed upon receipt of formal notice of intention to abolish by any municipality. A survey will also be made of the County Courts in the locales of which abolition of municipal courts is imminent. These findings will be used in arriving at a reciprocal agreement with municipal officials to provide requisite clerks, bailiffs and other personnel. A schedule of fines for traffic and municipal ordinance violations must be finalized and dispensed to appropriate personnel for uniformity in this regard throughout the circuit. A mutually acceptable schedule for the levy of court costs must be drawn, and agreement reached on the return to the city of a portion of the costs to reimburse the city for its contributions to the operation of the County Court.

Consultations will be held with municipal officials prior to any abolition date to confirm that there has been a "meeting of the minds" as to all phases of the transition from municipal to County Court.

PROCEDURES:

In brief, the steps toward abolishment of a municipal court begin with notification to the Chief Judge, at least

90 days prior to adoption of an abolition ordinance, of intention to abolish. Upon successful conclusion of conferences dealing with caseload, facilities, personnel, and other pertinent matters, including agreement as to an effective date, an abolition ordinance is adopted by the municipality and transmitted to the Chief Justice of the Florida Supreme Court. When the Chief Justice is satisfied, by inquiry of the Chief Judge, of the adequacy of court personnel - including Clerk, State Attorney and Public Defender - and negotiations between the municipality and the County Court, he abolishes the court by Court Order.

Outlined below is the type of information collated from many sources, including municipal elected officials, court clerks, Judges, attorneys, police chiefs, civic and fraternal organizations. Court administrators in counties with experience in absorption of municipal courts were an excellent, helpful source of information, providing viewpoints from a different vantage.

I. Types of Data and Information

A. Facilities available in each municipality

1. Courtroom space
2. Furniture
3. Equipment (including electronic)
4. Detention (jail) facilities

B. Personnel requirements and transfer

1. Clerks
2. Bailiffs
3. Prosecutors (may be provided by the city for violations of its municipal ordinances)
4. Process qualified personnel to serve within corporate limits

C. Collection of Fines and Forfeitures

D. Establishing a Uniform Traffic Fine Schedule

E. Court Costs

II. Statistical Information

A. Caseload

1. By category (Traffic, violations of municipal ordinances)
2. Cases filed (type)
3. Cases disposed
4. Cases pending
5. Manner of disposition
 - a. Trials
 - b. Pleas
 - c. Dismissals
 - d. Time from filing to disposition

B. Judge man-hours

1. Daily
2. Weekly

CONCLUSIONS:

1. Court Costs

Consideration has been given to the total findings as to an imbalance in the cost per case of court operation and the costs recovered by assessment upon conviction. Further, it is believed that the cost of criminal trials should be borne, to the extent possible, by perpetrators of crime. Therefore, it has been provided that court costs should be assessed according to the following schedule:

Criminal Misdemeanors

- a. Guilty Plea \$15.00
- b. Trial of Case \$25.00

Traffic

- a. Traffic Trial \$12.00*

*Includes \$1.00 for State Police Academy and \$1.00 for local police education.

2. The following is a proposed Administrative Rule Governing the Abolition of a Municipal Court and Transfer of its Jurisdiction to the County Court:

The City of _____, Florida, pursuant to the authority granted it under House Bills 4469 and 4423 relating to the abolishment of municipal courts, abolished its municipal court as of _____, and transferred

jurisdiction of said court to the County Court of _____ County, Florida; now, therefore, the undersigned as Chief Judge of the Ninth Judicial Circuit in and for the State of Florida does promulgate the hereinafter rules to implement said abolishment of said municipal court.

1. Effective _____, all violations of the ordinances of the City of _____, Florida, and charges of violations of the Uniform Traffic Code occurring within the city limits of said city shall be tried or otherwise disposed of in the County Court of _____ County, Florida.

2. FACILITIES: The City of _____ shall provide all facilities, including courtroom space, furniture, maintenance thereof, files, computer equipment, and all other items of furniture or equipment essential to the administration of the County Court having jurisdiction of offenses against the City of _____ as hereinabove provided.

JAIL FACILITIES: The City of _____ shall provide jail facilities for the confinement and housing of those prisoners charged with or convicted of violations of city ordinances of the City of _____, including, but not limited to, violations of the Uniform Traffic Code charged as an offense against the City of _____.

The authorized officers and officials of the City of _____

_____ and the Clerk of Circuit and County Courts for _____ County are directed to resolve the administrative details necessary to accomplish the foregoing.

3. CLERK: The Clerk of the Circuit and County Courts shall be authorized to deputize the necessary personnel to operate and maintain the facilities presently existing in the municipal court building in _____, Florida, effective _____. The Clerk shall determine the personnel requirements essential to the function of the operation of the TRAFFIC DIVISION of the County Court, and provide for such personnel and direct the performance of their duties as he deems expedient.

4. BAILIFFS: Bailiffs for the division of court herein provided shall be provided by the Sheriff of _____ County, Florida, who shall deputize them. The salaries of bailiffs shall be paid by the County as provided by law.

