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FINAL REPORT

of the

COMMITTEE TO STUDY THE PROCESSING OF TRAFFIC FINES

to the

LEGISLATIVE COUNCIL

112th LEGISLATURE

MARCH 1986



LINWOOD F. ROSS
DEPUTY SECRETARY OF STATE

State of Maine
Department of State
MOTOR VEHICLE DIVISION
AUGUSTA, MAINE 04333

ADMINISTRATIVE SERVICES
John H. Wentworth
COMM. VEH. & RECIPROCITY
Carolyn Manson
DRIVER LICENSE CONTROL
George E. Storer
EXAMS AND ENFORCEMENT
William E. Dowling
PUBLIC SERVICES
Jennie Breed

Honorable John N. Diamond, Chairman
Legislative Council
112th Legislature
State House
Augusta, Maine 04333

Dear Representative Diamond:

On behalf of the Committee to Study the Processing of Traffic Fines, I am pleased to transmit the Final Report containing the Committee's findings and recommendations.

The Committee has reviewed the problem, as outlined in the Study Order, and has developed the necessary statutory and administrative revisions to improve the processing of traffic fines in Maine. These improvements will allow for ease of access and payment by the citizen and at the same time simplify and reduce the administrative burden for State Government.

The Committee feels that the recommendations meet the purposes outlined in the Study Order and will assist, as necessary, with implementation of this report.

Sincerely,

A handwritten signature in cursive script that reads "Carolyn M. Manson".

Carolyn M. Manson
Secretariat
Committee to Study the Processing
of Traffic Fines

COMMITTEE MEMBERS

Dana R. Baggett
State Court Administrator
PO Box 4820, Downtown Station
Portland, ME 04112

Arthur A. Stilphen, Commissioner
Department of Public Safety
State House Station #42
Augusta, ME 04333

Senator Edgar Erwin
District 8
133 Knox St.
Rumford, ME 04276

George Storer, Division Chief
Motor Vehicle Division
State House Station #29
Augusta, ME 04333

Representative Patrick Paradis
District 89
18 Laurel St.
Augusta, ME 04330

Representative Raynold Theriault
District 150
1 First St.
Fort Kent, ME 04743

Senator Charlotte Sewall
District 20
Keene Narrows, Medomak P.O.
Medomak, ME 04551

Secretariat

Carolyn M. Manson, Division Chief
Motor Vehicle Division
State House Station #29
Augusta, ME 04333

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INTRODUCTION

Authorization

The Committee to Study the Processing of Traffic Fines was authorized by the Regular Session of the 112th Legislature to "...review the problem and develop a concept, together with the necessary statutory proposals for the Second Regular Session of the 112th Legislature". The Committee was further charged with evaluating the current system for processing traffic infractions and reducing the system to its most simple elements. According to the study order, recommendations should include statutory and administrative revisions, budget and personnel adjustments, improved integration of computer and reporting systems, a program for public information, changes or additions to forms and citations used by law enforcement personnel, timetables for implementation and other items relevant to the payment of fines for traffic infractions. As stated in the Study Order the anticipated recommended improvements should provide the following:

- Centralize in a straightforward way the administration of the largest volume of court-cited violations.
- Reduce the workload for court clerk administration.
- Enable citizens to deal with a single licensing agency rather than two separate departments.
- Reduce opportunity for confusion as to which official or which one of the thirty-three courts is responsible.
- Encourage use of computers to transfer information.
- Improve record control and insure more rapid administration, emphasize highway safety.

- Allow the judicial system more time on contested cases and other serious citations.

Membership

Membership in the Committee consisted of the following:

- Secretary of State
- Court Administrator
- Commissioner, Department of Public Safety
- Two members from the House of Representatives appointed by the Speaker of the House
- Two members from the Senate appointed by the President of the Senate

The Study Order further stated that the Secretary of State shall be the Secretariat and with the Court Administrator shall provide the research and administrative support for the functions of the Committee.

In addition to the Committee members listed above, the following people attended the committee meetings and participated and assisted with the study: Debra E. Olken, Director of Policy and Analysis, Administrative Office of the Courts; Ben Crites, Computer Specialist, Administrative Office of the Courts; Anita Richardson, Clerk, Bath District Court; Sue MacDonald, Chief Clerk, Portland District Court; and David Schultz, Branch Chief, Motor Vehicle Division.

Also, assisting the Committee was William Stokes, Assistant Attorney General and Chairman of the Committee on the Collection of Fines.

The Committee wishes to thank everyone for their participation and valuable assistance.

Methodology

In order to meet the directives outlined by the Study Order a study outline was adopted by the committee to include a discussion of the existing system and statutory requirements affecting the Courts, the Motor Vehicle Division and Public Safety law enforcement officers; proposals to streamline the processing of traffic fines including the procedural and statutory impacts on the existing system; development of an improved traffic fines processing system; and development of final recommendations along with legislative and administrative changes necessary for implementation.

The Committee developed the following goals and objectives to assist with the study process.

- Review, evaluate and simplify the procedure for processing traffic infractions in Maine.
- Streamline the administrative process between the Enforcement Officer, the Courts and the Motor Vehicle Division, and which in turn will make it easier for citizens to comply with Maine's highway safety laws.
- Minimize the number of agencies required to keep records thus creating a more efficient record keeping system and reducing the number of errors caused by the present system.

These goals and objectives were used as a guide to the Committee during the development of the final recommendations.

BACKGROUND

In 1984 there were approximately 130,000 Traffic Citations issued by Maine law enforcement personnel. Of these, 80,000 were waived by the citizen to whom the citation was issued. A "waiver" means that the citizen charged with the traffic infraction files a plea admitting the infraction, waives trial and pays the appropriate fine. Based on the geographical location where a traffic violation is committed, the law enforcement official writing the citation refers the case to one of thirty-three district courts, each of which has a Traffic Violations Bureau. The Violation Clerks accept written appearance, waivers of trial, pleas of guilty as well as payments of fines for which the Chief District Court Judge has designated a uniform fine schedule.

The citizen choosing to admit to the infraction and waive trial must contact the appropriate court - one of thirty-three - to determine if a waiver is possible and if so, the fine amount. In those cases where the Uniform Traffic Ticket (UTT) has been received by the court, the citizen is instructed to pay the fine amount. (This process is further complicated for a non-resident citizen as the court will not accept an out-of-state personal check). In some cases, the court has not yet received their copy of the UTT, and the citizen is then informed of the amount of the fine by mail.

The Committee found the present system to be very cumbersome for the citizen wishing to pay.

A recent study completed by the Committee on the Collection of Fines concluded that the problem of unpaid fines in Maine is a severe one. According to their report, during the period of 1976 through 1984, 11,546 individuals have failed to pay outstanding fines and some 47,224 individuals have failed to appear (FTA) during that time. This amounts to approximately \$1.5 million in fines that have been levied and remain unpaid and does not include the large number of FTA's for which no fine has been imposed. While this is a complicated and complex problem and beyond the charge of the study order creating this committee, the conclusion was reached that simplifying the system and making it easier for those who are willing to pay the fine, would go a long way toward assisting the Courts and the State of Maine in receiving the monies due.

The Current Process

The traffic infraction process starts when an officer writes a uniform traffic ticket (UTT) and gives it to an individual. The UTT gives an appearance date on which the person must appear in court and in which court to answer to the violation. It also explains that the defendant can admit to the infraction, waive trial and pay the fine without appearing in court. The UTT directs the person to call the appropriate court to determine if a waiver is possible and to determine the fine amount.

Following the issuance of the UTT, the officer submits a copy of the UTT to the appropriate court either in person or through a court officer. After an officer swears to the ticket, thus making it a complaint, a court clerk assigns the case a docket number. Prior to the appearance dates on the UTT's, a court clerk makes a list of cases for arraignment on a given date.

