

2012 “SCHEDULE OF FINES” ON VIOLATIONS (SOF-12A)

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

EFFECTIVE MARCH 27, 2012

Office of the State Court Administrator
Oregon Judicial Department

ABOUT THE SCHEDULE

Effective Date: This “schedule of fines” (SOF-12A) supersedes SOF-12 and all previous fine schedules and summaries for violations committed on or after March 27, 2012.

Changes to Previous Schedule (SOF-12): HB 4167 (2012) amends ORS 818.430 to specify a presumptive fine under Schedule III for a vehicle exceeding maximum weight by more than 10,000 pounds. The change reduces the penalty from a Class C misdemeanor to an unclassified violation with a specific fine. The change applies to offenses committed on or after March 27, 2012. [See schedule line 36.]

SOF-12A also corrects an error in SOF-12. Although Oregon Laws 2011, chapter 597, set presumptive fines for specific minor helmet violations and eliminated specific maximum fines for most of the same violations, the law retained the specific \$25 maximum fine under ORS 814.600 (skateboarder, scooter rider, in-line skater); therefore, the maximum fine that applies to specific-fine violations under ORS 153.018(1)(e) does not apply. [See schedule line 21.]

Purposes: OSCA is publishing SOF-12A as a helpful guide for courts and law enforcement. The schedule is not a substitute for reading the actual law.

SOF-12A provides summarized information on

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

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

Offenses Included: SOF-12A includes amounts for Class A, B, C, and D violations and common “specific fine violations.”

What Presumptive Fines Are Not/Do Not Do: The presumptive fines listed in SOF-12A

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

Where to Find Schedules: SOF-12A and earlier schedules are posted in PDF on the Oregon Judicial Department’s website – www.courts.oregon.gov/OJD.

- Click on **Materials & Resources**.
- Click on the **Court Rules** tab.
- Using the drop-down menu under “Complete List of Rules,” select **Fines on Violations**.
- Click on **Go**.

(a)	(b)	(c)	(d)	(e)
2012 Schedule of Fines on Violations (SOF-12A)	Presumptive Fine	Minimum Fine	Maximum Fine (Individuals)	Maximum Fine (Corporations)
Standard				
(1) Class A violation	\$435	\$220	\$2,000	\$4,000
(2) Class B violation	\$260	\$130	\$1,000	\$2,000
(3) Class C violation	\$160	\$80	\$500	\$1,000
(4) Class D violation	\$110	\$60	\$250	\$500
Traffic Violation in Special Zone				
(5) Class A violation	\$870	\$220	\$2,000	\$4,000
(6) Class B violation	\$520	\$130	\$1,000	\$2,000
(7) Class C violation, speed only	\$320	\$80	\$500	\$1,000
(8) Class D violation, speed only	\$220	\$60	\$250	\$500
Drugs and Alcohol				
(9) <u>A Viol.</u> OLCC licensee furnishing alcohol to a minor, 471.410(6), <u>first offense</u>	\$435	\$220	\$2,000	\$4,000
(10) <u>SF Viol.</u> OLCC licensee furnishing alcohol to a minor, 471.410(6), <u>second offense</u> (third or subsequent is a Class A misd.)	\$860	\$172	\$2,000	\$2,000
(11) <u>A Viol.</u> Allow minor to consume alcohol on property, 471.410(9), <u>first offense</u>	\$435	\$220	\$2,000	\$4,000
(12) <u>SF Viol.</u> Allow minor to consume alcohol on property, 471.410(9), <u>second or subsequent offense</u>	\$1,000	\$200	\$2,000	\$2,000
(13) <u>SF Viol.</u> Delivery of less than 5 grams of marijuana for no consideration, 475.860(3)(b), (within 1000 ft. of a school is a Class C misd.)	\$650	\$130	\$2,000	\$2,000
(14) <u>SF Viol.</u> Possession of less than an ounce of marijuana, 475.864(3) (within 1000 ft. of school is a Class C misd.)	\$650	\$130	\$2,000	\$2,000
(15) <u>SF Traffic Viol.</u> Refusal to take test for intoxicants, 813.095	\$650	\$130	\$2,000	\$2,000
Special Traffic Violations				
(16) <u>SF Traffic Viol.</u> Speeding 100 mph or greater, 811.109(5)	\$1,150	\$230	\$2,000	\$2,000
(17) <u>A Viol.</u> Careless driving, injury or death of vulnerable user, 811.135(3)	N/A must appear	N/A	\$12,500	\$12,500
(18) <u>SF Traffic Viol.</u> Unlawful parking in a winter recreation parking area, 811.590	\$30	\$6	\$2,000	\$2,000
(19) <u>SF Traffic Viol.</u> Bicycle helmet, 814.485 and 814.486	\$25	\$5	\$2,000	\$2,000
(20) <u>SF Traffic Viol.</u> Motor-assisted scooter helmet, 814.534 and 814.536	\$25	\$5	\$2,000	\$2,000
(21) <u>SF Traffic Viol.</u> Skateboarder, scooter rider, in-line skater helmet, 814.600	\$25	\$5	\$25	\$25

