

ADMINISTRATIVE ORDER GOVERNING COMMERCIAL VEHICLE VIOLATIONS

WHEREAS, certain non-criminal commercial vehicle violations under Florida Statute Section 316.302 and 49 C.F.R. Sections 100-399 can be efficiently disposed of through the payment of a fine in lieu of attending court hearings; and

WHEREAS, violations under Florida Statutes Section 316.302 are civil infractions unless otherwise indicated; and

WHEREAS, pursuant to Florida Statute Section 316.302 (10), any traffic enforcement officer or any person otherwise authorized to enforce this section may issue a uniform traffic citation as provided by Florida Statute Section 316.650 to an alleged violator of any provisions under Section 316.302; and

WHEREAS, the Florida Department of Highway Safety and Motor Vehicles has published a chart which classifies commercial vehicle violations for improper or unsafe equipment as non-moving infractions for which violators can elect to pay and mail in the fine or fee in lieu of requiring a court appearance and states that the fine amount should be obtained from the local clerk of court;

NOW, THEREFORE, I, Belvin Perry, Jr., pursuant to the authority vested in me as Chief Judge of the Ninth Judicial Circuit of Florida under rule 2.050 of the Florida Rules of Judicial Administration do hereby order the following:

1. Defendants charged with the below stated commercial vehicle violations in Orange County under Florida Statutes Section 316.302 and 49 C.F.R. Sections 100-399 may elect to pay an established fine plus the appropriate court costs in lieu of appearing for a civil infraction hearing; and such payment shall be returnable to the Clerk of Courts at the Orange County Courthouse in Orlando or at the branch courthouses in Winter Park, Apopka or Ocoee within thirty (30) days from the issuance of such citation for disposition.

2. The applicable offenses and fines are as follows:

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| Improper/Unsafe Equipment- FS 316.302(1) and 49 C.F.R. Sections 390-397 | \$ 100.00 |
| Disregard of Required Hours of Rest- FS 316.302(2)(b) | \$ 100.00 |
| Falsification of Time Records- FS 316.302(2)(c) | \$ 100.00 |
| Failure to Possess Physical Examination | \$ 250.00 |