If the defendant wishes to admit to the infraction and waive trial, he or she must call the appropriate court designated on the UTT to determine if the waiver is possible and if so, what is the fine amount. There are some cases in which the clerk cannot give an immediate answer as to the fine amount because the court has not yet received their copy of the UTT from the officer, in which case the court informs the person of the fine by mail. If the court receives a waiver without the fine money or with a wrong amount, the court informs the person by mail of the fine amount due and the date by which it must arrive in court.

Once the court receives the signed waiver and proper fine, a clerk certifies the UTT and mails it to the Motor Vehicle Division.

In Augusta, Motor Vehicle personnel date stamp the Uniform Traffic Tickets and check them for legibility, completeness and certification. As the repository for all driving records and all traffic infraction cases state-wide, the Central Files Section of the MVD films all traffic infraction cases on microfilm. A camera operator films each UTT received from

the court, printing a reel and frame number on each document. After filming, a data entry operator enters the infractions, including the reel and frame numbers, on the individual driving records or on a dismissal file on the MVD computer. Finally, the Central Files Section checks the quality of the microfilm pictures and destroys the Uniform Traffic Tickets.

If the defendant wishes to deny the infraction, he or she appears in court on the required date, or enters an appearance beforehand. Following an appearance, the court sets a trial date and informs the individual of same. The court notifies the officer to appear on the trial date directly or through the court officer, and through a trial list mailed to the police departments in the area. After trial and disposition of the cases, a court clerk certifies the UTT and mails it to MVD, beginning the handling process described above.

If a person neither waives trial nor appears in court on the required date, a clerk prepares a failure to appear (FTA) suspension order for a judge's signature. Once signed, the court sends the order to MVD, where a data entry operator enters it on the person's driving record. The data entry action causes printing of a suspension notice, which MVD sends to the individual with a copy of the court suspension order. In 1984, there were approximately 130,000 Traffic Citations issued, of these 80,000 were waived by citizens and there were 20,000 Failure to Appear suspensions issued.

Issues, Improvements and Options

The policy issues or objectives before the Committee included simplifying the system to result in improvements and convenience for the citizen who is willing to pay the fine; reducing record keeping by the agencies involved; increasing efficiency and therefore, increasing fine collections. By using these base objectives the Committee developed the following five options for discussion:

1. Continue to utilize the present waiver system with no changes recommended.
2. Continue to utilize the present waiver system with the Courts adopting certain improvements.
3. Reorganize the waiver system and transfer responsibility to the Secretary of State, Motor Vehicle Division.
4. Combine aspects of options 2 and 3 with the courts adopting certain improvements and at the same time better utilizing the resources of the Motor Vehicle Division for improved fine collections and record keeping.
5. Provide for the administrative adjudications of all traffic infractions by the Secretary of State.

These options were weighed against the issues and objectives of the Committee as follows:

Option 1 - Continue the present waiver system with no changes recommended. The present system is cumbersome for the citizen who wants to waive and pay the fine. Determination must be made as to which court the fine is due. A phone call to determine if the citation can be waived and the amount of the fine. Non-residents

cannot pay by personal check further complicating the payment process. Record keeping is manually maintained by the courts and requires notification to the Motor Vehicle Division for entry onto the citizens driving record. This system does not appear to be the most efficient utilization of the Clerk's time and the public's access is through a most indirect route. This system has resulted in approximately 18,000 to 20,000 Failure to Appear suspensions annually.

Option 2 - Improving the current processing of Traffic Waivers within the Maine District Court. The Court has recommended that the UTT contain the waiver fine schedule; citizens be allowed to waive regardless of the number of prior offenses; the UTT should include a return addressed envelope; waivers be handled uniformly throughout the 33 Maine District Court locations; credit cards and out-of-state personal checks be accepted for payment and the oath requirement be eliminated. This option would offer many improvements to the existing system. Public access is increased through the revised UTT and the envelope. The waiver must still be forwarded to the correct District Court handling the case. This does not reduce or improve the present record keeping system. While this more efficiently utilizes the Clerks' time by reducing the number of inquiries a citizen must make, the clerks' must still process the money and forward the information to the Motor Vehicle Division for entry. These improvements would likely increase fine collections.

Option 3 - Transfer the Processing of Traffic Infractions from the Courts to the Division of Motor Vehicles.

The Motor Vehicle Division has recommended a standard fine schedule; a revised UTT including the fine and a pre-addressed envelope; payment of the fine at any Motor Vehicle Branch Office or the Augusta Motor Vehicle Office; immediate computer entry of information concerning the offender, the issuing department, and the court appearance date; immediate entry onto the driving record of waivers and payments; computer print-outs to the courts of a persons status vis a vis waivers; DMV computer identification of FTA's and issuance of suspensions; DMV presently accepts out-of-state checks; DMV recommends the use of credit cards and elimination of the oath and 12 month prior offense requirement.

This option offers direct access for the citizens by allowing payment at any Motor Vehicle Office regardless of where the offense took place and the District Court involved. EX: If a citizen were stopped in Kittery and lived in Caribou, the fine could be paid at the Caribou Branch Office without the need to contact the Clerk of Courts in Kittery. The direct relationship between the traffic fine and the DMV where the license record is kept might be an influencing factor in improving fine collections. The DMV now processes the UTT. This option reduces the record keeping now manually maintained by the Courts and would more efficiently utilize their time and allow them to process the more serious

and complicated cases before the Courts. These improvements would likely increase fine collections and reduce the number of FTA's.

Option 4 - This option is basically the same as option 2. Many improvements to the present system would be instituted with the addition of allowing payment to be received by the Motor Vehicle Division Branches.

Option 5 - Administrative adjudication of minor traffic offenses. Some states, in response to an overwhelming criminal and traffic offense caseload, have removed minor traffic offenses from the court system and are processing such matters administratively within the Motor Vehicle Division. Administrative adjudication removes the trial of these minor traffic cases from overcrowded dockets by transferring responsibility for the factual determination of whether or not a motorist committed a given offense to the Motor Vehicle Division where trained hearing examiners make that judgement and then invoke appropriate administrative licensing sanctions.

There are obvious benefits to administrative adjudication, including; reduction of court caseloads and trial delays; immediate administrative action against the habitual violator; and long range cost benefits.

Committee Finding and Recommendations

Proposed Waiver System

The system proposed by the Study Committee starts with an officer writing a UTT as discussed earlier in this report.

The committee proposes using a standard fine schedule, available to the officer from which the officer would note the fine amount for the infraction on the UTT when issued to the defendant. This would eliminate the current requirement that the defendant either call or write to the court to determine the fine amount. The UTT would be revised to explain that the defendant may admit to the traffic infraction, waive trial and pay the fine directly to any MVD Branch office or to the Main Office at Augusta. The revised UTT and waiver provision would include the use of a pre-addressed envelope for ease in mailing the waiver and fine. (This system would allow the defendant to pay the fine at the nearest MVD Branch office rather than have to contact a specified court which may be a considerable distance away). Payment by credit card to MVD is also recommended.

Following the issuance of the UTT, the police department and court handle the UTT as previously described pending the arraignment date.

If the defendant wishes to waive trial, he or she may mail the signed waiver and fine amount shown on the ticket to MVD or may take it to any MVD branch office. MVD personnel would process waivers received by mail or in branch offices in the same way UTT's are processed when received

from court under the current system. Once a person waives trial through MVD, the court would be notified where the person was required to appear. Courts linked to a computer system which could read the MVD records would be notified by the computer. Courts without such linkage would be notified by mail with lists printed by the MVD computer. As a safeguard, the MVD computer would not allow entry of an FTA for someone who had already waived trial through MVD.

