HB 2759C – Governor's Signature Status: SIGNED 8/29/03

2003 SCA MINIMUM BASE FINE SUMMARY (MBS-3)

SCHEDULE OF MINIMUM BASE FINE AMOUNTS FOR VIOLATION OFFENSES IN OREGON
FOR SEPTEMBER 1, 2003
(NOTE: No substantive changes from 8/18/03 draft)

Source: MBS-3 is provided by the Office of the Oregon State Court Administrator (SCA), pursuant to ORS 153.138 to reflect minimum base fine amounts effective September 1, 2003. (Released August 2003)

Effective Date: MBS-3 is EFFECTIVE ON SEPTEMBER 1, 2003, AND APPLIES TO OFFENSES COMMITTED ON AND AFTER THAT DATE.

Purpose: This MBS-3 summarizes **MINIMUM AMOUNTS THE CITING ENFORCEMENT OFFICER SHALL ENTER ON THE FRONT OF THE CITATION IN THE PLACE DESIGNATED FOR "BASE FINE"** when a person is charged with the described violation-level offense, including violation offenses created by city or county ordinance, see ORS 153.008. The base fine is not the maximum fine a court can impose. It is the fine amount the defendant can pay to resolve the violation offense without having to do anything else, unless 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 court requires the defendant to appear.

Effect on Previous: The immediate previous summary to MBS-3 is the "2000 Base Fine Summary" that was released in December 1999 and that took effect January 1, 2000. MBS-3 supersedes all previous base fine summaries for violations (including former summaries using terms like "bail schedule" or "infractions"). Some of the previous summaries are available at the same website at which MBS-3 is available.

Attached Worksheets (pages 9 - 24, below)**:** Included with MBS-3 are the actual worksheets used to compute the base fines reflected in MBS-3. **Citing officers do not need the attached worksheets** to know what to write on a citation. The worksheets show the amounts of the various component monetary obligations used to create the base fine. Because of this, **courts** can use the worksheets to help determine appropriate adjustments to sanctions and disbursements of sanction moneys received. Some of the work on the worksheets is done by computed field. Where this occurs, the formula used are reflected in the worksheets. **To benefit courts**, the worksheets also show the statutory maximum and minimum money sanctions courts can impose for specific violations.

Law Changes Reflected: Some of the changes between MBS-3 and the immediate previous summary are changes to form made in response to comments received in the past two years about how to make the summary more user-friendly. However, the substantive change between MBS-3 and the immediate previous summary primarily reflect changes to law made by the legislature. The specific changes reflected are set out at the beginning of the worksheets.

Assessments Reflected: The amounts shown as "base fines" by MBS-3 (as with previous summaries) include moneys for the unitary assessment (UA) established by ORS 137.290 (UA) and/or the county assessment (CA) established by ORS 137.309 (CA), see ORS 153.125. UA and CA are not included for parking offenses to which these assessments do not apply. The worksheets attached to the back show the amount of UA an CA in each base fine amount.

BASE FINES DO NOT: The amounts listed in MBS-3:

1. Are not security release amounts (BAIL) or security release deposit amounts for purposes of, and do not affect security release procedures under, ORS 135.265.
2. Do not include any moneys for restitution or costs.
3. Do not include base fines for misdemeanors or felonies because the procedures established for these crimes under the Oregon statute do not use "base fines."

Where Available: MBS-3 is available in PDF format through the Oregon Judicial Department website at www.ojd.state.or.us by checking for base fine summaries on the rules page (which also includes some previous summaries).

SECTION I - VIOLATION MINIMUM BASE FINE AMOUNTS, by class with enhancements. Applies to violations under the Oregon Revised Statutes; Oregon Administrative Rules; and ordinances of cities, counties, and other political subdivisions of this state. See Table I in worksheets for formula and amount detail for violation classes.

	ON CITATION:
A. **CLASS A VIOLATION** (Includes **SPEEDING** - over 30 mph excess OR over 85 mph where legal speed is 65 mph) **INDIVIDUAL**: 1. **Basic** 2. **Accident/injury/risk** - Substantial contributing factor to an accident resulting in property damage or injury **OR** substantial risk of injury 3. **Traffic special zone** - For traffic violations only, in a "highway work zone" or posted school zone or designated "safety corridor" **CORPORATION**: 4. **Basic** 5. **Accident/injury/risk** - Substantial contributing factor to an accident resulting in property damage or injury **OR** substantial risk of injury 6. **Traffic special zone** - For traffic violations only, in a "highway work zone" or posted school zone or designated "safety corridor" **INDIVIDUALS AND CORPORATIONS**: 7. ***Commercial vehicle speed** - Defendant was exceeding the legal speed by at least 10 miles an hour in a vehicle that requires a commercial driver license to operate (add $ to 1, 2, 3, 4, 5, or 6)	1. . . . . $421* 2. . . . . $493* 3. . . . . $672* 4. . . . . $816* 5. . . . . $960* 6. . . . . $1248* 7. . ***Add $42 for comm. veh. speed**
B. **CLASS B VIOLATION** (includes violations that are "unclassified") (Includes **SPEEDING** - 21 to 30 mph excess OR 76 to 85 mph where legal speed is 65 mph.) **INDIVIDUAL**: 1. **Basic** 2. **Accident/injury/risk** - Substantial contributing factor to an accident resulting in property damage or injury **OR** substantial risk of injury 3. **Traffic special zone** - For traffic violations only, in a "highway work zone" or posted school zone or designated "safety corridor" **CORPORATION**: 4. **Basic** 5. **Accident/injury/risk** - Substantial contributing factor to an accident resulting in property damage or injury **OR** substantial risk of injury 6. **Traffic special zone** - For traffic violations only, in a "highway work zone" or posted school zone or designated "safety corridor" **INDIVIDUALS AND CORPORATIONS**: 7. ***Commercial vehicle speed** - Defendant was exceeding the legal speed by at least 10 miles an hour in a vehicle that requires a commercial driver license to operate (add $ to 1, 2, 3, 4, 5, or 6)	1. . . . . $237* 2. . . . . $273* 3. . . . . $349* 4. . . . . $421* 5. . . . . $493* 6. . . . . $672* 7. . ***Add $42 for comm. veh. speed**
C. **CLASS C VIOLATION** (Includes **SPEEDING** - 11 to 20 mph excess OR 66 to 75 mph where legal speed is 65 mph.) **INDIVIDUAL**: 1. **Basic** 2. **Accident/injury/risk** - Substantial contributing factor to an accident resulting in property damage or injury **OR** substantial risk of injury 3. **Traffic special zone** (For speed only) - Speeding in a "highway work zone" or posted school zone or designated "safety corridor" **CORPORATION**: 4. **Basic** 5. **Accident/injury/risk** - Substantial contributing factor to an accident resulting in property damage or injury **OR** substantial risk of injury 6. **Traffic special zone** (For speed only) - Speeding in a "highway work zone" or posted school zone or designated "safety corridor"	1. . . . . $141* 2. . . . . $165* 3. . . . . $201* 4. . . . . $237* 5. . . . . $273* 6. . . . . $349*

INDIVIDUALS AND CORPORATIONS: 7. ***Commercial vehicle speed** - Defendant was exceeding the legal speed by at least 10 miles an hour in a vehicle that requires a commercial driver license to operate (add $ to 1, 2, 3, 4, 5, or 6)	7. . ***Add $42 for comm. veh. speed**
D. **CLASS D VIOLATION** (Includes **SPEEDING** - 1 to 10 mph excess OR ANY excess speed in funeral procession.) **INDIVIDUAL**: 1. **Basic** 2. **Accident/injury/risk** - Substantial contributing factor to an accident resulting in property damage or injury **OR** substantial risk of injury 3. **Traffic special zone** (For speed only) - Speeding in a "highway work zone" or posted school zone or designated "safety corridor" **CORPORATION**: 4. **Basic** 5. **Accident/injury/risk** - Substantial contributing factor to an accident resulting in property damage or injury **OR** substantial risk of injury 6. **Traffic special zone** (For speed only) - Speeding in a "highway work zone" or posted school zone or designated "safety corridor"	**ON CITATION:** 1. . . . . $94 2. . . . . $105 3. . . . . $123 4. . . . . $141 5. . . . . $165 6. . . . . $201
E. **UNCLASSIFIED VIOLATIONS** Where statute does not provide a specific fine classification or fine amount for a violation, it is a "Class B" violation. See ORS 153.015(1).	Class B Violations, see "B" of this section above.
F. **SPECIFIC FINE VIOLATIONS**. Specific fine violations are punishable by a specific fine as the penalty for committing the offense. That specific fine is set in statute as a specific amount of money and is not designated as a misdemeanor or felony or as a Class A, B, C, or D violation by statute and does not include a term of imprisonment as a penalty. The base fine amount is equal to the fine amount provided by statute (the maximum) added to $37 (unitary assessment amount) and the appropriate county assessment amount under ORS 137.309. See ORS 153.125(3). **NOTE**: See Part E of Section II below for partial listing of specific fine violations and their specific base fines.	**ON CITATION** = Result of (single number) = Maximum Statutory Fine + $37 (UA)+ County Assessment

SECTION II - SPECIAL VIOLATIONS. Miscellaneous violations that have special provisions affecting how the base fine for the offense is determined. Not an exhaustive list.