5. PROCESS: Process of the Traffic Division of the County Court (as distinguished from parking tickets or traffic citations) shall be served and executed under the General Laws of the State of Florida. PROVIDED, that the City of _____ shall provide the personnel necessary for service of all process within the corporate limits of the City of _____ and the Sheriff of _____ County shall provide the personnel necessary for the service of all

other process. Fees for service of witness subpoenas, and other process on behalf of non-indigent defendants, by personnel provided by the City of _____ shall be the same as provided for Sheriffs by Section 30.231, Florida Statutes. Decision of the United States Supreme Court has resulted in a policy of permitting payment of fines on a deferred basis, which fines are to be remitted to the City of _____. The City, with the approval of the Chief Judge of the Circuit Court, may provide personnel essential to the collection of said deferred fines, provided such persons shall be fully accountable to the Clerk of Circuit and County Courts, who may require said persons to be bonded for the accountability of any funds collected. The Clerk of the Circuit and County Courts shall not be required to accept partial payment of fines.

6. PARKING VIOLATIONS: Tickets for violations of parking ordinances of the City of _____ are fines of the Court. Their collection, therefore, shall be under the supervision of the Clerk of the Circuit and County Courts.

A reasonable sum to defray the administration costs for the collection and enforcement of parking ticket violations shall be determined and offset against any distribution of costs to the City of _____ ordered under the provision of Florida Statutes 34.191.

7. The Clerk of Circuit and County Courts in cooperation with the Judges of the County Court shall establish a TRAFFIC VIOLATIONS BUREAU, which Bureau shall be under the supervision of the Clerk. The Clerk is directed to evaluate and analyze the function of the Violations Bureau and advise the Chief Judge of the Circuit which functions are related to law enforcement and which functions are related to the judicial function, in order that there may be compliance with Article V of the Constitution and the statutes pertaining thereto.

8. FINE SCHEDULE: To implement the foregoing provisions for traffic violation fines, a schedule of fines shall be established and fixed for the County Court, provided that the Chief Judge of the Circuit shall establish and fix said fine schedule, which schedule shall be in force and effect by the Judges of the County Court, and changes and amendments to the said schedule of fines shall be by the Judges of the County Court. (See Schedule "A")

9. Allocation of Costs: The City of _____ may apply to the Chief Judge of the Circuit for an order allocating to it a fair share of the costs collected by the Court to reimburse the City for its contributions to the operation of the County Court.

10. TRANSFER OF PERSONNEL: The Clerk of Circuit and County Courts is hereby authorized and directed to cooperate

with the appropriate officers and officials of the City of _____ and they shall cooperate with the Clerk to provide for payment and retention of benefits to which employees transferred from the City to the County are now or may be entitled to subsequently.

11. PROSECUTORS: Pursuant to Section 17 of Article V of the Constitution, the State Attorney for the Ninth Judicial Circuit is the prosecuting officer of the County Court. The State Attorney shall provide prosecutors for said court, provided that the City may provide prosecutors for violations of its municipal ordinances, and said City prosecutors shall be paid by the City, provided that the ultimate responsibility and authority over all prosecutors in the City court shall be in the discretion of the State Attorney of the Ninth Judicial Circuit.

12. PUBLIC DEFENDER: Pursuant to Section 18 of Article V of the Constitution, the Public Defender of the Ninth Judicial Circuit shall provide, when requested, defense counsel for all indigent defendants charged in County Court with misdemeanors or violations of municipal ordinances.

13. REMITTANCE OF FINES AND COSTS: The Clerk of Circuit and County Courts shall remit monthly to the City of _____ all fines and forfeitures collected by the court for violations of city ordinances and shall further re-

mit so much of the costs collected, which, by Order of the Chief Judge, are deemed to be distributable to the City. Distribution shall also be made of special costs collected for the State Police Academy and local law enforcement training.

14. APPLICATION OF THIS ORDER: This Order shall be submitted to the Florida Supreme Court for approval as a Local Rule; pending its approval, however, it shall govern and control all persons, matters, or things within its purview.

DONE AND ORDERED in Chambers in Orlando, Orange County, Florida, this ____ day of _____, 19__.

Chief Judge of the Ninth
Judicial Circuit

IN THE CIRCUIT COURT OF
FLORIDA, NINTH JUDICIAL
CIRCUIT, ORANGE AND OS-
CEOLA COUNTIES

ADMINISTRATIVE ORDER

IT IS ORDERED that the attached Traffic Fine Schedule shall govern payment of fines or other disposition of traffic violations in all cases, except that in aggravating or mitigating circumstances, fines or sentencing will be at the Judge's discretion, in the County Courts of Orange and Osceola Counties, effective _____, 19__.