If the defendant wishes to deny the infraction, he or she follows the established procedures. If the person, after a trial date has been set, changes his mind and waives trial through MVD, MVD would notify the court by computer or by mail. After disposition of the case in court, the clerk certifies the UTT and mails it to MVD. The proposal herein describes a practical method for simplifying the procedure when a defendant wishes to admit to the infraction by allowing the Secretary of State to process traffic infraction waivers. The proposal anticipates a one-step waiver system in which the fine is known at the time of offense and in which there is an easy payment system directly to the Secretary of State. Such a system should enhance the collection of fines, (which means increased state revenue) decrease failures to appear, and reduce failure to appear processing costs. It also gives the public the opportunity to deal directly with a single licensing and central records agency rather than with two governmental agencies.

The proposed system impacts highway safety by decreasing the time between an offense and its entry onto a driving record and action by the Secretary of State in identifying frequent violators under the point system.

Recommendations

The Committee to Study the Processing of Traffic Fines proposes a ONE-STEP WAIVER SYSTEM BY ALLOWING THE SECRETARY OF STATE, THROUGH THE MOTOR VEHICLE DIVISION, TO PROCESS TRAFFIC INFRACTION CASES FOR PERSONS WHO WAIVE TRIAL.

In addition, the following is also recommended:

1. Revise the Uniform Traffic Ticket (UTT) to include the fine amount using the Standard Fine Schedule as established in MRSA 4, § 164 sub 12.B. by the Chief Judge of the District Court.
2. Revise the Uniform Traffic Ticket (UTT) to include an explanation of the defendant's right to waive trial and where and when the fine may be paid.
3. Revise the Uniform Traffic Ticket (UTT) to include the use of a pre-addressed envelope to expedite the defendant's mailing of the waiver and payment of the fine.
4. Increase waiver eligibility by amending the statute that prohibits a person from waiving trial if there has been a previous offense within

12 months.

5. Eliminate the requirement that the officer swear to the ticket.
6. Allow the use of credit cards by the Motor Vehicle offices for payment of traffic fines.

Legislation

On the following pages is the legislation implementing the Committee's recommendations. The Legislation has been prepared in two parts - Part A and Part B. Part A specifically implements the one-step waiver system by allowing the Secretary of State to process traffic infraction cases for persons who waive trial as detailed in this report.

Part B authorizes the transfer of the adjudication of traffic infraction cases from the District Court to the Secretary of State where such traffic infractions would be adjudicated administratively. Part B also authorizes that legislation be prepared detailing this transfer of authority along with a cost analysis, for implementation by July 1, 1988.

While the Study Committee did briefly discuss the option for administrative adjudication of traffic infractions, the decision to include Part B in the legislation was determined as a result of meetings between the Secretary of State and the Administrative Officer of the Courts subsequent to the Study Committee's deliberations. The Part B proposal was then presented to the Legislative members of the Study Committee and a consensus was reached to include the authorization for administrative adjudication and preparation of an implementation schedule.

AN ACT Relating to the Transfer of Authority from the District Courts to the Secretary of State to Adjudicate the Commission of Traffic Infractions.

Be it enacted by the People of the State of Maine as follows:

PART A

Sec. 1. 4 MRSA, Section 164, Subsection 12, para. C is amended to read:

C. Any person charged with any traffic infraction within the authority of the violations clerk may file an appearance in person or by mail before the violations clerk, or may file a waiver of trial before the Secretary of State at the Motor Vehicle Division or at any branch thereof, and enter a plea admitting the infraction charged and waiver of trial, and pay the fine established for the infraction charged, and costs. Any person so entering a plea admitting the infraction charged shall be informed of his rights including his right to stand trial, that his signature to a plea admitting the infraction charged will have the same effect as a judgment of the court and that the record of adjudication will be sent to the Secretary of State, become part of his permanent motor vehicle record as maintained by the Secretary of State.

Sec. 2. 4 MRSA, Section 164, Subsection 12, para D is repealed.

Sec. 3. 29 MRSA, Section 2300, Subsection 1, is amended to read:

1. Form. Every law enforcement agency in this state shall use traffic citations in the form known as the Uniform Traffic Ticket and Complaint, which shall be uniform throughout the state and which shall be issued in books with citations in no less than quadruplicate and meeting the requirements of this chapter. Law enforcement officers shall indicate the scheduled penalty amount on every traffic infraction citation before delivering that traffic infraction citation to a person. The penalty amount will be determined by reference to the order of District Court establishing penalty schedules for traffic infractions pursuant to 4 MRSA Section 164.

Sec. 4. 29 MRSA, Section 2300, Subsection 2, para A, is amended to read:

- A. The District Court shall be responsible for all Uniform Traffic Tickets and Complaints issued to law enforcement agencies or others. and shall seek the advice of the Secretary of State as to the form of the Uniform Traffic Ticket and Complaint.

Sec. 5. 29 MRSA, Section 2300, Subsection 4, is repealed and replaced as follows:

4. When a lawful complaint.

A. In the event that the traffic citation provided under this section includes information and is sworn to as required under the general laws of this state in respect to a complaint charging commission of the offense alleged in said citation to have been committed, then such citation when filed with the court having jurisdiction shall be deemed a lawful complaint for the purpose of the commencement of the prosecution of a misdemeanor under this Title.

B. In the event that the traffic citation provided under this section includes information and is signed by a law enforcement officer in respect to a complaint charging commission of the offense alleged in said citation to have been committed, then such citation when filed with a court having jurisdiction shall be deemed a lawful complaint for the purpose of the commencement of any traffic infraction proceeding under this Title.

Sec. 6. 29 MRSA, Section 2302, as last amended by PL 1981, c. 679,

Sec. 59 is amended to read:

The District Court shall have original and exclusive jurisdiction over all prosecutions for traffic infractions, except

that the Secretary of State shall be authorized to accept waivers of appearance, pleas of admission and payments of penalty and costs for all traffic infractions. The District Court shall have original and concurrent jurisdiction with the Superior Court over all prosecutions for any other violations of this title, except Class C or greater crimes, in which case, District Court jurisdiction shall be subject to Title 4, section 152. All fines and forfeitures collected by the District Court, the Superior Court or the Secretary of State under this Title shall accrue to the General Fund, except for overload violations, only \$5 or 13%, whichever is the greater, of each such overload fine or forfeiture collected through the District Court, or through the Secretary of State, shall accrue to the General Fund and the balance thereof shall accrue to the General Highway Fund.

Sec. 7. 29 MRSA, Section 2302-C is enacted to read:

Sec. 2302-C. Waivers of trial; pleas of admission; payment of penalty

The Secretary of State is authorized to accept waivers of trial, pleas of admission and payments of penalty in all traffic infraction cases, as defined by Title 29 MRSA Section 1 (17-C).
The order of the court pursuant to 4 MRSA Section 164 establishing penalty schedules for traffic infractions shall be distributed to law enforcement agencies and to the Secretary of State and shall be prominently posted at the Secretary of State, Motor Vehicle Division's central office, and at each branch office.

Any person charged with a traffic infraction may appear in person or by mail before the Secretary of State and enter a plea admitting the infraction charged, waive trial, and pay the penalty established for the infraction charged. Any person so entering a plea admitting the infraction charged shall be informed of his rights, including his right to appear before the District Court and stand trial, that his signature to a plea admitting the infraction charged will have the same effect as a judgment of the court and that the record of the adjudication will become part of the person's permanent motor vehicle record as maintained by the Secretary of State.

Upon receipt of a person's written waiver, plea of admission, and payment of penalty in full, the Secretary of State shall transmit that information to the appropriate District Court for docketing.

1. Payment of fines for traffic infractions. All payment of fines for traffic infractions collected by the Secretary of State shall be transmitted forthwith to the Treasurer of State and shall be credited to the General Fund.

2. Administrative fee. The Secretary of State shall collect and retain a fee of \$2.00 which shall be in addition to each traffic fine collected. All fees collected shall be transmitted to the Treasurer of State and shall be credited to the Highway Fund.

PART B

29 MRSA, Section 2302-D is enacted to read:

Section 2302-D. Administrative Adjudication of Traffic Infractions.