A. **TRAFFIC, SPEEDING**. As of 9-1-03, all of these speed violations (except 811.120, which is always a Class D violation) are subject to sanction and enhancements based on the speed driven in excess of the legal speed as set in ORS 811.109. **SEE SECTION I FOR CITATION AMOUNTS, specific subject speeds indicated at beginning of each Class of violation.** Lawful speeds set by following statutes:

ORS 811.100, basic rule (varies with circumstances)
ORS 811.110, federal maximum speed (set by federal rule, **NOTE**: feds do not always set one)
ORS 811.112, maximum speed for rural interstate (65 mph for passenger vehicles)
ORS 811.115, speed for trucks and passenger transport (55 mph for subject vehicles)
ORS 811.120, speed for ocean shores (posted speed or 25 mph if none)
ORS 811.123, speed for urban areas (varies with circumstances)
ORS 811.806, speed for funeral procession (always a Class D violation)
ORS 390.990(5), speed limits in parks adopted by agency rule (OAR chapter 736)

B. **TRAFFIC, CARELESS DRIVING** - ORS 811.135. See Table 4 on worksheet for formula and amount detail. **INDIVIDUAL**: 1. NOT contributing to an accident (Class B violation) *2. Contributing to an accident (Class A violation) 3. **Traffic special zone, No accident** - In a "highway work zone" or posted school zone or designated "safety corridor" (Class B violation enhanced for zone) *4. **Traffic special zone, accident** - In a "highway work zone" or posted school zone or designated "safety corridor" (Class A violation enhanced for zone) *NOTE: The base fine amount for this offense is not otherwise subject to enhancement for contributing to an accident, see 153.128(2).	**ON CITATION:** 1. . . . . $237 2. . . . . $421 3. . . . . $349 4. . . . . $672
C. **TRAFFIC, U-TURN**. ORS 811.365. See Table 4 on worksheet for formula and amount detail. **INDIVIDUAL**: 1. NOT contributing to an accident (Class C violation) *2. Contributing to an accident (Class B violation) 3. **Traffic special zone, No accident** - In a "highway work zone" or posted school zone or designated "safety corridor" (Class C violation enhanced for zone) *4. **Traffic special zone, accident** - In a "highway work zone" or posted school zone or designated "safety corridor" (Class B violation enhanced for zone) *NOTE: The base fine amount for this offense is not otherwise subject to enhancement for contributing to an accident, see 153.128(3)	**ON CITATION:** 1. . . . . $141 2. . . . . $237 3. . . . . $201 4. . . . . $349
D. State **TRAFFIC, PARKING** offenses. See Table 9 in worksheets for formula and amount detail.	**ON CITATION:**
1. Class B violation: ORS 811.630, Misuse handicapped program placard	1. . . . . $180
2. Class D violation: ORS 811.555, illegal stopping, standing or parking (many specifics in ORS 811.550) ORS 811.570, improper parallel parking ORS 811.575, posted parking restrictions on state highway ORS 811.580, parking on state highway for vending ORS 811.585, failure to secure parked motor vehicle OAR 736-010-0120, state parks, day use parking permit	2. . . . . $45
3. Specific fine: ORS 811.590, violation of winter parking permit requirements	3. . . . . $30
4. Class D violation: ORS 811.617, blocking a disabled space	4. . . . . $50
5. Class A violations: See Tables 3 and 12 of worksheets for formula and amount detail. a. ORS 811.615, unlawful parking in a disabled parking space, **first offense** b. ORS 811.615, unlawful parking in a disabled parking space, **second or subsequent offense** c. ORS 811.625, unlawful use of a disabled person parking permit by nondisabled person, any offense.	5a. . . . . $360 5b. . . . . $450 5c. $450
E. Misc. **SPECIFIC FINE VIOLATIONS**. See Table 2 in worksheets for formula and amount detail	**ON CITATION:**
1. TRAFFIC. Snow park violations: ORS 811.590	1. . . . . $30
2. TRAFFIC. Bicycle helmet violations: ORS 814.485, No headgear, bicycle operation, under 16 years of age ORS 814.486, No headgear, bicycle operation, parent/guardian/responsible person or operator with passenger under 16 years of age	2. . . . . $74

3. TRAFFIC. Vehicle overweight/overload. Violations of the weight requirements established under or by ORS chapter 818 are all subject to schedules of "specific" fines established by ORS 818.430. The base fines are set out for these offenses in the schedules in Section III of this summary.	3. . . . . Schedules showing what is written in ticket are in parts B, C, D, and E of Part III below.
4. DRUGS. Unlawful possession of inhalants. ORS 167.808(5)(a) a. First offense is a violation b. Second is a Class B misdemeanor with no base fine	4a. . . . . $361 4b. . "Misd., must appear"
F. **TRAFFIC**. Vehicle **WIDTH, HEIGHT, LENGTH**. Violations of size (other than weight) requirements established in or under ORS chapter 818 are all subject to base fines that are enhanced upon subsequent violation by a schedule required by the changing of offense classes under ORS 818.420. These enhancements increase by level of violation class, so the base fines are those appropriate to the class. **See Section III F below for appropriate violation classes**.	**ON CITATION:** Same as for Class of offense under Section I above.
SECTION III - MOTOR CARRIER, OVERLOAD, OVERSIZE OFFENSES.	
A. **MOTOR CARRIER** violations of ORS chapter 825. 1. Failure to obtain motor carrier certificate permit, ORS 825.100 and 825.990 (Class A violation)	**ON CITATION**: 1. Individual: $421 Corp.: $816
*2. 825.990(1) **MOTOR CARRIER/COMMERCIAL VEHICLE OPERATION RULES**. Violation of certain Oregon Department of Transportation rules related to commercial vehicles. This is a Class A violation except where agency rule under ORS 153.022 specifies different level of violation. BUT. see OAR chapter 740 and note below.	*2.Individual: $421 Accident, injury, risk: $493 Corp.: $816 Accident, injury, risk: $960 ***Except per Agency Schedule***
*3. 825.990(4) **MOTOR CARRIER/COMMERCIAL VEHICLE HAZARDOUS WASTE TRANSPORTATION STATUTES, PERMITS, AUTHORITY, RULES, PROCESS**. Violation of certain statutes, permits, authority, rules, and process related to hazardous wastes. This is an Unclassified Misdemeanor except where agency rule under ORS 153.022 specifies different level of violation. BUT, see OAR chapter 740 and note below.	*3. . . "Misd., must appear" ***Except per Agency Schedule***
4. 825.990(2) Violating out-of-service notice. (Class A Misdemeanor)	4. . . "Misd., must appear"
NOTE on sanction level: *For those offenses marked with an asterisk (*) penalties ORS 153.022 allows the agency to establish, by rule, specific sanctions for violation of specific rules so long as the maximum sanction does not exceed that provided by statute. See OAR chapter 740, for rules that may have been adopted that establish specific sanctions. If no rule establishes a specific sanction, then the general sanction shown here applies.	
B. ORS 818.430, Schedule I **OVERLOAD** offenses. Applies to violations of ORS 818.020 **(VIOLATION OF STATUTORY TABLES)**, 818.060 **(VIOLATION OF ADMINISTRATIVE LIMITS)**, 818.340(5)(c) **(VIOLATION OF VARIANCE PERMIT BY CERTAIN VEHICLES)** - See worksheet Table 5 for formula and amount detail:	**ON CITATION**:
1. 1,000 lbs. or less excess	1. . . . . $47
2. 1,001 to 2,000 lbs. excess	2. . . . . $79

3. 2,001 to 3,000 lbs. excess	3. . . . . $51 + 03¢ per excess lb.
4. 3,001 to 4,999 lbs. excess	4. . . . . $57 + 05¢ per excess lb.
5. 5,000 lbs. excess	5. . . . . $61 + 05¢ per excess lb.
6. 5,001 to 7,500 lbs. excess	6. . . . . $96 + 13¢ per excess lb.
7. 7,501 to 10,000 lbs. excess	7. . . . . $96 + 15¢ per excess lb.
8. 10,001 to 12,500 lbs. excess	8. . . . . $96 + 19¢ per excess lb.
9. More than 12,500 lbs. excess	9. . . . . $96 + 24¢ per excess lb.
C. ORS 818.430, Schedule I **OVERLOAD, FARM VEHICLE FINE REDUCTION** offenses for vehicles that are registered as farm vehicles, transporting agricultural products, and loaded in the field without benefit of a scale. Applies to violations NOTED IN "B" OF THIS SECTION (Schedule I) as penalties are modified by ORS 818.430(2) - See worksheet Table 6 for formula and amount detail:	**ON CITATION**:
1. 1,000 lbs. or less excess	1. . . . . $47
2. 1,001 to 2,000 lbs. excess	2. . . . . $64
3. 2,001 to 3,000 lbs. excess	3. . . . . $49 + 1.5¢ per excess lb.
NOTE: The reduction of penalty for farm vehicles under this provision does not apply if the vehicle is more than 3,000 overweight/overload.	
D. ORS 818.430, Schedule II **OVERLOAD** offenses, applies to offenses under 818.340(5)(b) **(VIOLATION OF VARIANCE PERMIT ON AXLE OR TANDEM AXLE WEIGHTS)** see worksheet Table 7 for formula and amount detail.	**ON CITATION**:
1. 100 to 5,000 lbs. excess:	
a. Less than 1,500 excess lbs.	1a. . . $157 + 10¢ per excess lb.
b. 1,500 to 3,999 lbs. excess	1b. . . $161 + 10¢ per excess lb.
c. 4,000 lbs. or more excess	1c. . . $196 + 10¢ per excess lb.
2. 5,001 to 10,000 lbs. excess	2. . . . $346 + 15¢ per excess lb.
3. More than 10,000 lbs. excess	3. . . . $596 + 30¢ per excess lb.
E. ORS 818.430, Schedule III **OVERLOAD** offenses, applies to offenses under ORS 818.040 (**POSTED WEIGHT LIMITS)**, see worksheet Table 8 for formula and amount detail.	**ON CITATION**:
1. 100 to 5,000 lbs. excess:	
a. Less than 1,000 excess lbs.	1a. . . $157 + 15¢ per excess lb.
b. 1,000 to 2,666 lbs. excess	1b. . . $161 + 15¢ per excess lb.
c. 2,667 to 5,000 lbs. excess	1c. . . $196 + 15¢ per excess lb.