Chief Judge of the Ninth
Judicial Circuit

COUNTY COURTS, ORANGE AND OSCEOLA COUNTIES, FLORIDA

TRAFFIC DIVISION

TRAFFIC FINE SCHEDULE

<u>Statute No.</u>	<u>Offense</u>	<u>Fine</u>	<u>PA</u>	<u>Local(When Applicable)</u>	<u>Total</u>
316.019	Flee/Atmp to Elude Police Off.	Court Appearance Required 50-500	1.00	1.00	52-502
316.026	Fail to File Report of Accident as Required	Court Appearance Required 20-200	1.00	1.00	22-202
316.027	Fail Stop, Rend Aid Inv. Inj/Death	Court Appearance Required 200-500	1.00	1.00	202-502
316.028	DWL/Act Phy Ctl-Narc, Barb, Stim	Court Appearance Required 200-500	1.00	1.00	202-502
316.029	Reckless Driving	Court Appearance Required 50-500	1.00	1.00	52-502
316.030	Careless or Improper Driving	Court Appearance Required 35-500	1.00	1.00	37-502
316.040	Imcompetent Drivers, DL	Court Appearance Required 20-50	1.00	1.00	22-52
316.040(1)	Driver under 16; Disabled	Court Appearance Required 20-50	1.00	1.00	22-52
316.040(2)	Operating Without DL/Improper DL	Court Appearance Required 20-50	1.00	1.00	22-52
316.051	Obedience to Traffic Laws	Court Appearance Required 20-50	1.00	1.00	22-52
316.053	Fail to Obey Traf Instr/Sign/ Device	25.00	1.00	1.00	27.00
316.052	Cross Priv Prop Avoid Traf Light	20.00	1.00	1.00	22.00
316.054	Failure to Observe RR Crossing	20.00	1.00	1.00	22.00
316.054(2)	Passing thru/around Barrier at RR	20.00	1.00	1.00	22.00
316.055	Unlawful Movement of Heavy Eqpt. at RR Crossing	20.00	1.00	1.00	22.00

Statute No.	Offense	Fine	Local(When PA Applicable)		Total
316.056	Violation of Detour Sign(s)	20.00	1.00	1.00	22.00
316.057	Pedestrian Viol Traf/Reg Contr/Dev	15.00	1.00	1.00	17.00
316.057(9)	Fail Yield Pedes or Animal Rider/Veh	Court Appearance Required 20-50 1.00 1.00			22-52
316.059	Moving Veh. in Unsafe Cond.	Court Appearance Required 20-50 1.00 1.00			22-52
316.061	Violation MV Law - Prop Damage	Court Appearance Required 20-50 1.00 1.00			22-52
316.062	Duty to Give Info & Render Aid	Court Appearance Required 50-200 1.00 1.00			52-202
316.063	Fail to Identify Upon Acc-Prop Damage	Court Appearance Required 50-200 1.00 1.00			52-202
316.064	Phy/Incap Occup Fail to Rept Acc	Court Appearance Required 50-200 1.00 1.00			52-202
316.066	Fail to File Written Report of Accident	Court Appearance Required 50-200 1.00 1.00			52-202
316.065	Fail to Report Acc as Req.	Court Appearance Required 50-200 1.00 1.00			52-202
316.067	Filing False Report	Court Appearance Required 50-200 1.00 1.00			52-202
316.081	Fail to Keep in Proper Lane	20.00	1.00	1.00	22.00
316.082	Driving on Wrong Side of Road	35.00	1.00	1.00	37.00
316.083	Fail to Yield to Overtaking Vehicle	25.00	1.00	1.00	27.00
316.084	Passing on Wrong Side	20.00	1.00	1.00	22.00
316.085	Passing-Insuf Distance/Visibility	20.00	1.00	1.00	22.00
316.086	Passing-Posted Sign/Hill/Curve	20.00	1.00	1.00	22.00
316.087	Imp Pass-Curve/Intersct/RR/Other	20.00	1.00	1.00	22.00

<u>Statute No.</u>	<u>Offense</u>	<u>Fine</u>	<u>PA</u>	<u>Local (When Applicable)</u>	<u>Total</u>
316.088	Driving Wrong Way One Way Street	35.00	1.00	1.00	37.00
316.089	Failure to Keep in Proper Lane	20.00	1.00	1.00	22.00
316.090	Driv Wrong Side Divided Hwy	35.00	1.00	1.00	37.00
316.091	Improper Enter/Exit Trafficway	20.00	1.00	1.00	22.00
316.092	Following Too Closely	25.00	1.00	1.00	27.00
316.093	Obstr to Drvr Veh/Driv Mechanism	20.00	1.00	1.00	22.00
316.094	Coasting or Opr w/Gears Disengaged	20.00	1.00	1.00	22.00
316.095	Following Fire Apparatus	20.00	1.00	1.00	22.00
316.096	Crossing Fire Hose with Vehicle	20.00	1.00	1.00	22.00
316.097	Unattended Motor Vehicle	15.00	1.00	1.00	17.00
316.098	Improper Backing Without Accident	20.00	1.00	1.00	22.00
316.099	Opening & Closing Vehicle Doors	15.00	1.00	1.00	17.00
316.100	Riding on Exterior of Vehicle	15.00	1.00	1.00	17.00
316.101	Riding in House Trailer	15.00	1.00	1.00	17.00
316.102	Veh Prohibited on Hard Surf Road	20.00	1.00	1.00	22.00
316.103	Obstructing Traffic	20.00	1.00	1.00	22.00
316.104	Deposit Harmful Substance on Road	25.00	1.00	1.00	27.00
316.105	Fail to Remove Injurious Mail or Material from Road	15.00	1.00	1.00	17.00
316.106	Throwing Adv. Mail into Vehicle	15.00	1.00	1.00	17.00
316.107	Stop When Traffic Obstructed	20.00	1.00	1.00	22.00
316.108	Unlawful Riding on Motorcycle	20.00	1.00	1.00	22.00
316.109	Unlawful Opr Cycle on Roadway	20.00	1.00	1.00	22.00
316.110	Driving on Shoulder, Ditch, Sidewalk	20.00	1.00	1.00	22.00