Notwithstanding any inconsistent provisions of law all violations of traffic infractions, as defined by 29 MRSA, Section 1, subsection 17-C, shall be heard and determined administratively by the Department of the Secretary of State. The Department of the Secretary of State, with the advice of the Administrative Office of the Courts, shall develop legislation detailing the implementation of the transfer of authority of the District Court to adjudicate the commission of traffic infractions to the Department of the Secretary of State along with a cost analysis in order to implement this legislation by July 1, 1988 and adopt such rules and regulations necessary to carry out the purpose of this Act in accordance with the Administrative Procedures Act as provided in Title 5, chapter 375.

STATEMENT OF FACT

PART A

A Committee to Study the Processing of Traffic Fines was authorized by the regular session of 112th Legislature. The committee was charged with reviewing the problem, evaluating the current system for processing traffic infractions, reducing the system to its most simple elements and develop a concept together with the necessary statutory proposals. The committee adopted a practical method for simplifying the processing of traffic infractions for a defendant who wishes to admit to the infraction, waive trial and pay the fine by authorizing the Secretary of State, Division of Motor Vehicles to process traffic infraction waivers.

Part A of this bill authorizes the Secretary of State to accept waivers and collect fines in traffic infraction cases where the defendant wishes to admit to the infraction, waive trial and pay the fine. At present that authority is restricted to the District Court pursuant to 4 MRSA, Section 164. Part A of this bill establishes a simplified waiver system for traffic infractions by allowing payment of traffic fines directly to the Secretary of State. This proposal will streamline the collection of traffic fines and will reduce administrative costs now incurred by the state in processing of waivers and collecting fines.

Full implementation of Part A will require an amendment to Rule 80F(c) and (d) (1) of the District Court Civil Rules, to require that the Uniform Traffic Ticket and Complaint contain the scheduled fine amount and to allow defendants to dispose of traffic infractions through the Secretary of State.

Section 1 amends 4 MRSA, Section 164, subsection 12, paragraph C to extend to the Secretary of State the authority to process waivers of traffic infractions and to accept payment of fines.

Section 2 repeals 4 MRSA, section 164, subsection 12, paragraph D thus eliminating the bar to waivers for second and subsequent traffic offenses within a 12 month period.

Sections 3, 4 and 5 amend 29 MRSA, Section 2300 in three respects. First, law enforcement officers are required to indicate the fine amount on the traffic ticket before issuing it. Second, the District Court is required to seek advice from the Secretary of State as to the form of the Uniform Traffic Ticket and Complaint. Third, traffic infraction complaints are no longer required to be sworn.

Section 6 amends 29 MRSA, Section 2302 to authorize the Secretary

of State to process waivers of traffic infractions and to collect fines and forfeitures.

Section 7 enacts 29 MRSA, Section 2302-C which grants specific authority to the Secretary of State to accept waivers of trial, pleas of admission and payment of penalty in all traffic infraction cases. In addition to the collection of traffic fines which will be credited to the General Fund the Secretary of State is authorized to collect and administrative fee of \$2.00 which will be credited to the Highway Fund to defray the cost of this program.

PART B

The purpose of Part B is to authorize the transfer of the adjudication of traffic infraction cases from the District Court to the Department of the Secretary of State where traffic infractions would be adjudicated administratively. Administrative adjudication removes the trial of such cases from overcrowded court dockets by transferring responsibility for the factual determination of whether or not a motorist committed a given offense to the Motor Vehicle Division where trained hearing examiners make the judgement and then invoke appropriate penalty and administrative licensing sanctions.

In addition, Part B authorizes that legislation be prepared by the Secretary of State, with the advice of the Administrative Office of the Courts, detailing implementation of the transfer of authority to adjudicate traffic infractions by the Department of the Secretary of State along with a cost analysis in order to implement this legislation by July 1, 1988.

APPENDIX

STUDY ORDER

One Concept: It is proposed that the procedure for processing traffic infractions be evaluated and reduced to its most simple elements. For example, the person cited could admit the infraction, waive trial, and pay the fine directly to any Motor Vehicle Division office -- or by mail to Augusta. In turn, the Motor Vehicle Division could make a single periodic transfer of fines to the Treasurer. The determination of uniform fines would remain the responsibility of the Chief Judge and adjudication would remain a judicial rather than administrative function for persons choosing trial.

This concept would appear to offer the following improvements:

- Centralize in a straightforward way the administration of the largest volume of court-cited violations. (In 1984 there were approximately 130,000 Traffic Citations and 80,000 Waivers.)
- Reduce the workload for court clerk administration.
- Enable citizens to deal with a single licensing agency rather than two separate departments.
- Reduce opportunity for confusion as to which official or which one of the thirty-three courts is responsible.
- Reduce the opportunity for notices to get mislaid or lost.
- Encourage use of computers to transfer information.
- By improving record control and insuring more rapid administration, emphasize highway safety.
- Allow the judicial system more time on contested cases and other serious citations.

Proposal: That the Legislature create a study group which would review the problem and develop a concept, together with the necessary statutory proposals for the second regular session of the 112th Legislature.

The report should include any desirable and feasible statutory and administrative revisions, recommended budget and personnel adjustments, improved integration of computer and reporting systems, a program for public information, changes or additions to forms and citations used by law enforcement personnel, timetables for implementation of proposed changes, and other items relevant to payment of fines for Traffic Infractions.

Membership: Recommend the following study group make-up.

- Secretary of State
- Court Administrator
- Commissioner, Department of Public Safety
- Two Members, House of Representatives,
appointed by the Speaker
- Two Members, Senate, appointed by the President

The study group shall choose its own Chairperson. Members will serve without additional compensation, but will receive necessary and actual expenses for meetings, except that Legislative members shall be entitled to receive Legislative per diem when engaged in Commission business.

The Secretary of State shall be the Secretariat and with the assistance of the Court Administrator shall provide research and administrative support for the functions of the Commission. Approximately four one-day meetings in Augusta are envisioned.

WAIVER LIST FOR
TRAFFIC VIOLATIONS BUREAU

<u>SECTION</u>	<u>COMPLAINT WORDING</u>	<u>FINE</u>
106	Displaying expired registration plates	\$35.00
115	Operating stock car on way	35.00
242 1A	Pickup truck registered as automobile exceeding 6,000 lbs.	35.00
242 1B	Failure to pay double registration fee on a for hire vehicle	50.00
242 1C	Carrying passengers for hire without paying double registration fee	35.00
242 1D	Misuse of one-trip permit	35.00
242 1E	Violation of condition on special registration permit	50.00
	Operating on special registration permit underage	35.00
243	Operating home-made farm tractor beyond 10 miles	50.00
244	Over length vehicle	50.00
	Over length combination vehicle	50.00
	Over length motor vehicle transporter	50.00
	Tree length log exceeding 65 feet	50.00
	Tree length logs extending more than 25% beyond vehicle	50.00
	Operating special mobile equipment without permit	50.00
	Misuse of farm-truck registration	50.00
252	Misuse of plate or placard issued to handicapped	50.00
253	Misuse of wheelchair registration	50.00
256	Failure to display approved registration plate or marker	35.00
259	Failure to notify of (name)(address) change on registration	35.00
354 4	Failure of dealer or employee to accompany loaded truck during demonstration	50.00

<u>SECTION</u>	<u>COMPLAINT WORDING</u>	<u>FINE</u>
354 5	Moving mobile home without tax collectors certificate	\$50.00
355	Failure of dealer to keep records	50.00
	Failure of dealer to make records available	50.00
	Failure of dealer to file records	50.00
360	Misuse of transporter registration plates	75.00
361	Misuse of loaner registration plates	75.00
363	Operating loaded truck on temporary registration	50.00
381	Improper display of registration plates	35.00
382	Failure to apply for replacement plate	35.00
724	Failure to display driver education school license	35.00
	Failure to carry driver instructor's license on person	35.00
831	Operating rented or leased vehicle without insurance	35.00
	Operating a vehicle for hire without insurance	50.00
902	Operating over posted weight limit	75.00
	Operating beyond posted road restrictions	75.00
904	Pedestrian failing to use sidewalk	35.00
	Pedestrian walking on wrong side of way	35.00
941	Failure to keep right	50.00
942	Parking so as to obstruct traffic	35.00
	Leaving unfastened team unattended	35.00
943	Failure to keep slow moving traffic to the right	35.00
944	Failure to yield to vehicle on right	50.00
	Failure to yield on entering a public way	50.00
	Failure to yield to pedestrian on public way	50.00