2. 5,001 to 10,000 lbs. excess	2. . . . $346 + 20¢ per excess lb.
3. More than 10,000 lbs. excess (unclassified misdemeanor) Possible jail up to 30 days	3. . . "Misd., must appear"
F. ORS 818.420, **OVERSIZE** offenses, **WIDTH, HEIGHT, LENGTH,** set by statute, administrative rule, or variance permit.	**ON CITATION**:
The following are the applicable size (not weight) statutes: ORS 818.060, Administratively imposed size limits (in OAR) ORS 818.090, Statutory size limits (chart in ORS 818.080) ORS 818.340, Size limits imposed by variance permit (in permit, failure to carry permit is a Class D violation under ORS 818.350) 1. Height or width	
a. First offense. Class D violation,	1a. . . . . Same as Section I, Part D above
b. Second offense. Class C violation	1b. . . . . Same as Section I, Part C above
c. Third or subsequent offense. Class B violation	1c. . . . . Same as Section I, Part B above
2. Size offense other than weight, height, or width. Class D violation	2. . . . . Same as Section I, Part D above
SECTION IV - GAME AND COMMERCIAL FISHING. Applies to offenses under wildlife laws, ORS chapters 496-501, and commercial fishing laws, ORS chapters 506-513. See Table 10 in worksheets for formula and amount detail.	
UNDER ORS 496.992, violation of fish and wildlife laws and rules are either Class A misdemeanors (with a culpable mental state) or Class A violations (without a culpable mental state) unless otherwise specifically provided by law [see, for example, ORS 496.994, obstructing the taking of wildlife (Class A misdemeanor), and ORS 496.992(3), certain illegal takings (Class C felony)]. **However, the base fine amounts for the violations are set by statute** under ORS 496.951 and 496.992(2) rather than by the formula established by statute to determine other base fine amounts. These base fine amounts are set out in the following for the convenience of the user. **Remember**, these base fine amounts apply whether the offender is an individual or corporation and are not enhanced in the same instances as for other Class A violations. **NOTE FOR COURTS: The statutory minimum fine is also correspondingly lower than that for other Class A violations.** The amount which shall be placed on a citation issued by a law enforcement official is as follows (a court is not allowed by statute to establish a base fine amount for a violation of an offense in the following other than the amount listed):	**ON CITATION**:
1. Violations that do not involve the taking of wildlife, except for violations of the nonresident licensing provisions of ORS 497.102 and 497.121 and the provisions of ORS 496.994	$75
2. Violations that involve the taking of nongame mammals or game birds and size or quantity limits for fish and shellfish, except salmon, steelhead trout, and sturgeon	$150

3. Violations that involve the taking of salmon, steelhead trout, sturgeon, wildlife not otherwise provided for, and all other wildlife offenses	$299

SECTION V - CAUTIONS AND CAVEATS about how changes to laws, rules and ordinances can affect base fines. .

1. **New and changing offense levels by legislature**: Each legislative session new violation-level offenses are created and a number of existing violation-level offenses may have **CHANGED CLASSIFICATION LEVELS**. It is not the purpose of this summary to include all of those new offenses or to track changes in classification levels of existing offenses, but the user should be aware of the issue.

2. **Changing base fines and sanction levels by rules and ordinances.** State agency rules/political subdivision rules, or ordinances may establish various classes of lower violations (with lesser base fines) by rule or ordinance where statute provides for a single level of sanction "for any violation of any . . ." rule or ordinance. See ORS 153.022 and 153.025.

3. **Creating offenses by rules and ordinances.** A number of violation-level offenses can be created by state agency rule or by local government ordinance or rule. All of these offenses are subject to the same formulas for "base fines" (what the officer writes on the ticket) as those specifically established by statute. See ORS 153.008 and 153.125. This means **courts should be taking UA and CA moneys out for these violations when money sanctions are imposed**. It is not the purpose of this summary to try to include either every rule or ordinance adopting a violation-level offense or every place in statute granting this authority. But, Table 11 of the attached worksheets are provided to assist people in determining disposition of moneys in these cases. The user of this summary should be aware of the issue.

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NOTES AND WORKSHEETS USED FOR MBS-3

A. GENERAL. The MBS-3 uses a formula set by statute, ORS 153.125 to 153.145, to calculate base fine amounts (except for fish and wildlife offenses, see Section IV of MBS-3 above). ORS 153.538 requires that the Office of the State Court Administrator send out information from time to time that reflects the base fine amounts as determined by the statutory formula.

The base fine amounts shown in these worksheets and on the attached MBS-3 are the amount an officer writes on the front of a citation when issuing the citation, but do not necessarily determine the amount that a court will impose as a final sanction or will require if a security release amount is required.

Amounts imposed as sanctions upon a person when conviction for an offense occurs constitute a single assessment, see ORS 137.293.

B. LAW CHANGES REFLECTED. These worksheets show the calculations for the base fine summary under statute that take effect on September 1, 2003, and include changes necessary for 2003 HB 2759 and those resulting from other 2003 legislation of which we were aware at the time these worksheets were being done. The changes primarily reflect the following changes to law made by the 2003 Legislative Assembly:

- amendments to ORS 153.018 made by section 103, chapter _ _ _ , Oregon Laws 2003 ('03 HB 2759)
- amendments to ORS 153.093 made by section 104, chapter _ _ _ , Oregon Laws 2003 ('03 HB 2759)
- amendments to ORS 153.125 made by section 105, chapter _ _ _ , Oregon Laws 2003 ('03 HB 2759)
- amendments to ORS 153.018 made by section 103, chapter _ _ _ , Oregon Laws 2003 ('03 HB 2759)
- amendments to ORS 137.290 made by section 112, chapter _ _ _ , Oregon Laws 2003 ('03 HB 2759)

C. THERE ARE NO BASE FINE AMOUNTS FOR MISDEMEANORS AND FELONIES because the procedures on misdemeanor- and felony-level offenses are different than the procedures for violation-level offenses, see generally ORS chapter 153. A base fine amount is not a security release amount and cannot be posted as a preliminary appearance for a misdemeanor or felony as it can be for a violation.

D. KNOWN CHANGES NECESSARY BECAUSE OF THESE CHANGES TO BASE FINE SCHEDULE. The following will be necessary :

1. Enforcement agencies will need to change whatever it is they provide to enforcement officers in the field to reflect the new base fine amounts.

2. **PLEASE NOTE**: Courts will most likely need to change the schedules of fine reductions for their violations bureaus because of the amendments to ORS 153.093 by section 104, chapter _ _ _, Oregon Laws 2003 ('03 HB 2759).

3. Courts will need to make sure that for offenses for which citations are issued after September 1, 2003, the increased UA amounts and minimum fines are used.

4. Courts. PROCESS THOUGHT FOR COURTS on vehicle OVERSIZE limits, see Part F of Sections II and III: There is often no way for the citing officer to know the number of previous size violations of a specific person being cited while the officer is trying to write a citation along the highway. If the officer has not written an appropriate amount for the number of previous offenses, the court would have to notice the defendant for a subsequent appearance under ORS 153.061 in order to obtain a proper sanction. As matter of procedure, a court may want to consider saving time by establishing higher base fines for these offenses under ORS 153.142, and then have the violations bureau reduce the fines according to the number of previous offenses and as otherwise appropriate.

E. UNITARY ASSESSMENT AMOUNTS USED. NOTE: **Statutory unitary assessment amounts (Adjusted to reflect changes made by section 112, of '03 HB 2759):**

UNITARY ASSESSMENT (UA) as amended by section 112 of 2003 HB 2759

Offense	Unitary Assessment (UA) Amount Under ORS 137.290
Felony	$107
Misdemeanor	$67
DUII	$97
Infraction/violation	$37
Speeding in a vehicle that requires a commercial driver license where the speed is at least 10 miles per hour greater than is reasonable	$42 in addition to any UA amount imposed above.
Any crime in ORS chapter 163	$500 in addition to any UA amount imposed above.