Statute No.	Offense	Fine	Local (When PA Applicable)		Total
			PA	Applicable	
316.111	Unlawful Use or Operating a Bike	20.00	1.00	1.00	22.00
316.113	Failure to Observe Safety Zone	20.00	1.00	1.00	22.00
316.121	Fail to Yield Right of Way	25.00	1.00	1.00	27.00
316.122	Fail to Yield Right of Way Turning Left	25.00	1.00	1.00	27.00
316.123	Fail to Yield R/W Intersection	25.00	1.00	1.00	27.00
316.124	Parking on Highway	15.00	1.00	1.00	17.00
316.125	Fail to Yield-Entering Thru Hwy	25.00	1.00	1.00	27.00
316.126	Fail Yield Emergency Auto/Veh Pedestrian or Vehicle	25.00	1.00	1.00	27.00
316.127	Motorcycles-Driver fail in duties as Veh Driver	20.00	1.00	1.00	22.00
316.131	Use of Equip. Prohibited by Law	20.00	1.00	1.00	22.00
316.132	Improper Pedestrian Action	15.00	1.00	1.00	17.00
316.133	Fail to Obey Traf Instr Sign/Dev	25.00	1.00	1.00	27.00
316.134	Failure to Keep in Proper Lane	20.00	1.00	1.00	22.00
316.135	Unauth Display Sign/Sgnls/Mrkns	15.00	1.00	1.00	17.00
316.136	Alter/Display Traf Cont Dev/Inst	15.00	1.00	1.00	17.00
316.137	Signs at Dangerous Crossing	20.00	1.00	1.00	22.00
316.138	Fail to Obey Traf Instr Sign/Dev	25.00	1.00	1.00	27.00
316.139	Passing School Bus Improperly	Court Appearance Required 20-200			22-202
316.151	Improper Turn	20.00	1.00	1.00	22.00
316.152	Improper Turn on Curve or Crest of Grade Prohibited	20.00	1.00	1.00	22.00
316.153	Improper Turn Around	20.00	1.00	1.00	22.00
316.154	Improper Start	20.00	1.00	1.00	22.00
316.155	Fail Sig for Direction or Slowing	20.00	1.00	1.00	22.00

Statute No.	Offense	Fine	PA	Local (When Applicable)	Total
316.156	No Turn Indicator	15.00	1.00	1.00	17.00
316.157	Giving Wrong Hand & Arm Signal (Light)	20.00	1.00	1.00	22.00
316.158	Failure all Veh to Obey Stop Sign at certain RR X-ing	20.00	1.00	1.00	22.00
316.159	Failure Certain Veh to Stop at RR Crossing	20.00	1.00	1.00	22.00
316.160	Prohibited Stop/Stand/Park	15.00	1.00	1.00	17.00
316.161	Improper Parking	25.00	1.00	1.00	27.00
316.162	Violation of Funeral Procession	20.00	1.00	1.00	22.00
316.164	Violation of Mailbox Parking	15.00	1.00	1.00	17.00
316.183	Unlawful Speed (15 mph or less)	35.00	1.00	1.00	37.00
	Unlawful Speed (15 mph over posted limit)	Court Appearance Required 20-50 1.00 1.00			22-52
316.185	Driving Too Fast for Conditions	35.00	1.00	1.00	37.00
316.186	Racing on Highway	Court Appearance Required 50-200 1.00 1.00			52-202
316.196	Op Over-Width/Lgth/Hgt Veh	20.00	1.00	1.00	22.00
316.197	Op with over projecting load	20.00	1.00	1.00	22.00
316.198	Op. with Load Unsecured	20.00	1.00	1.00	22.00
316.199	Overload - Passengers or Cargo	20.00	1.00	1.00	22.00
316.200	Overload - Passengers or Cargo	20.00	1.00	1.00	22.00
316.203	Damage to Highways	Court Appearance Required 50-200 1.00 1.00			52-202
316.205	Towing/Pushing Veh Improperly	20.00	1.00	1.00	22.00
316.206	Exceeding limits in weight/length	15.00	1.00	1.00	17.00
316.210	Op with No/Improper Windshield Wiper	15.00	1.00	1.00	17.00