<u>SECTION</u>		<u>COMPLAINT WORDING</u>	<u>FINE</u>
945		Failure to yield entering rotary	\$50.00
		Operating to left in rotary	50.00
947	1A & 1B	Failure to yield to other vehicles and pedestrians within intersection during (green light)(green arrow)	35.00
947	3A	Failure to stop for red light	35.00
947	3B	Pedestrian red light violation	35.00
947	3C	Turning right on red without yielding	35.00
947	3D	Violation of red arrow signal	35.00
947	3E	Pedestrian entering roadway on red arrow signal	35.00
949		Failure to stop at stop sign	35.00
		Failure to yield at stop sign	35.00
		Failure to yield to vehicle on throughway	35.00
951	1	Failure to yield to pedestrian crossing on signal	50.00
951	2	Pedestrian disobeying traffic signal	35.00
952	1A	Failure to stop for flashing red light	35.00
		Failure to yield after flashing red light	35.00
953		Entering lane against red signal	35.00
954	1	Failure to yield to pedestrian in crosswalk	50.00
954	2	Pedestrian entering way in path of vehicle so close it is impossible for driver to yield	35.00
954	4	Passing vehicle stopped at crosswalk	35.00
955	1	Pedestrian failing to yield to vehicle	35.00
955	2	Pedestrian failing to yield to vehicle at pedestrian tunnel or crossing	35.00
955	3	Crossing between intersections	35.00
955	4	Crossing intersection diagonally	35.00
956		Moving stopped vehicle when unsafe	35.00

<u>SECTION</u>	<u>COMPLAINT WORDING</u>	<u>FINE</u>
957	Opening vehicle door into traffic	\$35.00
	Leaving door open unnecessarily	35.00
958	Occupying (camp trailer)(mobile home) (semi-trailer)(trailer) while moving	50.00
960	Failure to ride on motorcycle seat	35.00
	Carrying passengers on motorcycle not so designed	50.00
960	Carrying improperly seated motorcycle passenger	50.00
991 1	Leaving travel lane unsafely	50.00
991 2	Improperly driving in center lane on 3 lane way	35.00
991 3	Failure to obey lane controls	35.00
991 4	Changing lane of travel against signals	35.00
992	Operating wrong way on divided way	50.00
	Crossing highway dividing space	35.00
	(Entering)(Leaving) limited access way improperly	35.00
	(Being a pedestrian)(Riding a bicycle) (Operating a motor driven cycle) (other forbidden) on a limited access way	35.00
993	Operating wrong way on one-way	50.00
994 1	Improper right turn	35.00
994 2	Improper left turn on two-way roadway	35.00
994 3	Failure to follow turn directors	35.00
994 3	Improper left turn on one-way roadway	35.00
995	Coasting on downgrade	35.00
997	Failure to stop when approaching a fright- ended animal	50.00
997	Passing a (horse) (other animal)(vehicle) without using caution	50.00
	Operating a vehicle so as to frighten an animal	50.00

<u>SECTION</u>	<u>COMPLAINT WORDING</u>	<u>FINE</u>
997	Throwing object from vehicle at animal	\$50.00
999	Operating motorcycle without lighted head lamps	35.00
	Operating more than 2 motorcycles abreast	35.00
	Operating motorcycle with excessively high handlebars	35.00
1031	Following within 150 feet	35.00
1032	Following too close	50.00
	Failure to leave space between vehicles for overtaking vehicle to enter	50.00
	Operating on motorcade without leaving space between vehicle	35.00
1033	Following fire truck within 500 feet	35.00
1071	Operating without lights	35.00
	Parking without lights	35.00
	Parking on left with lighted headlamps	35.00
1072	Failure to dim headlights	35.00
1073	Failure to dim headlights when following another vehicle	35.00
1111	Parking unnecessarily on way	35.00
	Parking without leaving 10 feet of clearance	35.00
	Parking without adequate sight distance	35.00
	Parking in a restricted area	35.00
1112	Leaving for hire vehicle without (responsible person in charge)(fastening it securely)	35.00
	Leaving vehicle without brakes set	35.00
1151	Improper passing	50.00
	Passing on right where prohibited	50.00
	Passing without sounding horn	35.00
1152	Failure to give way to right when overtaken	50.00
	Speeding up while being passed	50.00

<u>SECTION</u>		<u>COMPLAINT WORDING</u>	<u>FINE</u>
1152		Operating on left while passing so as to interfere with (approaching) (overtaken) vehicle	\$50.00
		Failure to return right within 100 feet of approaching vehicle	50.00
		Operating left on a (grade) (curve)	50.00
		Operating left at intersection of railroad crossing	35.00
		Operating left within 100 feet of a bridge (viaduct) (tunnel)	35.00
		Reversing direction without adequate vision	50.00
1191		Changing course of travel when unsafe	35.00
		Failure to signal change of course	35.00
		Failure to signal turn	35.00
		(Stopping) (Suddenly reducing speed) without signal	35.00
1192		Signal lamps not proper color	35.00
		Stop lamp not proper color	35.00
1251		Operating over posted speed limit 1-10 over	30.00
		11-15 over	40.00
		16-20 over	50.00
		21-25 over	60.00
		26-29 over	70.00
		30 and over - see Resident Judge	
		Add \$10 to any fine where speed has exceeded 55 m.p.h., notwithstanding the speed zone.	
1252	1	Imprudent speed	35.00
1252	2C	(See schedule 1251 above)	
1252	2D	(See schedule 1251 above)	
1252	2E	(See schedule 1251 above)	
1252	2F	Exceeding 50 m.p.h. limit with school bus (clock) (radar)	50.00
	2F	Exceeding 45 m.p.h. limit with school bus (clock) (radar)	50.00
1252	2H	Motor driven cycle with inadequate headlamp exceeding 35 m.p.h. (clock) (radar)	35.00

<u>SECTION</u>	<u>COMPLAINT WORDING</u>	<u>FINE</u>
1253	Operating so slow as to impede traffic	\$35.00
	Operating below minimum speed	35.00
1362	Operating with inadequate brakes	35.00
	Inadequate parking brake	35.00
	Inadequate horn	35.00
	Unnecessary use of (horn)(signaling device)	35.00
	Unnecessary noise	35.00
	Installing a bell or siren on unauthorized vehicle	35.00
	Using a bell or siren on unauthorized vehicle	50.00
1364	Excessive exhaust noise	35.00
	Operating vehicle equipped with a cutout, bypass or other similar device	35.00
	Operating with an (incomplete)(leaking) exhaust system	35.00
1364-A	Operating beyond restrictions on permit for exhaust cutout	35.00
	Failure to carry exhaust cutout permit	35.00
1365	TV visible to operator	35.00
1366	Headlamps attached too (high)(low)	35.00
	Improperly colored headlamp	35.00
	Operating without 2 headlamps	35.00
	Operating motorcycle without headlamp	35.00
	Insufficient headlamp on motor driven cycle	35.00
	Headlamp projecting too high	35.00
	Headlamp exceeding 32 candlepower	35.00
	Inadequate tail light	35.00
	Inadequate plate light	35.00
	Inadequate clearance lights	35.00
	Inadequate clearance lights on closed body	35.00