F. COUNTY ASSESSMENT AMOUNTS USED.

COUNTY ASSESSMENT (CA) and LEMLA (Not amended by '03 HB 2759)

(A) Amount of "fine" imposed (does not include Unitary Assessment Amount)	(B) County Assessment (CA), ORS 137.309	(C) LEMLA in CA (as shown in column (B)), ORS 137.309(9)
Up to $4.99	$0.00	$0.00
$5 to $14.99	$5.00	$0.00
$15 to $49.99	$12.00	$1.00
$50 to $99.99	$14.00	$1.00
$100 to $249.99	$20.00	$2.00
$250 to $499.99	$24.00	$2.00
$500 or more	$59.00	$5.00

G. VIOLATION MAXIMUM FINE AMOUNTS USED. ORS 153.018 as amended by section 103, chapter ___, Oregon Laws 2003 ("03 HB 2759)

Violation Class	Maximum fine (no assessments)
Class A violation	$ 720
Class B violation	$ 360
Class C violation	$ 180
Class D violation	$ 90

(1)(a) MBS-3 **TABLE 1**, CLASSIFIED VIOLATIONS: Offense/ Foundation amount % (**fndat**) on: **basic** = **50%** [153.125(2)] **Type I** - Accident/ injury/ risk = **60%** [153.128(1)] **Type II** - Traffic special zones: **1)**, Hwy Wrk Zn (811.230), **2)** Posted Schl Zn (811.235) **3)** Designated Safety Corridor (sec 5, ch 1071, Or Laws1999,) = **80%** (applies to speed only for C and D violations) [153.131] **Type III** - Commercial vehicle speed = + **$42 UA** enhancement [137.290(2)(a)]	(b) Max Fine 153.018 (2) or (3)	(c) This + [fndat. % of Max fine (b) shown in (a)]	(d) This + [UA 137.290, does not vary with fine amount]	(e) This = [CA 137.309 based on fndat (c), varies with fine]	(f) **9/1/03 base fine** (c+d+e) rounded nearest whole $, 153.145	(g) 137.309(9) LEMLA in (f) taken from CA portion [shown in (e)]	(h) CA for Max fine (b)	(I) **Max possible penalty** [(b) + (d) + (h)], not including restitution or costs	(j) This = 153.093 **minimum sanction** (k+L+m) **75%** of (f) except specific fine (20%), cannot defer, waive, suspend, reduce	(k)This+ UA in (j)	(L) This+ CA in (j)	(m) This "fine" $ in (j) (j-k-L)	(n) LEM LA in (L)
(2) **A Viol**., Individual, basic / 50%	$720.00	$360.00	$37.00	$24.00	$421.00	$2.00	$59.00	$816.00	$315.75	$37.00	$24.00	$254.75	$2.00
(3) **A Viol**., Individual, Type I / 60%	$720.00	$432.00	$37.00	$24.00	$493.00	$2.00	$59.00	$816.00	$369.75	$37.00	$24.00	$308.75	$2.00
(4) **A Viol**., Individual, Type II / 80%	$720.00	$576.00	$37.00	$59.00	$672.00	$2.00	$59.00	$816.00	See Column (f)	Cannot be waived, reduced, or suspended below amount in column (f) see Table 12			
(5) **A Viol**., Individual, basic + Type III / 50% + UA	$720.00	$360.00	$79.00	$24.00	$463.00	$2.00	$59.00	$858.00	$347.25	$79.00	$20.00	$248.25	$2.00
(6) **A Viol**., Individual, Type I + Type III / 60% + UA enhanced	$720.00	$432.00	$79.00	$24.00	$535.00	$2.00	$59.00	$858.00	$401.25	$79.00	$24.00	$298.25	$2.00
(7) **A Viol**., Individual, Type II + Type III / 80% + UA enhanced	$720.00	$576.00	$79.00	$59.00	$714.00	$5.00	$59.00	$858.00	See Column (f)	Cannot be waived, reduced, or suspended below amount in column (f) see Table 12			
(8) **A Viol**., Corp., basic / 50%	$1,440.00	$720.00	$37.00	$59.00	$816.00	$5.00	$59.00	$1,536.00	$612.00	$37.00	$59.00	$516.00	$5.00
(9) **A Viol**., Corp., Type I / 60%	$1,440.00	$864.00	$37.00	$59.00	$960.00	$5.00	$59.00	$1,536.00	$720.00	$37.00	$59.00	$624.00	$5.00
(10) **A Viol**., Corp., Type II / 80%	$1,440.00	$1,152.00	$37.00	$59.00	$1,248.00	$5.00	$59.00	$1,536.00	See Column (f)	Cannot be waived, reduced, or suspended below amount in column (f) see Table 12			
(11) **A Viol**., Corp., basic + Type III / 50% + UA enhanced	$1,440.00	$720.00	$79.00	$59.00	$858.00	$5.00	$59.00	$1,578.00	$643.50	$79.00	$59.00	$505.50	$5.00
(12) **A Viol**., Corp., Type I + Type III / 60% + UA enhanced	$1,440.00	$864.00	$79.00	$59.00	$1,002.00	$5.00	$59.00	$1,578.00	$751.50	$79.00	$59.00	$613.50	$5.00
(13) **A Viol**., Corp., Type II + Type III / 80% + UA enhanced	$1,440.00	$1,152.00	$79.00	$59.00	$1,290.00	$5.00	$59.00	$1,578.00	See Column (f)	Cannot be waived, reduced, or suspended below amount in column (f) see Table 12			
(14) **B Viol.**., Individual, basic / 50%	$360.00	$180.00	$37.00	$20.00	$237.00	$2.00	$24.00	$421.00	$177.75	$37.00	$20.00	$120.75	$2.00
(15) **B Viol.**, Individual, Type I / 60%	$360.00	$216.00	$37.00	$20.00	$273.00	$2.00	$24.00	$421.00	$204.75	$37.00	$20.00	$147.75	$2.00
(16) **B Viol**., Individual, Type II / 80%	$360.00	$288.00	$37.00	$24.00	$349.00	$2.00	$24.00	$421.00	See Column (f)	Cannot be waived, reduced, or suspended below amount in column (f) see Table 12			

(1)(a) MBS-3 **TABLE 1**, CLASSIFIED VIOLATIONS: Offense/ Foundation amount % (**fndat**) on: **basic** = **50%** [153.125(2)] **Type I** - Accident/ injury/ risk = **60%** [153.128(1)] **Type II** - Traffic special zones: **1)**, Hwy Wrk Zn (811.230), **2)** Posted Schl Zn (811.235) **3)** Designated Safety Corridor (sec 5, ch 1071, Or Laws1999,) = **80%** (applies to speed only for C and D violations) [153.131] **Type III** - Commercial vehicle speed = + **$42 UA** enhancement [137.290(2)(a)]	(b) Max Fine 153.018 (2) or (3)	(c) This + [fndat. % of Max fine (b) shown in (a)]	(d) This + [UA 137.290, does not vary with fine amount]	(e) This = [CA 137.309 based on fndat (c), varies with fine]	(f) **9/1/03 base fine** (c+d+e) rounded nearest whole $, 153.145	(g) 137.309(9) LEMLA in (f) taken from CA portion [shown in (e)]	(h) CA for Max fine (b)	(I) **Max possible penalty** [(b) + (d) + (h)], not including restitution or costs	(j) This = 153.093 **minimum sanction** (k+L+m) **75%** of (f) except specific fine (20%), cannot defer, waive, suspend, reduce	(k)This+ UA in (j)	(L) This+ CA in (j)	(m) This "fine" $ in (j) (j-k-L)	(n) LEM LA in (L)
(17) **B Viol**., Individual, basic + Type III / 50% + UA enhanced	$360.00	$180.00	$79.00	$20.00	$279.00	$2.00	$24.00	$463.00	$209.25	$79.00	$20.00	$110.25	$2.00
(18) **B Viol**., Individual, Type I + Type III / 60% + UA enhanced	$360.00	$216.00	$79.00	$20.00	$315.00	$2.00	$24.00	$463.00	$236.25	$79.00	$20.00	$137.25	$2.00
(19) **B Viol**., Individual, Type II + Type III / 80% + UA enhanced	$360.00	$288.00	$79.00	$24.00	$391.00	$2.00	$24.00	$463.00	See Column (f)	Cannot be waived, reduced, or suspended below amount in column (f) see Table 12			
(20) **B Viol**., Corp., basic / 50%	$720.00	$360.00	$37.00	$24.00	$421.00	$2.00	$59.00	$816.00	$315.75	$37.00	$24.00	$254.75	$2.00
(21) **B Viol**., Corp., Type I / 60%	$720.00	$432.00	$37.00	$24.00	$493.00	$2.00	$59.00	$816.00	$369.75	$37.00	$24.00	$308.75	$2.00
(22) **B Viol**., Corp., Type II / 80%	$720.00	$576.00	$37.00	$59.00	$672.00	$5.00	$59.00	$816.00	See Column (f)	Cannot be waived, reduced, or suspended below amount in column (f) see Table 12			
(23) **B Viol**., Corp., basic + Type III / 50% + UA enhanced	$720.00	$360.00	$79.00	$24.00	$463.00	$2.00	$59.00	$858.00	$347.25	$79.00	$20.00	$248.25	$2.00
(24) **B Viol**., Corp., Type I + Type III / 60% + UA enhanced	$720.00	$432.00	$79.00	$24.00	$535.00	$2.00	$59.00	$858.00	$401.25	$79.00	$24.00	$298.25	$2.00
(25) **B Viol**., Corp.,Type II + Type III / 80% + UA enhanced	$720.00	$576.00	$79.00	$59.00	$714.00	$5.00	$59.00	$858.00	See Column (f)	Cannot be waived, reduced, or suspended below amount in column (f) see Table 12			
(26) **C Viol.**, Individual, basic / 50%	$180.00	$90.00	$37.00	$14.00	$141.00	$1.00	$20.00	$237.00	$105.75	$37.00	$14.00	$54.75	$1.00
(27) **C Viol.**, Individual, Type I / 60%	$180.00	$108.00	$37.00	$20.00	$165.00	$2.00	$20.00	$237.00	$123.75	$37.00	$14.00	$72.75	$1.00
(28) **C Viol.**, Individual, Type II / 80%	$180.00	$144.00	$37.00	$20.00	$201.00	$2.00	$20.00	$237.00	See Column (f)	Cannot be waived, reduced, or suspended below amount in column (f) see Table 12			
(29) **C Viol.**, Individual, basic + Type III / 50% + UA enhanced	$180.00	$90.00	$79.00	$14.00	$183.00	$1.00	$20.00	$279.00	$137.25	$79.00	$12.00	$46.25	$1.00
(30) **C Viol.**, Individual, Type I + Type III / 60% + UA enhanced	$180.00	$108.00	$79.00	$20.00	$207.00	$2.00	$20.00	$279.00	$155.25	$79.00	$14.00	$62.25	$1.00