<u>Statute No.</u>	<u>Offense</u>	<u>Fine</u>	<u>Local(When PAApplicable)</u>		<u>Total</u>
316.217	Driving When Lighted Headlights Required	20.00	1.00	1.00	22.00
316.218	Driving w/o Proper Number Headlghts	20.00	1.00	1.00	22.00
316.219	Oper MV Minimum Headlgt Req	15.00	1.00	1.00	17.00
316.220	Oper MV w/at least 2 White Hd Lgts	15.00	1.00	1.00	17.00
316.221	Op MV w/out tail lights	15.00	1.00	1.00	17.00
316.222	Oper MV w/o stop light or turn sig.	15.00	1.00	1.00	17.00
316.223	Use of Eqpt Prohibited-Exceptions	15.00	1.00	1.00	17.00
316.224	Use of Clearance, ID, Side Mirror or Back-up Lights	15.00	1.00	1.00	17.00
316.225	Mounting of Refl/Clearance/ Indicator or Marker Lamps	15.00	1.00	1.00	17.00
316.226	Visibility Req'd of Refl/Clearance/ Indicator or Marker Lamps	15.00	1.00	1.00	17.00
316.227	Obstructed Lights Not Required	15.00	1.00	1.00	17.00
316.228	Lamps or Flags on Projecting Load	20.00	1.00	1.00	22.00
316.229	Movg/Prkd Veh Equip Improper Lgts	15.00	1.00	1.00	17.00
316.230	Display of Warning lgts/Dev. Stopped or Disabled Vehicle	15.00	1.00	1.00	17.00
316.231	Operating w/o Lamps Required on Other Veh or Equipment	20.00	1.00	1.00	22.00
316.232	Operating w/o Lamps/Refl/Emblems on Farm Equipment	20.00	1.00	1.00	22.00
316.233	Use of Stop/Auxil Lamps as Req.	15.00	1.00	1.00	17.00
316.234	Movg/Parkd Veh Signal Lamps/Dev	15.00	1.00	1.00	17.00
316.235	Movg/Prkd Veh Lighting Eqpt Amber/White Improper	15.00	1.00	1.00	17.00

Statute No.	Offense	Fine	Local(When		Total
			PA	Applicable)	
316.236	Requirements use of Lower Beam Lgt	20.00	1.00	1.00	22.00
316.237	Multiple Beam Road Lgtng Eqpt	15.00	1.00	1.00	17.00
316.238	Use of Multiple Beam Rd Lgt Eqpt	15.00	1.00	1.00	17.00
316.239	Use of Single Beam Rd Lgt Eqpt	15.00	1.00	1.00	17.00
316.240	Proper Standard for Lights on Maintenance/Service Eqpt	15.00	1.00	1.00	17.00
316.241	Selling or Using Improper Lights or Equipment	15.00	1.00	1.00	17.00
316.243	Headlamps - Motorcycles	15.00	1.00	1.00	17.00
316.243(1)	Movng/Prkd Veh Improper Tail Lts	15.00	1.00	1.00	17.00
316.245	Oper Motorcyclew/1 1 red tail Reflector	15.00	1.00	1.00	17.00
316.247	Parked Motorcycle Stop Light	15.00	1.00	1.00	17.00
316.248	Motorcycle Multiple Beam or Road Lighting Eqpt	15.00	1.00	1.00	17.00
316.249	Motorcycle w/improper Head Lights	15.00	1.00	1.00	17.00
316.261	All Vehicles - Defective Brakes	15.00	1.00	1.00	17.00
316.262	All Vehicles - Defective Brake Performance	15.00	1.00	1.00	17.00
316.263	All Vehicles - Defective Brake Maintenance	15.00	1.00	1.00	17.00
316.264	Motorcycle - Defective Brake Requirements	15.00	1.00	1.00	17.00
316.265	Motorcycle - Defective Brake Performance Ability	15.00	1.00	1.00	17.00
316.266	Defective Eqpt - Brakes on Motor Driven Cycles	15.00	1.00	1.00	17.00
316.271	Improper Horn/Device	15.00	1.00	1.00	17.00
316.272	Oper Imp/No Muff/Create Unlawful Noice	15.00	1.00	1.00	17.00

<u>Statute No.</u>	<u>Offense</u>	<u>Fine</u>	<u>PA</u>	<u>Local(When Applicable)</u>	<u>Total</u>
316.273	Op with no/improper Rear Mirror	15.00	1.00	1.00	17.00
316.274	Oper w/o Certain Veh Carry Flares/Devices	15.00	1.00	1.00	17.00
316.275	Television in View of Driver	20.00	1.00	1.00	22.00
316.276	Addnl Eqpt Req Certain Veh	15.00	1.00	1.00	17.00
316.278	Oper w/o Foot Rest & Handle Bars Motorcycles	15.00	1.00	1.00	17.00
316.279	Health/Sanitation Hazard	15.00	1.00	1.00	17.00
316.280	Oper. with Load Unsecured	20.00	1.00	1.00	22.00
316.284	Oper MV Improper/No Tag	15.00	1.00	1.00	17.00
316.285	Moving Veh in Unsafe Cond	20.00	1.00	1.00	22.00
316.285(3)	No Inspection Sticker	25.00	1.00	1.00	27.00
316.286	Transp Hazard Subst w/o Safety Dev.	20.00	1.00	1.00	22.00
316.287	Fail Wear Helmet/Goggles Op/Rd Cycle	15.00	1.00	1.00	17.00
316.289	Viol Transp Migrant Workers Req	20.00	1.00	1.00	22.00
316.292	Display Use of Red Lights on Previous Fireman's Vehicle	20.00	1.00	1.00	22.00