<u>SECTION</u>	<u>COMPLAINT WORDING :</u>	<u>FINE</u>
1366	Inadequate reflector on rear	\$35.00
	Lights not within 12 inches of rear	35.00
	Operating motorcycle without required lighting at night	35.00
1367	Inadequate mirror	35.00
	Failure to remove temporary mirrors	35.00
1367-A	Operating motorcycle without adequate mirror	35.00
1368	Improper use of (spot)(fog) auxiliary light	35.00
	(Fog) (auxiliary) light displaying unauthorized color	35.00
	Unauthorized headlight flashers	35.00
	Unauthorized (red)(blue) light on front	35.00
	Unauthorized <u>use</u> of (red)(blue) light on front	No waiver
	Unauthorized (improper) light on volunteer fireman's vehicle	35.00
	Unauthorized use of lights by volunteer fireman	35.00
	Unauthorized lights on private snowplow	35.00
	Using flashing lights on snowplow on way	35.00
	(Unauthorized) (improper) light on rescue or ambulance volunteer's vehicle	35.00
1368-A	Automobile not equipped with seat belts	35.00
1370	Using non-transparent material in place of glass	50.00
	Operating with obstructed view	50.00
	Improper display of decals	35.00
1371-A	Inadequate tire	35.00
1372	Interference with drivers (view)(control)	50.00
1374	Display of illuminated advertising on vehicle	35.00
1375	Operating out of season with studded tires	35.00
	Failure to carry studded tire permit	35.00

<u>SECTION</u>	<u>COMPLAINT WORDING</u>	<u>FINE</u>
1401	Inadequate flag and flare kit	\$50.00
1402	Failure to properly display flags and flares	50.00
1403	Failure to display name on truck tractor	35.00
1404	Inadequate splash guards	50.00
1461	Improper lights on rural mail vehicles	50.00
1462	(Snow removal) (Sanding) vehicle with inadequate lights	50.00
1463	Doctor displaying improper lights on vehicle	35.00
	Doctor using emergency light improperly	35.00
1652	1C Failure to produce GVW Certification	35.00
1652	4A Operating without adequate brakes on all axles	50.00
1701	Operating over width vehicle	50.00
	No 3 inch risers or binders	50.00
	Inadequate tail gate	50.00
	Over structural height	50.00
	Operating over height	50.00
	Exceeding bridge clearance height	50.00
1702	Operating vehicle likely to damage bridge or way	75.00
1703	Operating beyond overlimit permit restrictions	50.00
	Improperly equipped escort vehicle	50.00
	(Lights) (Signs) improperly displayed on escort vehicle	50.00
1751	Inadequate binding on logs	75.00
1752	(Throwing) (Placing) injurious substance on a way or causing same	50.00
1752	Insecure load on a vehicle	50.00
1755	Failing to (flag) (light) extended load	50.00
	Inadequate safety chain	50.00
1756	Failure to indicate body-level capacity	35.00

<u>SECTION</u>		<u>COMPLAINT WORDING</u>	<u>FINE</u>
1961		Failure to keep right with bicycle	35.00
		Riding a bicycle other than astride a regular or permanent seat	35.00
		Carrying excess passengers on a bicycle	35.00
		Attaching to a moving vehicle while riding on a (bicycle)(rollerskates)(a sled) (A toy vehicle)	35.00
1962		Inadequate headlamp on bicycle	35.00
		Inadequate reflector on bicycle	35.00
		Inadequate (pedal reflectors)(handlebar reflector tapes) on bicycle	35.00
2012	1A	Inadequate lettering on school bus	50.00
2012	1B	Improper paint on school bus	50.00
2012	1C	Improperly painted bumper on school bus	50.00
2012	1D	Inadequate signal lamps on school bus	50.00
2012	1E	Inadequate mirror on school bus	50.00
2012	2	Failure to make required changes to former school bus	50.00
2012	3	Using school bus equipment when transporting for other purposes	50.00
2012	4	Misuse of school bus equipment	50.00
2013	1	Operating school bus without proper license	50.00
2013		Operating school bus without having passed annual physical	50.00
2014	1	Insufficient seating space on school bus	50.00
2014	2	Obstructed emergency door on schoolbus	50.00
2014	3	Standees on schoolbus	50.00
2014	4	Failure to wear seatbelts when provided on a schoolbus	50.00
2015	4	Inadequate fire extinguisher on schoolbus	50.00
2127		Inadequate air pollution control system	35.00

<u>SECTION</u>	<u>COMPLAINT WORDING</u>	<u>FINE</u>
2187	Soliciting (alms)(contributions) (subscriptions)from persons in vehicles	\$35.00
2187	Selling (merchandise)(tickets) to persons in vehicles	35.00
2188	Hitchhiking violation	35.00

MAY 24, 1985

SECRETARY OF STATE, MOTOR VEHICLE DIVISION

REPORT OF CONVICTIONS FOR YEAR ENDING DECEMBER 1984

REPORT OF CONVICTIONS FOR YEAR ENDING DECEMBER 1984																		
OFFENSE		RESIDENT																TOTAL
		UNDER 20		20 TO 24		25 TO 34		35 TO 44		45 TO 54		55 TO 64		OVER 64				
		M	F	M	F	M	F	M	F	M	F	M	F	M	F			
M	AL UNRG M/V HWY	18	0	28	12	60	10	31	14	17	9	15	2	3	0		219	
M	ALTER DL	25	6	7	5	7	0	0	0	0	0	0	0	0	0		50	
M	BAC .10 OR MORE	45	6	244	22	328	37	188	33	82	10	36	12	14	4		1061	
I	CROSSOVER VIOL	5	0	24	1	18	6	13	6	11	5	6	1	4	0		100	
I	DISP BLUE LIGHT	2	0	0	0	0	0	0	0	1	0	0	0	0	0		3	
M	DISP MUTILAT L	1	0	3	1	0	0	0	0	0	1	0	0	0	0		6	
I	DISP RED LIGHT	0	0	1	0	0	0	0	0	0	0	0	0	0	0		1	
E	DR TO ENDANGER	127	6	194	12	145	15	56	8	19	3	6	2	5	2		600	
I	DR WRONG SIDE	17	2	30	4	27	6	16	2	4	0	3	1	2	1		115	
I	DR WRONG WAY	38	6	95	23	80	21	25	8	10	2	7	1	7	0		323	
D	ELUDING POL OFF	41	0	62	1	36	0	9	0	2	0	0	0	0	0		151	
I	EXCESS ACCEL	8	0	14	0	5	0	0	0	0	0	0	0	0	0		27	
I	EXCESS NOISE	434	13	432	13	167	10	29	2	1	0	0	0	0	0		1101	
M	EXP INSPEC STKR	0	0	1	0	3	1	0	0	1	0	0	0	1	0		7	
I	FAIL DIM H/L	5	1	9	2	7	3	4	2	3	0	0	0	1	0		37	
I	FAIL KEEP RITE	27	6	40	5	47	4	15	2	8	0	6	2	9	8		179	
M	FAIL RPT ACCD	46	12	107	21	71	10	21	11	8	4	7	0	5	1		324	
I	FAIL RTRN RIGHT	2	0	0	0	0	0	0	1	1	0	0	1	1	0		6	
I	FAIL SIGNAL	1	0	1	0	1	1	0	0	0	0	1	0	2	0		7	
I	FAIL YLD EM VEH	2	1	2	0	2	0	1	0	0	0	0	1	0	0		9	
I	FAIL YLD PEDSTR	4	1	1	1	3	6	3	1	0	1	0	0	1	1		23	
I	FAIL YLD SIGN	6	1	12	1	6	3	4	0	2	0	3	2	3	2		45	
E	FALS INFO TO PD	3	0	9	2	5	0	1	0	0	0	0	0	0	0		20	
I	FL CARRY R/C	0	0	2	0	0	0	0	0	0	0	0	0	0	0		2	
M	FL DIS VLD I/S	612	91	1894	393	2148	675	908	353	325	114	143	51	59	17		7783	
I	FL DIS VLD R/P	20	3	75	40	85	34	34	32	23	11	16	9	4	1		387	
I	FL GV WAY OT VH	1	1	3	0	3	0	2	0	1	0	1	0	2	0		14	
I	FL OBEY STP SGN	329	94	510	164	440	180	182	86	70	43	47	29	47	18		2239	
M	FL PROD OPR LI	13	3	12	4	17	7	4	2	1	0	0	1	0	0		64	
M	FL PRODU L-BOOK	0	0	0	0	0	0	1	0	0	0	0	0	0	0		1	
I	FL PROR R/C	8	1	12	0	14	2	4	1	1	0	0	1	1	0		45	
E	FL STOP POL OFF	28	2	55	1	39	4	13	1	4	0	2	0	1	0		150	
I	FL STOP RED LIT	270	72	536	178	447	194	201	88	91	51	74	31	35	27		2295	
I	FL YL RT OF WA	53	24	79	27	69	36	29	19	22	17	39	18	58	32		522	
I	FOLL TOO CLQSE	16	3	28	6	17	3	9	2	3	1	1	1	1	0		91	
I	HITCHHIKING	0	0	0	0	1	0	0	0	0	0	0	0	0	0		1	
I	IL DISPLAY RLTS	3	0	4	0	1	2	1	0	0	0	1	0	0	0		12	
M	ILL ATH I-STK	3	0	5	0	4	0	1	0	1	0	1	0	0	0		15	
M	ILL ATH PLATES	81	0	169	12	86	9	28	4	6	1	3	1	1	0		401	
I	ILL LEFT TURN	10	3	15	13	31	20	16	8	4	6	7	1	1	0		135	
I	ILL RIGHT TURN	1	0	5	1	5	0	2	0	0	0	1	0	0	0		15	
I	ILL TRAN LIQUOR	441	77	101	18	1	0	0	0	0	0	0	0	0	0		638	
I	ILLEGAL PARKING	0	1	2	1	6	0	3	0	3	0	1	0	2	0		19	
I	ILLEGAL U-TURN	4	0	11	2	16	4	7	4	6	2	3	0	1	0		60	
I	IMPED FLOW TRAF	0	0	0	1	0	0	0	0	0	0	0	0	1	0		2	
I	IMPROPER COURSE	0	0	0	1	0	0	0	0	0	0	0	0	0	0		1	