(1)(a) MBS-3 **TABLE 1**, CLASSIFIED VIOLATIONS: Offense/ Foundation amount % (**fndat**) on: **basic** = **50%** [153.125(2)] **Type I** - Accident/ injury/ risk = **60%** [153.128(1)] **Type II** - Traffic special zones: **1)**, Hwy Wrk Zn (811.230), **2)** Posted Schl Zn (811.235) **3)** Designated Safety Corridor (sec 5, ch 1071, Or Laws1999,) = **80%** (applies to speed only for C and D violations) [153.131] **Type III** - Commercial vehicle speed = + **$42 UA** enhancement [137.290(2)(a)]	(b) Max Fine 153.018 (2) or (3)	(c) This + [fndat. % of Max fine (b) shown in (a)]	(d) This + [UA 137.290, does not vary with fine amount]	(e) This = [CA 137.309 based on fndat (c), varies with fine]	(f) **9/1/03 base fine** (c+d+e) rounded nearest whole $, 153.145	(g) 137.309(9) LEMLA in (f) taken from CA portion [shown in (e)]	(h) CA for Max fine (b)	(I) **Max possible penalty** [(b) + (d) + (h)], not including restitution or costs	(j) This = 153.093 **minimum sanction** (k+L+m) **75%** of (f) except specific fine (20%), cannot defer, waive, suspend, reduce	(k)This+ UA in (j)	(L) This+ CA in (j)	(m) This "fine" $ in (j) (j-k-L)	(n) LEM LA in (L)
(31) **C Viol.**, Individual, Type II + Type III / 80% + UA enhanced	$180.00	$144.00	$79.00	$20.00	$243.00	$2.00	$20.00	$279.00	See Column (f)	Cannot be waived, reduced, or suspended below amount in column (f) see Table 12			
(32) **C Viol.**, Corp., basic / 50%	$360.00	$180.00	$37.00	$20.00	$237.00	$2.00	$24.00	$421.00	$177.75	$37.00	$20.00	$120.75	$2.00
(33) **C Viol.**, Corp., Type I / 60%	$360.00	$216.00	$37.00	$20.00	$273.00	$2.00	$24.00	$421.00	$204.75	$37.00	$20.00	$147.75	$2.00
(34) **C Viol.**, Corp., Type II / 80%	$360.00	$288.00	$37.00	$24.00	$349.00	$2.00	$24.00	$421.00	See Column (f)	Cannot be waived, reduced, or suspended below amount in column (f) see Table 12			
(35) **C Viol.**, Corp., basic + Type III / 50% + UA enhanced	$360.00	$180.00	$79.00	$20.00	$279.00	$2.00	$24.00	$463.00	$209.25	$79.00	$20.00	$110.25	$2.00
(36) **C Viol.**, Corp., Type I + Type III / 60% + UA enhanced	$360.00	$216.00	$79.00	$20.00	$315.00	$2.00	$24.00	$463.00	$236.25	$79.00	$20.00	$137.25	$2.00
(37)**C Viol.**, Corp., Type II + Type III / 80% + UA enhanced	$360.00	$288.00	$79.00	$24.00	$391.00	$2.00	$24.00	$463.00	See Column (f)	Cannot be waived, reduced, or suspended below amount in column (f) see Table 12			
(38) **D Viol.**, Individual, basic / 50%	$90.00	$45.00	$37.00	$12.00	$94.00	$1.00	$14.00	$141.00	$70.50	$37.00	$12.00	$21.50	$1.00
(39) **D Viol.**, Individual, Type I / 60%	$90.00	$54.00	$37.00	$14.00	$105.00	$1.00	$14.00	$141.00	$78.75	$37.00	$12.00	$29.75	$1.00
(40) **D Viol**., Individual, Type II / 80%	$90.00	$72.00	$37.00	$14.00	$123.00	$1.00	$14.00	$141.00	See Column (f)	Cannot be waived, reduced, or suspended below amount in column (f) see Table 12			
(41)**D Viol**., Corp., basic / 50%	$180.00	$90.00	$37.00	$14.00	$141.00	$1.00	$20.00	$237.00	$105.75	$37.00	$14.00	$54.75	$1.00
(42) **D Viol**., Corp., Type I / 60%	$180.00	$108.00	$37.00	$20.00	$165.00	$2.00	$20.00	$237.00	$123.75	$37.00	$14.00	$72.75	$1.00
(43) **D Viol**., Corp., Type II / 80%	$180.00	$144.00	$37.00	$20.00	$201.00	$2.00	$20.00	$237.00	See Column (f)	Cannot be waived, reduced, or suspended below amount in column (f) see Table 12			

NOTE: No enhanced UA amount for commercial vehicle speed on a Class D violation because it is not over by 10 miles per hour, see 137.290(2)(a) and 811.109(1)(a)

(1)(a) MBS-3 **TABLE 2**, CERTAIN "SPECIFIC FINE" OFFENSES, offenses subject to ORS 153.015(2) and 153.125(3)	(b) Max Fine, same as listed below, the amount of fine listed in the statute	(c) This + [Fndat amount, 100% of (b)]	(d) This + [UA 137.290, does not vary with fine amount]	(e) This = [CA 137.309 based on fndat, (c), varies with fine]	(f) **9/1/03 base fine** (c+d+e) rounded to nearest whole $ 153.145	(g) 137.309(9) LEMLA in (f) taken from CA portion [shown in (e)]	(h) CA for Max fine (b)	(I) **Max possible penalty** [(b) + (d) + (h)], not including restitution or costs	(j) This = 153.093(1)(b) **minimum sanction** (k+L+m) 20% of (f)	(k)This+ UA in (j)	(L)This + CA in (j)	(m) This "fine" $ in (j) (j-k-L)	(n) LEMLA in (L)
(2) 811.590, **traffic,** Snow Park, No UA or CA for parking offenses	$30.00	$30.00	$0.00	$0.00	$30.00	$0.00	$0.00	$30.00	$6.00	$0.00	$0.00	$6.00	$0.00
(3) 814.485, 814.486, **traffic,** Bicycle Helmet	$25.00	$25.00	$37.00	$12.00	$74.00	$1.00	$12.00	$74.00	$14.80	$14.80	$0.00	$0.00	$0.00
(4) 818.430, **traffic,** vehicle overweight	The specifics for these offenses are shown in worksheet tables 5, 6, 7, and 8 below.												
(5) 167.808(5)(a) **Drug,** inhalant offenses, First offense a specific fine violation, second offense a Class "B" misdemeanor	$300.00	$300.00	$37.00	$24.00	$361.00	$2.00	$24.00	$361.00	$72.20	$37.00	$12.00	$23.20	$1.00
					$0.00			$0.00	$0.00	$0.00		$0.00	