(a)	(b)	(c)	(d)	(e)
2012 Schedule of Fines on Violations (SOF-12A)	Presumptive Fine	Minimum Fine	Maximum Fine (Individuals)	Maximum Fine (Corporations)
Overweight--Schedule I				
(22) 1,000 or less	\$100	\$20	\$2,000	\$2,000
(23) 1,001 - 2,000	\$150	\$30	\$2,000	\$2,000
(24) 2,001 - 3,000	\$200	\$40	\$2,000	\$2,000
(25) 3,001 - 5,000	\$300	\$60	\$2,000	\$2,000
(26) 5,001 - 7,500	(a) * 0.15	(b) * 0.20	\$2,000	\$2,000
(27) 7,501 - 10,000	(a) * 0.16	(b) * 0.20	\$2,000	\$2,000
(28) 10,001 - 12,500	(a) * 0.20	(b) * 0.20	amt in (b)	amt in (b)
(29) 12,501 and over	(a) * 0.24	(b) * 0.20	amt in (b)	amt in (b)
Overweight--Schedule II				
(30) 100 - 5,000	\$200 + (a) * 0.10	(b) * 0.20	\$2,000	\$2,000
(31) 5,001 - 10,000	\$350 + (a) * 0.15	(b) * 0.20	\$2,000	\$2,000
(32) 10,001 - and over	\$600 + (a) * 0.30	(b) * 0.20	amt in (b)	amt in (b)
Overweight--Schedule III				
(33) 100 - 5,000	\$200 + (a) * 0.15	(b) * 0.20	\$2,000	\$2,000
(34) 5,001 - 8,250	\$350 + (a) * 0.20	(b) * 0.20	\$2,000	\$2,000
(35) 8,251 - 10,000	\$350 + (a) * 0.20	(b) * 0.20	amt in (b)	amt in (b)
(36) 10,001 - and over	\$500 + (a) * 0.30	(b) * 0.20	amt in (b)	amt in (b)
Miscellaneous Other Violations				
(37) SF Viol. Scrap metal business violation, 165.107, <u>first through third offense</u>	\$1,000	\$200	\$2,000	\$2,000
(38) SF Viol. Scrap metal business violation, 165.107, <u>fourth or subsequent offense</u>	\$5,000	\$1,000	\$5,000	\$5,000
(39) SF Viol. Unlawful air pollution in the second degree, 468.936	\$5,000	\$1,000	\$25,000	\$25,000
(40) D Viol. Operating manually propelled boat w/o aquatic invasive species permit, 830.565	\$30	\$30	\$250	\$500
(41) D Viol. Operating motor boat w/o aquatic invasive species permit, 830.565	\$50	\$50	\$250	\$500