COUNTY COURTS, ORANGE AND OSCEOLA COUNTIES, FLORIDA

TRAFFIC DIVISION

TRAFFIC FINE SCHEDULE

Statute No.	Offense	Fine	PA	Local (When Applicable)	Total
316.019	Flee/Atmp to Elude Police Off.	Court Appearance Required 50-500	1.00	1.00	52-502
316.026	Fail to File Report of Accident as Required	Court Appearance Required 20-200	1.00	1.00	22-202
316.027	Fail Stop, Rend Aid Inv. Inj/Death	Court Appearance Required 200-500	1.00	1.00	202-502
316.028	DWL/Act Phy Ctl-Narc, Barb, Stim	Court Appearance Required 200-500	1.00	1.00	202-502
316.029	Reckless Driving	Court Appearance Required 50-500	1.00	1.00	52-502
316.030	Careless or Improper Driving	Court Appearance Required 35-500	1.00	1.00	37-502
316.040	Imcompetent Drivers, DL	Court Appearance Required 20-50	1.00	1.00	22-52
316.040(1)	Driver under 16; Disabled	Court Appearance Required 20-50	1.00	1.00	22-52
316.040(2)	Operating Without DL/Improper DL	Court Appearance Required 20-50	1.00	1.00	22-52
316.051	Obedience to Traffic Laws	Court Appearance Required 20-50	1.00	1.00	22-52
316.053	Fail to Obey Traf Instr/Sign/ Device	25.00	1.00	1.00	27.00
316.052	Cross Priv Prop Avoid Traf Light	20.00	1.00	1.00	22.00
316.054	Failure to Observe RR Crossing	20.00	1.00	1.00	22.00
316.054(2)	Passing thru/around Barrier at RR	20.00	1.00	1.00	22.00
316.055	Unlawful Movement of Heavy Eqpt. at RR Crossing	20.00	1.00	1.00	22.00

Statute No.	Offense	Fine	Local (When PA Applicable)		Total
316.056	Violation of Detour Sign(s)	20.00	1.00	1.00	22.00
316.057	Pedestrian Viol Traf/Reg Contr/Dev	15.00	1.00	1.00	17.00
316.057(9)	Fail Yield Pedes or Animal Rider/Veh	Court Appearance Required 20-50 1.00 1.00			22-52
316.059	Moving Veh. in Unsafe Cond.	Court Appearance Required 20-50 1.00 1.00			22-52
316.061	Violation MV Law - Prop Damage	Court Appearance Required 20-50 1.00 1.00			22-52
316.062	Duty to Give Info & Render Aid	Court Appearance Required 50-200 1.00 1.00			52-202
316.063	Fail to Identify Upon Acc-Prop Damage	Court Appearance Required 50-200 1.00 1.00			52-202
316.064	Phy/Incap Occup Fail to Rept Acc	Court Appearance Required 50-200 1.00 1.00			52-202
316.066	Fail to File Written Report of Accident	Court Appearance Required 50-200 1.00 1.00			52-202
316.065	Fail to Report Acc as Req.	Court Appearance Required 50-200 1.00 1.00			52-202
316.067	Filing False Report	Court Appearance Required 50-200 1.00 1.00			52-202
316.081	Fail to Keep in Proper Lane	20.00	1.00	1.00	22.00
316.082	Driving on Wrong Side of Road	35.00	1.00	1.00	37.00
316.083	Fail to Yield to Overtaking Vehicle	25.00	1.00	1.00	27.00
316.084	Passing on Wrong Side	20.00	1.00	1.00	22.00
316.085	Passing-Insuf Distance/Visibility	20.00	1.00	1.00	22.00
316.086	Passing-Posted Sign/Hill/Curve	20.00	1.00	1.00	22.00
316.087	Imp Pass-Curve/Intersct/RR/Other	20.00	1.00	1.00	22.00

Statute No.	Offense	Fine	PA	Local (When Applicable)	Total
316.088	Driving Wrong Way One Way Street	35.00	1.00	1.00	37.00
316.089	Failure to Keep in Proper Lane	20.00	1.00	1.00	22.00
316.090	Driv Wrong Side Divided Hwy	35.00	1.00	1.00	37.00
316.091	Improper Enter/Exit Trafficway	20.00	1.00	1.00	22.00
316.092	Following Too Closely	25.00	1.00	1.00	27.00
316.093	Obstr to Drvr Veh/Driv Mechanism	20.00	1.00	1.00	22.00
316.094	Coasting or Opr w/Gears Disengaged	20.00	1.00	1.00	22.00
316.095	Following Fire Apparatus	20.00	1.00	1.00	22.00
316.096	Crossing Fire Hose with Vehicle	20.00	1.00	1.00	22.00
316.097	Unattended Motor Vehicle	15.00	1.00	1.00	17.00
316.098	Improper Backing Without Accident	20.00	1.00	1.00	22.00
316.099	Opening & Closing Vehicle Doors	15.00	1.00	1.00	17.00
316.100	Riding on Exterior of Vehicle	15.00	1.00	1.00	17.00
316.101	Riding in House Trailer	15.00	1.00	1.00	17.00
316.102	Veh Prohibited on Hard Surf Road	20.00	1.00	1.00	22.00
316.103	Obstructing Traffic	20.00	1.00	1.00	22.00
316.104	Deposit Harmful Substance on Road	25.00	1.00	1.00	27.00
316.105	Fail to Remove Injurious Mail or Material from Road	15.00	1.00	1.00	17.00
316.106	Throwing Adv. Mail into Vehicle	15.00	1.00	1.00	17.00
316.107	Stop When Traffic Obstructed	20.00	1.00	1.00	22.00
316.108	Unlawful Riding on Motorcycle	20.00	1.00	1.00	22.00
316.109	Unlawful Opr Cycle on Roadway	20.00	1.00	1.00	22.00
316.110	Driving on Shoulder, Ditch, Sidewalk	20.00	1.00	1.00	22.00