(1)(a) MBS-3 **TABLE 3**, STATUTORY MINIMUM FINES that affect base fine amount calculation, 153.125(4), statute,	(b)Max Fine 153.018	©) This + [Statutory minimum fine] Use this if higher than (d)	(d) Fndat. amt under Table 1, Use this if higher than ©)	(e) This + [UA 137.290, does not vary with fine amount], NOT apply to parking	(f) This = [CA 137.309 based on ©), varies with fine] NOT apply to parking	(g) **9/1/03 base fine** (c+e+f) round to nearest whole $	(h) 137.309(9) LEMLA in BAIL (g) taken from CA portion [shown in (f)]	(I) CA for Max fine (b)	(j) **Max possible penalty** [(b) + (e) + (I)], not including restitution or costs	(j) This = 153.093 **minimum sanction** (k+L+m) **NOTE:** conflict between this and 153.093	(k)This+ UA in (j)	(L) This+ CA in (j)	(m) This "fine" $ in (j) (j-k-L)	(n) LEM LA in (L)
(2) 811.615, **A Viol**., Unlawful parking in disabled space **first offense** See Worksheet Table 12	$720.00	$190.00	$360.00	$0.00	$0.00	$360.00	$0.00	$0.00	$720.00	$50.00	$0.00	$0.00	$50.00	$0.00
(3) 811.615, **A Viol**., Unlawful parking in disabled space **second or subsequent offense** See Worksheet Table 12	$720.00	$450.00	$360.00	$0.00	$0.00	$450.00	$0.00	$0.00	$720.00	$450.00	$0.00	$0.00	$450.00	$0.00
(4) 811.625, **A Viol**., Unlawful use of disabled permit by non-disabled person See Worksheet Table 12	$720.00	$450.00	$360.00	$0.00	$0.00	$450.00	$0.00	$0.00	$720.00	$450.00	$0.00	$0.00	$450.00	$0.00
(5) 811.617, **D Viol**., Blocking a disabled parking space, See Worksheet Table 12	$90.00	$50.00	$45.00	$0.00	$0.00	$50.00	$0.00	$0.00	$90.00	$50.00	$0.00	$0.00	$50.00	$0.00
(6) 811.235, **Traffic Offenses in a school zone with appropriate signs posted**	For specifics on base fines for traffic offenses in appropriately posted school zones, see Table 1, offenses with Type II designations. Applies to all A and B traffic violations, all C and D traffic violations related to exceeding a legal speed, and all major traffic offenses.									SEE TABLE 1 FO R SPECIFICS BY VIOLATION CLASS SEE TABLE 12 FOR LIMITS ON ABILITY TO REDUCE				
(7) 811.230, **Traffic Offenses in a Highway Work Zone**	For specifics on base fines for traffic offenses in highway work zones, see Table 1, offenses with Type II designations. Applies to all A and B traffic violations, all C and D traffic violations related to exceeding a legal speed, and all major traffic offenses.													
(8) sec 5, ch 1071, Or Laws 1999 (1999 HB 3085), **Traffic Offenses in a Designated Safety Corridor**	For specifics on base fines for traffic offenses in designated Highway Safety Corridors, see Table 1, offenses with Type II designations. Applies to all A and B traffic violations, all C and D traffic violations related to exceeding a legal speed, and all major traffic offenses.													

(1)(a) MBS-3 **TABLE 4**, offenses subject to 153.128(2) and (3) Offense, statute, % under 153.125(2). These are not otherwise enhanced by 153.128(1), but continue to be enhanced as provided by 153.131 NOTE: only determined for individuals on assumption corporations are not cited on these offenses	(b)Max Fine 153.018	©) This + [fndat % of Max fine (b) shown in (a)]	(d) This + [UA 137.290, does not vary with fine amount]	(e) This = [CA 137.309 based on ©), varies with fine]	(f) **9/1/03 base fine** (c+d+e) to nearest whole $ 153.145	(g) 137.309(9) LEMLA in (f) taken from CA portion [shown in (e)]	(h) CA for Max fine (b)	(I) **Max possible penalty** [(b) + (d) + (h)], not including restitution or costs	(j) This = 153.093 **minimum sanction** (k+L+m) 75% of (f)	(k) This + UA in (j)	(L) This+ CA in (j)	(m) This "fine" $ in (j) (j-k-L)	(n) LEM LA in (L)
(2) **A Viol**, 811.135 careless driving, contributing to an accident (50% fndat)	$720.00	$360.00	$37.00	$24.00	$421.00	$2.00	$59.00	$816.00	$315.75	$37.00	$14.00	$264.75	$1.00
(3) **A Viol**, 811.135 careless driving, contributing to an accident **in traffic special zone, 153.131** (80% fndat)	$720.00	$576.00	$37.00	$59.00	$672.00	$5.00	$59.00	$816.00	See column (f)	Cannot be waived, reduced, or suspended below amount in column (f) see Table 12			
(4) **B Viol**, 811.135 careless driving, NOT contributing to an accident (50% fndat)	$360.00	$180.00	$37.00	$20.00	$237.00	$2.00	$24.00	$421.00	$177.75	$37.00	$12.00	$128.75	$1.00
(5) **B Viol**, 811.135 careless driving, NOT contributing to an accident **in traffic special zone, 153.131** (80% fndat)	$360.00	$288.00	$37.00	$24.00	$349.00	$2.00	$24.00	$421.00	See column (f)	Cannot be waived, reduced, or suspended below amount in column (f) see Table 12			
(6) **B Viol**, 811.365 unlawful U-Turn, contributing to an accident (50% fndat)	$360.00	$180.00	$37.00	$20.00	$237.00	$2.00	$24.00	$421.00	$177.75	$37.00	$12.00	$128.75	$1.00
(7) **B Viol**, 811.365 unlawful U-Turn, contributing to an accident **in traffic special zone, 153.131** (80% fndat)	$360.00	$288.00	$37.00	$24.00	$349.00	$2.00	$24.00	$421.00	See column (f)	Cannot be waived, reduced, or suspended below amount in column (f) see Table 12			
(8) **C Viol**, 811.365 unlawful U-Turn, NOT contributing to an accident (50% fndat)	$180.00	$90.00	$37.00	$14.00	$141.00	$1.00	$20.00	$237.00	$105.75	$37.00	$5.00	$63.75	$0.00
(9) **C Viol**, 811.365 unlawful U-Turn, NOT contributing to an accident **in traffic special zone, 153.131** (80% fndat)	$180.00	$144.00	$37.00	$20.00	$201.00	$2.00	$20.00	$237.00	See column (f)	Cannot be waived, reduced, or suspended below amount in column (f) see Table 12			

MBS-3 **TABLE 5**, SCHEDULE I VEHICLE OVERWEIGHT OFFENSES. ORS 818.430(1) (all "specific fine" offenses), applies to violations of ORS 818.020, 818.060, 818.340(5)(c)

(1)(a) 153.125(3) **Schedule I** 818.430(1) - Excess Weight in lbs		(b) Straight fine	(c) Cents per pound excess	(d) This + [Fndat 100%, b+(a*c)]	(e) This + [UA 137.290, does not vary with fine amount]	(f) This = [CA 137.309 based on (d), varies with fine]	(g) **9/1/03 base fine**, (d+e+f), **Max penalty the same**, not including restitution or costs, **NOT rounded** to nearest whole $	(h) 137.309 (9) LEMLA in (g) from CA portion [shown in (f)]	(j) This = 153.093(1)(b) **minimum sanction** (k+L+m) 20% of (g)	(k) This + UA in (j)	(L) This + CA in (j)	(m) This "fine" $ in (j) (j-k-L)	(n) LEM LA in (L)
2	1,000 or less	$5.00	$0.00	$5.00	$37.00	$5.00	$47.00	$0.00	$9.40	$9.40	$0.00	$0.00	$0.00
3	1,001	$30.00	$0.00	$30.00	$37.00	$12.00	$79.00	$1.00	$15.80	$15.80	$0.00	$0.00	$0.00
4	2,001	$0.00	$0.03	$60.03	$37.00	$14.00	$111.03	$1.00	$22.21	$22.21	$0.00	$0.00	$0.00
5	3,000	$0.00	$0.03	$90.00	$37.00	$14.00	$141.00	$1.00	$28.20	$28.20	$0.00	$0.00	$0.00
6	3,001	$0.00	$0.05	$150.05	$37.00	$20.00	$207.05	$2.00	$41.41	$37.00	$0.00	$4.41	$1.00
7	4,999	$0.00	$0.05	$249.95	$37.00	$20.00	$306.95	$2.00	$61.39	$37.00	$12.00	$12.39	$1.00
8	5,000	$0.00	$0.05	$250.00	$37.00	$24.00	$311.00	$2.00	$62.20	$37.00	$12.00	$13.20	$1.00
9	5,001	$0.00	$0.13	$650.13	$37.00	$59.00	$746.13	$5.00	$149.23	$37.00	$14.00	$98.23	$1.00
10	7,500	$0.00	$0.13	$975.00	$37.00	$59.00	$1,071.00	$5.00	$214.20	$37.00	$20.00	$157.20	$2.00
11	7,501	$0.00	$0.15	$1,125.15	$37.00	$59.00	$1,221.15	$5.00	$244.23	$37.00	$20.00	$187.23	$2.00
12	10,000	$0.00	$0.15	$1,500.00	$37.00	$59.00	$1,596.00	$5.00	$319.20	$37.00	$24.00	$258.20	$2.00
13	10,001	$0.00	$0.19	$1,900.19	$37.00	$59.00	$1,996.19	$5.00	$399.24	$37.00	$24.00	$338.24	$2.00
14	12,500	$0.00	$0.19	$2,375.00	$37.00	$59.00	$2,471.00	$5.00	$494.20	$37.00	$24.00	$433.20	$2.00
15	12,501	$0.00	$0.24	$3,000.24	$37.00	$59.00	$3,096.24	$5.00	$619.25	$37.00	$59.00	$523.25	$5.00
16	Higher	$0.00	$0.24	by formula	$37.00	$59.00	by formula	$5.00	20 % of (g)	$37.00	$59.00	J-k-l	$5.00

MBS-3 **TABLE 6**, SCHEDULE I VEHICLE OVERWEIGHT LIMITED FINES FOR FARM VEHICLES. ORS 818.430(1) and (2) (all "specific fine" offenses), applies to violations of ORS 818.020, 818.060, 818.340(5)©). ORS 818.430(2) provides that penalties for certain farm vehicles are one-half those for other vehicles under Schedule I, BUT the penalty can never be less than $5.

