

1 **IN THE MUNICIPAL COURT FOR THE CITY OF BEND**

2 **COUNTY OF DESCHUTES, STATE OF OREGON**

3 In the Matter of:

4 Establishment of a Violations Bureau

General Order No.: 101

5
6 THIS MATTER came before the Court on its own motion, having determined the
7 need for delegation of certain authority to resolve violation offenses for the efficient
8 disposition of the Court's business; the Court HEREBY ORDERS pursuant ORS
9 153.800 et seq.:

10 1. *Establishment of Violations Bureau.* The Court hereby establishes the
11 Bend Municipal Court Violations Bureau.

12 2. *Violations Bureau Hours of Operations.* Contact the clerk at (541) 388-
13 5572 and press 9 Monday through Friday between the hours of 9:00 a.m. and noon and
14 1:00 p.m. to 4:00 p.m. to obtain current hours of operations.

15 3. *Designation of Violations Clerks.* The Court designates and appoints all
16 duly appointed Bend Municipal Court clerks as violations clerks pursuant to ORS
17 153.800. The violations clerks shall serve at the direction of the judge and pursuant to
18 this General Order 101 and the laws of City of Bend and the State of Oregon.

19 4. *Scope of Authority of Violations Clerks.*

20 a. Persons who have been found guilty of, or who have entered a plea
21 of no contest to one or more traffic offense(s) in the 12-month period directly
22 preceding the date of the alleged offense are permitted to appear before the
23 violations clerks.
24
25

1 b. All other persons are permitted to appear before the violations
2 clerks; however, the clerks are not authorized to offer a reduction in the fine nor
3 participation in any court programs for the following:

4 i. A violation/infraction for which the presumptive fine/penalty
5 is enhanced, omitted, or is not legible;

6 ii. A violation for careless driving involving an accident
7 pursuant to ORS 811.135;

8 iii. A Class A violation/civil infraction; and

9 iv. A citation issued to a person age 18 or younger at the time
10 of the violation/infraction.

11 c. The following violations/infractions require a mandatory appearance
12 either in writing or in person:

13 i. All violations/infractions issued as a result of behavior
14 affecting an individual who has not yet attained the age of 18; and

15 ii. A violation of the Federal Motor Carrier Safety Administration
16 regulations.

17 d. Violations clerks, at the direction of the judge, shall enter an order
18 requiring the person to attend an approved traffic safety class as a condition of
19 conviction for a violation of driving a motor vehicle while using a mobile electronic
20 device under ORS 811.507.

21 e. Except as otherwise allowed for in Local Court Rule 23, violations
22 clerks, at the direction of the judge, shall enter an order requiring the person to
23 attend an approved traffic safety class as a condition of conviction for the
24 following violations:

1 i. A violation for violating a speed limit pursuant to ORS
2 811.111 for a speed greater than 10 mph of the posted speed within the
3 city limits of Bend, excluding the violations occurring on U.S. 97; and

4 ii. A violation for violating a speed limit pursuant to ORS
5 811.111 for a speed greater than 20 mph of the posted speed on U.S. 97
6 within the city limits of Bend.

7 5. *No Preemption of Defendant's Right to Appear in Court.* Nothing in this
8 Order shall be construed to prevent any person from appearing in the Municipal Court
9 before the judge at the time and place set for the person's arraignment or first
10 appearance.

11 6. *Effect on Prior Orders.* This Order supersedes any and all prior orders of
12 this Court concerning the matters herein and shall remain in effect until amended,
13 superseded, or vacated by this Court.