Statute No.	Offense	Fine	PA	Local (When Applicable)	Total
316.111	Unlawful Use or Operating a Bike	20.00	1.00	1.00	22.00
316.113	Failure to Observe Safety Zone	20.00	1.00	1.00	22.00
316.121	Fail to Yield Right of Way	25.00	1.00	1.00	27.00
316.122	Fail to Yield Right of Way Turning Left	25.00	1.00	1.00	27.00
316.123	Fail to Yield R/W Intersection	25.00	1.00	1.00	27.00
316.124	Parking on Highway	15.00	1.00	1.00	17.00
316.125	Fail to Yield-Entering Thru Hwy	25.00	1.00	1.00	27.00
316.126	Fail Yield Emergency Auto/Veh Pedestrian or Vehicle	25.00	1.00	1.00	27.00
316.127	Motorcycles-Driver fail in duties as Veh Driver	20.00	1.00	1.00	22.00
316.131	Use of Equip. Prohibited by Law	20.00	1.00	1.00	22.00
316.132	Improper Pedestrian Action	15.00	1.00	1.00	17.00
316.133	Fail to Obey Traf Instr Sign/Dev	25.00	1.00	1.00	27.00
316.134	Failure to Keep in Proper Lane	20.00	1.00	1.00	22.00
316.135	Unauth Display Sign/Sgnls/Mrkns	15.00	1.00	1.00	17.00
316.136	Alter/Display Traf Cont Dev/Inst	15.00	1.00	1.00	17.00
316.137	Signs at Dangerous Crossing	20.00	1.00	1.00	22.00
316.138	Fail to Obey Traf Instr Sign/Dev	25.00	1.00	1.00	27.00
316.139	Passing School Bus Improperly	Court Appearance Required 20-200			22-202
316.151	Improper Turn	20.00	1.00	1.00	22.00
316.152	Improper Turn on Curve or Crest of Grade Prohibited	20.00	1.00	1.00	22.00
316.153	Improper Turn Around	20.00	1.00	1.00	22.00
316.154	Improper Start	20.00	1.00	1.00	22.00
316.155	Fail Sig for Direction or Slowing	20.00	1.00	1.00	22.00

Statute No.	Offense	Fine	PA	Local(When Applicable)	Total
316.156	No Turn Indicator	15.00	1.00	1.00	17.00
316.157	Giving Wrong Hand & Arm Signal (Light)	20.00	1.00	1.00	22.00
316.158	Failure all Veh to Obey Stop Sign at certain RR X-ing	20.00	1.00	1.00	22.00
316.159	Failure Certain Veh to Stop at RR Crossing	20.00	1.00	1.00	22.00
316.160	Prohibited Stop/Stand/Park	15.00	1.00	1.00	17.00
316.161	Improper Parking	25.00	1.00	1.00	27.00
316.162	Violation of Funeral Procession	20.00	1.00	1.00	22.00
316.164	Violation of Mailbox Parking	15.00	1.00	1.00	17.00
316.183	Unlawful Speed(15 mph or less)	35.00	1.00	1.00	37.00
	Unlawful Speed (15 mph over posted limit)	Court Appearance Required 20-50 1.00 1.00			22-52
316.185	Driving Too Fast for Conditions	35.00	1.00	1.00	37.00
316.186	Racing on Highway	Court Appearance Required 50-200 1.00 1.00			52-202
316.196	Op Over-Width/Lgth/Hgt Veh	20.00	1.00	1.00	22.00
316.197	Op with over projecting load	20.00	1.00	1.00	22.00
316.198	Op. with Load Unsecured	20.00	1.00	1.00	22.00
316.199	Overload - Passengers or Cargo	20.00	1.00	1.00	22.00
316.200	Overload - Passengers or Cargo	20.00	1.00	1.00	22.00
316.203	Damage to Highways	Court Appearance Required 50-200 1.00 1.00			52-202
316.205	Towing/Pushing Veh Improperly	20.00	1.00	1.00	22.00
316.206	Exceeding limits in weight/length	15.00	1.00	1.00	17.00
316.210	Op with No/Improper Windshield Wiper	15.00	1.00	1.00	17.00