(1)(a) **Schedule I** 818.430(1) - Excess Weight in lbs		(b) Regular Schedule I fine	©) Regular Schedule I Cents per pound	(d) This + Fndat, 100% b+(a*c) *.5 (only if more than $5)]	(e) This + [UA 137.290, does not vary with fine amount]	(f) This = [CA 137.309 based on (d), varies with fine]	(g) **9/1/03 base fine**, (d+e+f), **Max penalty the same**, not including restitution or costs, to nearest whole $	(h) 137.309(9) LEMLA in (g) from CA portion [shown in (f)]	(j) This = 153.093 **minimum sanction** (k+L+m) 20% of (g)	(k) This + UA in (j)	(L) This + CA in (j)	(m) This "fine" $ in (j) (j-k-L)	(n) LEMLA in (L)
2	1,000	$5.00	$0.00	$5.00	$37.00	$5.00	$47.00	$0.00	$9.40	$9.40	$0.00	$0.00	$0.00
3	1,001	$30.00	$0.00	$15.00	$37.00	$12.00	$64.00	$1.00	$12.80	$12.80	$0.00	$0.00	$0.00
4	2,001	$0.00	$0.03	$30.02	$37.00	$12.00	$79.02	$1.00	$15.80	$15.80	$0.00	$0.00	$0.00
5	3,000	$0.00	$0.03	$45.00	$37.00	$12.00	$94.00	$1.00	$18.80	$18.80	$0.00	$0.00	$0.00

NOTE: The reduction of penalty for farm vehicles under this provision does not apply if the vehicle is more than 3,000 overweight/overload.

MBS-3 **TABLE 7**, SCHEDULE II VEHICLE OVERWEIGHT OFFENSES. ORS 818.430(2) (all "specific fine" offenses), applies to offenses under 818.340(5)(b).

(1)(a) **Schedule II** 818.430(2) - Excess Weight in lbs		(b) Straight fine	©) Cents per pound	(d) This + fndat 100% b+(a*c)	(e) This + [UA 137.290, does not vary with fine amount]	(f) This = [CA 137.309 based on (d), varies with fine]	(g) **9/1/03 base fine**, (d+e+f), **Max penalty the same**, not including restitution or costs, rounded to nearest whole $	(h) 137.309 (9) LEMLA in (g) from CA portion [shown in (f)]	(j) This = 153.093 **minimum sanction** (k+L+m) 20% of (g)	(k) This+ UA in (j)	(L) This + CA in (j)	(m) This "fine" $ in (j) (j-k-L)	(n) LEMLA in (L)
2	100	$100.00	$0.10	$110.00	$37.00	$20.00	$167.00	$2.00	$33.40	$33.40	$0.00	$0.00	$0.00
3	1,499	$100.00	$0.10	$249.90	$37.00	$20.00	$306.90	$2.00	$61.38	$37.00	$12.00	$12.38	$1.00
4	1,500	$100.00	$0.10	$250.00	$37.00	$24.00	$311.00	$2.00	$62.20	$37.00	$12.00	$13.20	$1.00
5	3,999	$100.00	$0.10	$499.90	$37.00	$24.00	$560.90	$2.00	$112.18	$37.00	$14.00	$61.18	$1.00
6	4,000	$100.00	$0.10	$500.00	$37.00	$59.00	$596.00	$5.00	$119.20	$37.00	$14.00	$68.20	$1.00
7	5,000	$100.00	$0.10	$600.00	$37.00	$59.00	$696.00	$5.00	$139.20	$37.00	$14.00	$88.20	$1.00
8	5,001	$250.00	$0.15	$1,000.15	$37.00	$59.00	$1,096.15	$5.00	$219.23	$37.00	$20.00	$162.23	$2.00
9	10,000	$250.00	$0.15	$1,750.00	$37.00	$59.00	$1,846.00	$5.00	$369.20	$37.00	$24.00	$308.20	$2.00
10	10,001	$500.00	$0.30	$3,500.30	$37.00	$59.00	$3,596.30	$5.00	$719.26	$37.00	$59.00	$623.26	$5.00
11	higher	$500.00	$0.30	by formula	$37.00	$59.00	by formula	$5.00	20% of (g)	$37.00	$59.00	J-k-L	$5.00

MBS-3 **TABLE 8**, SCHEDULE III VEHICLE OVERWEIGHT OFFENSES. ORS 818.430(4) (all "specific fine" offenses), applies to violations of ORS 818.040(5)

(1)(a) **Schedule III** 818.430(4) - Excess Weight in lbs		(b) Straight fine	©) Cents per pound	(d) This + fndat 100%, b+(a*c)	(e) This + [UA 137.290, does not vary with fine amount]	(f) This = [CA 137.309 based on (d), varies with fine]	(g) **9/1/03 base fine**, (d+e+f), **Max penalty the same except no base fine for row (10)**, not including restitution or costs, rounded to nearest whole $	(h) 137.309 (9) LEMLA in (g) from CA portion [shown in (f)]	(j) This = 153.093 **minimum sanction** (k+L+m) 20% of (g)	(k) This+ UA in (j)	(L) This + CA in (j)	(m) This "fine" $ in (j) (j-k-L)	(n) LEMLA in (L)
2	100	$100.00	$0.15	$115.00	$37.00	$20.00	$172.00	$2.00	$34.40	$34.40	$0.00	$0.00	$0.00
3	999	$100.00	$0.15	$249.85	$37.00	$20.00	$306.85	$2.00	$61.37	$37.00	$5.00	$19.37	$0.00
4	1,000	$100.00	$0.15	$250.00	$37.00	$24.00	$311.00	$2.00	$62.20	$37.00	$12.00	$13.20	$1.00
5	2,666	$100.00	$0.15	$499.90	$37.00	$24.00	$560.90	$2.00	$112.18	$37.00	$14.00	$61.18	$1.00
6	2,667	$100.00	$0.15	$500.05	$37.00	$59.00	$596.05	$5.00	$119.21	$37.00	$14.00	$68.21	$1.00
7	5,000	$100.00	$0.15	$850.00	$37.00	$59.00	$946.00	$5.00	$189.20	$37.00	$20.00	$132.20	$2.00
8	5,001	$250.00	$0.20	$1,250.20	$37.00	$59.00	$1,346.20	$5.00	$269.24	$37.00	$20.00	$212.24	$2.00
9	10,000	$250.00	$0.20	$2,250.00	$37.00	$59.00	$2,346.00	$5.00	$469.20	$37.00	$24.00	$408.20	$2.00
10	10,001+ higher, No base fine, Misd because of Jail	$500.00	$0.30	$3,500.30	$67.00	$59.00	$3,626.30	$5.00	NA	NA	NA	NA	NA

(1)(a) MBS-3 **TABLE 9,** STATE PARKING TRAFFIC VIOLATIONS, Offense, fndat % or statutory minimum fine indicated, no unitary assessment (UA) or county assessment (CA) for parking offenses.	(b) Max Fine 153.018	(c) This + [EITHER - fndat % of Max fine (b) shown in (a) or STATUTORY MINIMUM fine shown in (a)]	(d) This + [UA 137.290, does not vary with fine amount]	(e) This = [CA 137.309 based on (c), varies with fine]	(f) **9/1/03 base fine** (c+d+e) rounded to nearest whole $	(g) 137.309(9) LEMLA in (f) taken from CA portion [shown in (e)]	(h) CA for Max fine (b)	(I) **Max possible penalty** [(b) + (d) + (h)], not including restitution or costs	(j) This = 153.093 **minimum sanction** (k+L+m) 75% of (f)	(k)This+ UA in (j)	(L) This+ CA in (j)	(m) This "fine" $ in (j) (j-k-L)	(n) LEM LA in (L)
(2) **B Viol**., 811.630 (misuse of handicapped program placard) (50% fndat	$360.00	$180.00	$0.00	$0.00	$180.00	$0.00	$0.00	$360.00	$135.00	$0.00	$0.00	$135.00	$0.00
(3) **B Viol**., 811.615, 811.625 (unlawful parking in handicapped space, unlawful use of disabled person parking permit) STATUTORY MINIMUM FINE	see worksheet Tables 3 (Minimum fine violations) and 12 (limitations on ability of court to reduce)												
(4) **D Viol**., 811.617 (blocking a disabled space) STATUTORY MINIMUM FINE	see worksheet Tables 3 (Minimum fine violations) and 12 (limitations on ability of court to reduce)												
(5) **D Viol**., 811.555, 811.570, 811.575, 811.580, 811.585 (50% fndat)	$90.00	$45.00	$0.00	$0.00	$45.00	$0.00	$0.00	$90.00	$33.75	$0.00	$0.00	$33.75	$0.00
(6) **Specific fine violation**, Snow Park violations 811.590	$30.00	$30.00	$0.00	$0.00	$30.00	$0.00	$0.00	$30.00	$22.50	$0.00	$0.00	$22.50	$0.00