MAY 24, 1985

SECRETARY OF STATE, MOTOR VEHICLE DIVISION

REPORT OF CONVICTIONS FOR YEAR ENDING DECEMBER 1984

REPORT OF CONVICTIONS FOR YEAR ENDING DECEMBER 1984																
OFFENSE	RESIDENT															TOTAL
	UNDER 20		20 TO 24		25 TO 34		35 TO 44		45 TO 54		55 TO 64		OVER 64			
	M	F	M	F	M	F	M	F	M	F	M	F	M	F		
I IMPROPER PASS	58	7	100	8	67	10	28	8	11	3	11	6	11	3	331	
I IMPROPER TURN	7	3	9	0	17	7	9	7	4	1	2	1	3	2	72	
I IMPRUDENT SPEED	180	15	209	15	112	2	32	2	10	1	3	1	3	0	585	
I INAD EXH SYS	50	1	62	5	39	2	12	1	0	1	0	1	0	0	174	
I INAD OR DEF EQ	49	3	51	5	33	5	15	3	4	0	4	0	0	0	172	
I INADE BRAKES	1	1	7	1	4	0	3	1	1	0	2	0	0	0	21	
I INADE TIRES	101	10	133	14	76	13	20	11	10	2	0	0	2	0	392	
I LACK REQ EQUIP	5	1	26	8	24	18	13	4	8	2	0	1	2	0	112	
I LANE CONV	10	3	10	1	15	8	4	4	1	0	2	0	1	1	60	
I LITTERING	14	1	10	1	7	1	4	1	0	1	0	0	0	0	40	
M LOANING DL	0	0	2	0	1	1	1	0	0	0	0	0	0	0	5	
E LV SCENE ACC BI	2	0	11	2	11	3	2	1	0	0	0	0	2	0	34	
I LV SCENE ACC PD	45	8	80	10	88	16	21	5	16	3	8	3	15	5	323	
I LV STA MV ON HW	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1	
B MANSLAUGHTER	2	0	3	0	4	0	0	0	0	0	0	0	0	0	9	
M NO INSP STICKER	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	
M NO INSPEC STKR	2	0	2	0	4	2	2	1	0	0	0	0	0	0	13	
I OBST FLOW OF TR	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1	
I OBST TRAFFIC	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1	
F OP AFT HAB OFF	4	0	98	2	203	2	58	0	24	0	10	0	0	0	401	
M OP AFT SUSP CR	176	15	547	33	450	35	121	6	37	5	13	0	6	2	1446	
M OP AFT SUSP FR	18	2	133	14	102	9	29	2	4	1	7	1	2	0	324	
M OP AFT SUSP FTA	72	9	312	44	283	43	88	11	21	3	2	1	1	0	890	
M OP AFT SUSP DUI	31	3	67	1	66	3	17	2	16	0	3	0	0	0	209	
M OP BEYOND RES	80	9	81	15	60	17	22	6	3	1	7	0	12	2	315	
I OP DEF EXHAUST	3	0	0	1	0	0	0	0	0	0	0	0	0	0	4	
M OP EXP INS STKR	0	0	0	0	0	0	0	0	0	0	0	1	0	1	2	
M OP M/C BEY RES	20	0	10	1	8	1	2	0	0	0	0	0	0	0	42	
M OP M/C W/O LIC	114	0	108	2	70	0	13	0	0	0	0	0	1	0	308	
M OP M/C W/O REG	48	0	33	1	20	0	2	0	0	0	0	0	0	0	104	
M OP M/C W/O V/L	2	0	0	0	0	0	0	0	0	0	0	0	0	0	2	
I OP M/V OB VIEW	14	0	13	3	2	3	5	0	1	0	2	0	0	0	43	
I OP MV WO T/LIT	1	0	1	0	2	0	0	0	0	0	0	0	0	0	4	
M OP UNSAFE M/V	67	2	93	3	59	8	14	3	11	1	3	0	1	0	265	
M OP W/IMPRO LIC	36	0	49	0	40	0	11	0	10	0	0	0	0	0	146	
M OP W/O COR-LENS	1	0	1	0	1	1	0	0	0	0	0	0	0	0	4	
M OP W/O LICENSE	165	26	249	70	259	99	91	33	34	12	9	4	3	0	1054	
I OP W/O LIGHTS	43	2	49	5	15	2	4	2	3	0	3	0	0	0	128	
M OP W/O REG	0	0	0	0	3	0	0	2	1	0	0	0	0	0	6	
M OP W/O VLD STK	1	0	6	0	4	1	0	1	0	0	0	0	0	0	13	
I OPR LEFT CURVE	2	0	1	0	1	1	2	0	1	0	1	0	0	0	9	
I OPR M/C W/O MIR	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1	
M OPR UNREG MV	330	29	505	148	621	288	297	164	95	58	52	31	29	20	2667	
I OTH IMPROP PASS	7	1	15	2	13	2	6	1	0	2	1	0	0	1	51	
OTH MOV VIOL	66	7	128	20	125	17	51	10	23	4	10	6	7	3	477	
OTH VIOL	115	26	224	35	429	54	356	23	239	8	119	4	21	2	1655	