<u>Statute No.</u>	<u>Offense</u>	<u>Fine</u>	<u>Local (When PAApplicable)</u>		<u>Total</u>
316.217	Driving When Lighted Headlights Required	20.00	1.00	1.00	22.00
316.218	Driving w/o Proper Number Headlgts	20.00	1.00	1.00	22.00
316.219	Oper MV Minimum Headlgt Req	15.00	1.00	1.00	17.00
316.220	Oper MV w/at least 2 White Hd Lgts	15.00	1.00	1.00	17.00
316.221	Op MV w/out tail lights	15.00	1.00	1.00	17.00
316.222	Oper MV w/o stop light or turn sig.	15.00	1.00	1.00	17.00
316.223	Use of Eqpt Prohibited-Exceptions	15.00	1.00	1.00	17.00
316.224	Use of Clearance, ID, Side Mirror or Back-up Lights	15.00	1.00	1.00	17.00
316.225	Mounting of Refl/Clearance/ Indicator or Marker Lamps	15.00	1.00	1.00	17.00
316.226	Visibility Req'd of Refl/Clearance/ Indicator or Marker Lamps	15.00	1.00	1.00	17.00
316.227	Obstructed Lights Not Required	15.00	1.00	1.00	17.00
316.228	Lamps or Flags on Projecting Load	20.00	1.00	1.00	22.00
316.229	Movg/Prkd Veh Equip Improper Lgts	15.00	1.00	1.00	17.00
316.230	Display of Warning lgts/Dev. Stopped or Disabled Vehicle	15.00	1.00	1.00	17.00
316.231	Operating w/o Lamps Required on Other Veh or Equipment	20.00	1.00	1.00	22.00
316.232	Operating w/o Lamps/Refl/Emblems on Farm Equipment	20.00	1.00	1.00	22.00
316.233	Use of Stop/Auxil Lamps as Req.	15.00	1.00	1.00	17.00
316.234	Movg/Parkd Veh Signal Lamps/Dev	15.00	1.00	1.00	17.00
316.235	Movg/Prkd Veh Lighting Eqpt Amber/White Improper	15.00	1.00	1.00	17.00

Statute No.	Offense	Fine	PA	Local(When Applicable)	Total
316.273	Op with no/improper Rear Mirror	15.00	1.00	1.00	17.00
316.274	Oper w/o Certain Veh Carry Flares/Devices	15.00	1.00	1.00	17.00
316.275	Television in View of Driver	20.00	1.00	1.00	22.00
316.276	Addnl Eqpt Req Certain Veh	15.00	1.00	1.00	17.00
316.278	Oper w/o Foot Rest & Handle Bars Motorcycles	15.00	1.00	1.00	17.00
316.279	Health/Sanitation Hazard	15.00	1.00	1.00	17.00
316.280	Oper. with Load Unsecured	20.00	1.00	1.00	22.00
316.284	Oper MV Improper/No Tag	15.00	1.00	1.00	17.00
316.285	Moving Veh in Unsafe Cond	20.00	1.00	1.00	22.00
316.285(3)	No Inspection Sticker	25.00	1.00	1.00	27.00
316.286	Transp Hazard Subst w/o Safety Dev.	20.00	1.00	1.00	22.00
316.287	Fail Wear Helmet/Goggles Op/Rd Cycle	15.00	1.00	1.00	17.00
316.289	Viol Transp Migrant Workers Req	20.00	1.00	1.00	22.00
316.292	Display Use of Red Lights on Previous Fireman's Vehicle	20.00	1.00	1.00	22.00

Statute No.	Offense	Fine	Local (When		Total
			PA	Applicable)	
316.236	Requirements use of Lower Beam Lgt	20.00	1.00	1.00	22.00
316.237	Multiple Beam Road Lgtng Eqpt	15.00	1.00	1.00	17.00
316.238	Use of Multiple Beam Rd Lgt Eqpt	15.00	1.00	1.00	17.00
316.239	Use of Single Beam Rd Lgt Eqpt	15.00	1.00	1.00	17.00
316.240	Proper Standard for Lights on Maintenance/Service Eqpt	15.00	1.00	1.00	17.00
316.241	Selling or Using Improper Lights or Equipment	15.00	1.00	1.00	17.00
316.243	Headlamps - Motorcycles	15.00	1.00	1.00	17.00
316.243(1)	Movng/Prkd Veh Improper Tail Lts	15.00	1.00	1.00	17.00
316.245	Oper Motorcyclew/1 1 red tail Reflector	15.00	1.00	1.00	17.00
316.247	Parked Motorcycle Stop Light	15.00	1.00	1.00	17.00
316.248	Motorcycle Multiple Beam or Road Lighting Eqpt	15.00	1.00	1.00	17.00
316.249	Motorcycle w/improper Head Lights	15.00	1.00	1.00	17.00
316.261	All Vehicles - Defective Brakes	15.00	1.00	1.00	17.00
316.262	All Vehicles - Defective Brake Performance	15.00	1.00	1.00	17.00
316.263	All Vehicles - Defective Brake Maintenance	15.00	1.00	1.00	17.00
316.264	Motorcycle - Defective Brake Requirements	15.00	1.00	1.00	17.00
316.265	Motorcycle - Defective Brake Performance Ability	15.00	1.00	1.00	17.00
316.266	Defective Eqpt - Brakes on Motor Driven Cycles	15.00	1.00	1.00	17.00
316.271	Improper Horn/Device	15.00	1.00	1.00	17.00
316.272	Oper Imp/No Muff/Create Unlawful Noice	15.00	1.00	1.00	17.00