(1)(a) MBS-3 **TABLE 10**, WILDLIFE AND COMMERCIAL FISHING VIOLATIONS, 496.951, 496.992(2). Although set by statute, 153.134, these base fines are set out in the base fine summary **for the reader's convenience** and are set out here to show the calculations for the parts of the base fine. NOTE: Unless there is a corresponding statutory increase in the base fine amount under ORS 496.951, when statutory assessments are increased, the "fine" in column ©) decreases correspondingly.	(b) Max Fine 153.081	©) This + amount in (f) that represents "fine" portion, determined by (f-e-d)	(d) This + [UA 137.290, does not vary with fine amount]	(e) This = [CA 137.309 [set by subtracting (d) from (f) and then looking at statute to see what amount would be right]	(f) **9/1/03 base fine** set by ORS 496.951	(g) 137.309(9) LEMLA in BAIL (f) taken from CA portion [shown in (e)]	(h) CA for Max fine (b)	(I) **Max possible penalty** [(b) + (d) + (h)], not including restitution or costs	(j) This = 153.093 **minimum sanction** (k+L+m) 75% of (f)	(k)This+ UA in (j)	(L) This+ CA in (j)	(m) This "fine" $ in (j) (j-k-L)	(n) LEMLA in (L)
(2) **A VIOL**.,Individual, 496.951(1)(a)	$720.00	$26.00	$37.00	$12.00	$75.00	$1.00	$59.00	$816.00	$56.25	$37.00	$5.00	$14.25	$0.00
(3) **A VIOL**., Individual, 496.951(1)(b)	$720.00	$99.00	$37.00	$14.00	$150.00	$1.00	$59.00	$816.00	$112.50	$37.00	$14.00	$61.50	$1.00
(4) **A VIOL**., Individual, 496.951(1)©)	$720.00	$242.00	$37.00	$20.00	$299.00	$2.00	$59.00	$816.00	$224.25	$37.00	$20.00	$167.25	$2.00
(5) **A VIOL**., Corp., 496.951(1)(a)	$1,440.00	$26.00	$37.00	$12.00	$75.00	$1.00	$59.00	$1,536.00	$56.25	$37.00	$5.00	$14.25	$0.00
(6) **A VIOL**., Corp., 496.951(1)(b)	$1,440.00	$99.00	$37.00	$14.00	$150.00	$2.00	$59.00	$1,536.00	$112.50	$37.00	$14.00	$61.50	$1.00
(7) **A VIOL**., Corp., 496.951(1)©)	$1,440.00	$242.00	$37.00	$20.00	$299.00	$2.00	$59.00	$1,536.00	$224.25	$37.00	$20.00	$167.25	$2.00

INSTRUCTIONS FOR USE OF TABLE.

- **To determine base fine amount for offense -** Start with filling in column (b). Compute column ©) as instructed in row (1). Look up column (e) in statute cited in row (1). Add columns (c), (d) and (e) to get base fine for column (f).

- **To determine fine remaining after assessments are deducted** - Determine which row (2-5) is appropriate. Insert amount actually imposed in column (f). Look up CA in statute shown in row 1 of column (e) and insert number in column (e) of chosen row. Deduct amounts in rows (e) and (d) from amount in row (f). Put result in row (c). Row (c) is remaining fine moneys.

(1)(a) MBS-3 **TABLE 11**, base fine formula, see 153.125 to 153.145, includes statutory violations and those established by rule, or ordinance	(b) Insert Maximum Fine allowed by statute, rule or ordinance here	(c) This + as appropriate: -50% of (b), **or** - 60% of (b) if violation causes accident or danger, **or** - statutory minimum fine if higher, **or** -100% of (b) if "specific fine" violation	(d) This + [Insert the UA 137.290, does not vary with fine amount]	(e) This = [Insert the CA 137.309 based on the amt shown in (c), varies with fine]	(f) **9/1/03 base fine** (c+d+e), rounded to nearest whole $, 153.145	(g) Insert 137.309(9) LEMLA in (f) taken from CA portion [shown in (e)]	(h) CA for Max fine (b)	(I) Add (b) + (d) + (h) to show **Max possible penalty** not including restitution or costs	(j) This = 153.093 **minimum sanction** (k+L+m), must total to 75% of (f) except when statutory minimum is higher	(k)This+ UA in (j) Always paid first until reaches amount in (d), then money goes to (L) and (m)	(L) This+ CA in (j)	(m) This "fine" $ in (j) (j-k-L)	(n) LEMLA in (L)
(2) **Any subject violation level offense**, enter citation for an name of offense:			$37.00										

(1)(a) MBS-3 **TABLE 12**, STATUTES AFFECTING COURT AUTHORITY OVER MONEY SANCTIONS. These may affect how courts impose and may limit ability to waive or reduce	(b) Statutory minimum amount established and nature	©) Description of effect of statute
(2) 811.615 (5), (6), (7), **A Viol.**, Unlawful parking in disabled space SEE ALSO TABLE 3 for base fine specifics.	- First offense, $190, minimum fine, can be reduced to $50 in some instances - Second and subsequent offenses, $ 450 minimum fine - May reduce to $ 20 if person held valid permit but failed to properly display.	- For first offense - A court may not suspend imposition or execution of at least the minimum fine for first offense unless the court finds, by clear and convincing evidence, that compelling circumstances require suspension of a portion of the fine in the interests of justice. In no event shall the court suspend more than $140 of the minimum. 811.615 (6)(a) - For second and subsequent offense - A court may not suspend imposition or execution of a sentence to pay a fine for a second or subsequent offense. 811.615 (6)(b) - If court finds person cited lawfully held, but failed to properly display a valid permit at time of citation, court may suspend all but $ 20 of the fine. 811.615(7)
(3) 811.625 (2), **A Viol.**, Unlawful use of disabled permit SEE ALSO TABLE 3 for base fine specifics.	$450, minimum fine	Notwithstanding any other provision of law, a court may not suspend imposition or execution of at least the minimum fine. 811.625(2).
(4) 811.235, **Traffic offenses in a school zone**, applies to all A and B traffic violations, all C and D traffic violations related to exceeding a legal speed, and all major traffic offenses.	BASE FINE minimum bail and minimum fine amount. SEE TABLE 1 for base fine specifics for each Class of violation.	A court shall not waive, reduce or suspend the base fine amount or minimum fine required by this section. 811.235(3)
(5) 811.617(4), **D Viol.**, blocking a disabled space	$50, minimum fine	A court may not suspend imposition or execution of at least the minimum fine unless the court finds that defendant is indigent. 811.6127 (4).
(6) 811.230, **Traffic offenses in a Highway Work Zone** applies to all A and B traffic violations and all C and D traffic violations related to exceeding a legal speed and all major traffic offenses.	BASE FINE minimum and minimum fine amount. SEE TABLE 1 for base fine specifics for each Class of violation.	A court shall not waive, reduce or suspend the base fine amount or minimum fine required by this section. 811.230(4)
(7) Section 5, chapter 1071, Oregon Laws 1999, **Traffic offenses in a Safety Corridor** applies to all A and B traffic violations and all C and D traffic violations related to exceeding a legal speed and all major traffic offenses. The offense has a December 31, 2008 sunset	BASE FINE minimum and minimum fine amount. SEE TABLE 1 for base fine specifics for each Class of violation.	A court shall not waive, reduce or suspend the base fine amount or minimum fine required by this section. Section 5(4), chapter 1071, Oregon Laws 1999 (printed behind ORS 811.235 in ORS). Sunset by section 6 of measure is found same place.
(8) ORS 153.093. **All violations**. Minimum sanctions and limits on courts ability to reduce. As amended by Section 104, chapter , Oregon Laws 2003 ('03 HB 2759)	75% of BASE FINE	A court or violation bureau cannot reduce below minimum fine.
(9) 811.182(5) **DWS for DUII** minimum	$1,000 for first offense, $2,000 for second	Nothing in the statute that appears to limit authority of courts to suspend, waive, or reduce.
(10) ORS 137.290(4) limits on ability to waive unitary assessment binding on all courts	. 100% UA first	Court may waive all or part of unitary assessment only if the court imposes no fine on the defendant Does not apply to Domestic Violence UA under ORS 137.290(2)(b).

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8/28/03