14 DATED: January 14, 2021

15 

16 _____
17 Gwen Moore
18 Municipal Court Judge

**EXHIBIT A TO BEND MUNICIPAL COURT
GENERAL ORDER #101 Violations Bureau
FINE/PENALTY REDUCTION SCHEDULE**

*****Notice: It is your responsibility to notify the Court if you believe you are eligible for one of the reductions set forth below.*****

Note: "Prior" = any ORS convictions within the last **THREE (3)** years (includes seatbelt violations). 4+ Priors = FULL PRESUMPTIVE FINE

OREGON REVISED STATUTES	Presumptive Fine¹	0 Priors	1 Prior	2-3 Priors	Minimum Fine³	MAX FINE⁴
D Viol	\$115	\$90	\$95	\$100	\$65*	\$250
D-Zone ² (speed)	\$225	\$180	\$185	\$190	\$115	
C Viol	\$165	\$130	\$140	\$150	\$85	\$500
C-Zone ² (speed)	\$325	\$260	\$270	\$280	\$165	
B Viol	\$265	\$210	\$220	\$230	\$135	\$1,000
B-Zone ²	\$525	\$420	\$430	\$440	\$265	
A Viol	\$440	\$350	\$370	\$390	\$225	\$2,000
A-Zone ²	\$875	\$700	\$720	\$740	\$440	

¹ Presumptive Fines ORS 153.019

² School/Work Zone Fines ORS 153.020

³ Minimum Fines ORS 153.021 *\$66 = State & County Assessments

⁴ Maximum Fines ORS 153.018

Note: "Prior" = any upheld civil infractions within the last **THREE (3)** years.
4+ Priors = FULL PRESUMPTIVE FINE

CITY ORDINANCES	Penalty	0 Priors	1 Prior	2-3 Priors	MAX PENALTY
C Violation/Infraction	\$150	\$120	\$130	\$140	\$200
B Violation/Infraction	\$275	\$220	\$230	\$240	\$400
A Violation/Infraction	\$500*	\$400	\$420	\$440	\$750

* Exception: Noise Ordinance 1st off. in 1 year = \$250

DIAMOND PARKING	Penalty/Fine	0 Priors in past 12 months	
Overtime	\$45	\$30	
Improper	\$50	\$34	
5-9 Overtime	\$90	\$80	Habitual Offender
5-9 Improper	\$100	\$90	Habitual Offender
ORS Prohibited Parking	\$115	\$90	
10-14 Overtime	\$135	\$125	Habitual Offender
10-14 Improper	\$150	\$140	Habitual Offender
ORS ADA Placard	\$165	\$130	
15+ Overtime	\$180	\$170	Habitual Offender
15+ Improper	\$200	\$190	Habitual Offender

**EXHIBIT B TO BEND MUNICIPAL COURT
GENERAL ORDER #101 Violations Bureau**

*****Notice: It is your responsibility to notify the Court if you believe you
are eligible for one of the dismissals set forth below.*****

Violations that may be dismissed by violations clerk upon verification of compliance by a City of Bend police officer (when required) and payment of any applicable administrative fee.

ORS: Description of Violation:

- 803.220 Failure to change name or address on vehicle registration
- 803.300 Failure to register vehicle
- 803.455 Failure to renew registration
- 803.505 Failure to carry registration
- 806.010 Driving Uninsured – **With Letter of Experience from insurer**
- 806.012 Failure to Carry Proof of Insurance – **With insurance card covering date of citation**
- 807.420 Failure to change address or name on a ID card
- 807.560 Failure to change address or name on a driver license or permit
- 811.615 Parking in Disabled Zone (Failure to display valid ADA placard)

The following require signed verification by a City of Bend police officer:

- 803.540 Failure to display plates
- 803.545 Failure to display out of state plate
- 803.550 Illegal alteration/display of a license plate (license plate covers)
- 803.560 Improper display of validating stickers
- 803.635 Improper use of temporary permit
- 811.225 Failure to maintain seatbelt
- 814.320 Failure to display lighted headlight (faulty equipment)
- 814.310 Illegal alteration of moped
- 815.100 Operation of vehicle that violates equipment rules
- 815.160 Unlawful use of metal objects on tires (studded tires) – **if removed within 60 days of
any removal deadline set by the Oregon Dept. of Transportation (ODOT)**
- 815.185 Operation without proper fenders/mudguards
- 815.220 Obstruction of vehicle windows
- 815.222 Illegal window tinting
- 815.235 Operation without rearview mirror
- 815.280 Bicycle equipment requirements
- 816.300 Operation with non-standard lighting equipment
- 816.330 Operation without required lighting or 816.360 Use of prohibited lighting