MAY 24, 1985

SECRETARY OF STATE, MOTOR VEHICLE DIVISION

REPORT OF CONVICTIONS FOR YEAR ENDING DECEMBER 1984

REPORT OF CONVICTIONS FOR YEAR ENDING DECEMBER 1984																
OFFENSE	RESIDENT															TOTAL
	UNDER 20		20 TO 24		25 TO 34		35 TO 44		45 TO 54		55 TO 64		OVER 64			
	M	F	M	F	M	F	M	F	M	F	M	F	M	F		
DUI LIQUOR	312	48	1464	227	1911	286	878	118	431	62	196	30	76	11	6050	
P W/O H ON M/C	2	0	0	0	3	0	0	0	0	0	0	0	0	0	5	
PARK ON HWY	2	1	0	0	1	0	0	0	0	0	0	0	0	0	4	
PASS 100FT INTE	5	0	17	4	12	4	7	1	1	1	1	0	0	0	53	
PASS CURVE HILL	10	1	15	1	4	3	5	0	3	0	0	1	1	0	44	
PASS M/C W/O SE	2	0	0	0	1	0	0	0	0	0	0	0	0	0	3	
PASS ON RIGHT	12	1	11	0	17	0	2	0	2	0	0	1	1	1	48	
PASS ROAD BLOCK	2	0	6	0	9	0	0	0	1	0	0	0	0	0	18	
PASS STP SCH BS	26	8	20	13	22	13	12	11	5	1	6	6	16	6	165	
PASS WRONG SIDE	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1	
PK ON DRIVE LAN	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1	
PR OP UNISP M/V	7	2	26	14	42	14	27	12	17	9	10	1	4	0	185	
PR UNA PRS DRI	37	10	30	11	25	6	18	11	17	6	6	0	4	0	181	
RECK DRIVING	1	0	0	0	1	0	0	0	0	0	0	0	0	0	2	
RED LITE VIOL	17	6	16	12	27	6	13	8	6	2	7	1	2	4	127	
SPEED UNDER 10	65	8	128	30	203	69	115	35	52	13	22	4	10	1	745	
SPEEDING 10-14	761	209	1455	472	2074	760	1269	395	522	163	291	78	89	20	8558	
SPEEDING 15-19	2217	696	4191	1594	5284	2290	2818	1294	1261	472	641	217	228	85	23288	
SPEEDING 20-29	1614	393	2561	744	2587	824	1156	495	468	189	252	94	92	34	11603	
SPEEDING 30+	222	22	298	31	185	17	44	14	9	3	4	3	2	0	854	
SQUEALING TIRES	8	1	8	1	3	0	0	0	0	0	1	0	0	0	22	
STOP ON H/W	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1	
TK M/V W/O CONS	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1	
TLR W/O LIGHTS	0	0	1	0	1	0	1	0	2	0	0	0	0	0	5	
TOW UR MV W/O P	1	0	7	0	5	0	3	0	1	0	0	0	0	0	17	
TOW W/O S-CHAN	2	0	0	0	4	0	1	0	4	0	1	0	0	0	12	
UNINSP MOTOR V	20	2	64	16	83	25	21	12	9	2	6	0	2	0	262	
UNLAWF USE O/L	11	6	7	3	3	0	1	0	1	0	0	0	0	0	32	
UNLIC OP TO DR	0	0	1	0	1	0	1	0	0	0	0	0	0	0	3	
VIO INST PERMIT	154	9	131	10	58	4	3	1	0	0	0	0	0	0	370	
SUB-TOTALS	10202	2043	18731	4641	20355	6389	9611	3413	4132	1313	2148	665	921	319	84883	
TOTALS	12245		23372		26744		13024		5445		2813		1240			

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SECRETARY OF STATE, MOTOR VEHICLE DIVISION

REPORT OF CONVICTIONS FOR YEAR ENDING DECEMBER 1984

OFFENSE	NON-RESIDENT														TOTAL
	UNDER 20		20 TO 24		25 TO 34		35 TO 44		45 TO 54		55 TO 64		OVER 64		
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	
AL UNRG M/V HWY	10	2	12	4	10	2	3	0	1	0	0	0	2	0	46
ALTER DL	1	0	3	1	0	0	0	0	0	0	0	0	0	0	5
ATT OUI LIQUOR	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1
BAC .10 OR MORE	10	1	82	9	66	8	27	2	11	1	7	0	2	0	226
CROSSOVER VIOL	1	0	5	3	7	1	5	2	6	2	3	1	1	0	37
DISP BLUE LIGHT	0	0	1	0	0	0	1	0	0	0	0	0	0	0	2
DISP RED LIGHT	1	0	0	0	1	0	2	0	0	0	0	0	0	0	4
DR TO ENDANGER	35	2	38	1	27	1	9	0	6	0	5	0	3	0	127
DR WRONG SIDE	2	1	3	2	10	1	3	0	1	1	3	0	0	0	27
DR WRONG WAY	8	3	27	3	15	1	4	2	4	1	1	1	3	0	73
ELUDING POL OFF	27	2	11	0	4	0	1	0	0	0	0	0	0	0	45
EXCESS ACCEL	2	0	3	0	1	0	0	0	0	0	0	0	0	0	6
EXCESS NOISE	17	1	22	3	20	0	2	0	1	0	0	0	0	0	66
FAIL DIM H/L	0	0	3	0	2	0	2	1	0	0	1	0	0	0	9
FAIL KEEP RITE	8	0	9	4	8	1	8	0	3	0	1	0	1	0	43
FAIL RPT ACCD	10	3	20	7	13	0	1	0	0	0	1	0	1	0	56
FAIL RTRN RIGHT	0	0	2	0	0	0	1	0	0	0	0	0	1	1	5
FAIL SIGNAL	0	0	1	0	0	1	0	0	2	0	1	0	0	0	5
FAIL YLD EM VEH	0	0	1	0	1	0	0	0	0	0	1	0	1	0	4
FAIL YLD PEDSTR	0	0	3	0	0	0	0	0	0	0	0	1	0	0	4
FAIL YLD SIGN	1	0	2	2	2	1	1	0	0	0	1	2	2	0	14
FALS INFO TO PO	5	1	8	1	6	0	1	0	0	0	0	0	0	0	22
FL CARRY R/C	0	0	0	1	0	0	0	0	0	0	0	0	1	0	2
FL DIS VLD I/S	58	7	188	28	182	40	53	14	20	5	6	5	4	0	610
FL DIS VLD R/P	3	2	8	3	12	7	4	3	1	2	3	0	0	0	48
FL GV WAY OT VH	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1
FL OBEY STP SGN	46	12	108	34	93	30	45	10	16	4	16	2	2	3	421
FL PROD OPR LI	9	1	13	1	7	4	5	0	1	0	0	0	0	0	41
FL PRODU L-BOOK	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1
FL PROR R/C	4	2	3	1	1	1	1	0	0	0	0	0	0	0	13
FL STOP POL OFF	31	3	17	1	12	1	1	1	1	0	0	0	1	0	69
FL STOP RED LIT	26	13	91	23	79	23	36	8	19	3	13	2	4	1	341
FL YL RT OF WA	7	5	21	7	17	4	6	3	4	0	2	2	10	0	88
FOLL TOO CLOSE	4	0	14	0	8	2	2	0	2	0	0	0	0	0	32
ILL DISPLAY PLTS	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1
ILL ATH I-STK	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1
ILL ATH PLATES	38	3	63	7	27	2	9	0	1	0	2	0	0	0	152
ILL LEFT TURN	1	1	6	2	7	0	3	1	0	2	1	0	1	0	25
ILL TRAN LIQUOR	96	17	23	4	0	0	0	0	0	0	0	0	0	0	140
ILLEGAL PARKING	1	0	0	0	3	0	4	0	1	0	0	0	1	0	10
ILLEGAL U-TURN	1	0	5	2	2	1	2	1	1	0	4	0	0	0	19
IMPROPER COURSE	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1
IMPROPER PASS	12	2	15	8	25	4	14	1	6	1	13	0	5	0	106
IMPROPER TURN	1	1	3	2	3	1	2	0	1	0	2	0	0	0	16
IMPRUDENT SPEED	29	1	40	4	21	1	5	1	3	0	1	0	1	0	107
INAD EXH SYS	3	0	13	0	3	0	0	0	1	0	0	0	1	0	21

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SECRETARY OF STATE, MOTOR VEHICLE DIVISION

REPORT OF CONVICTIONS FOR YEAR ENDING DECEMBER 1984

OFFENSE	UNDER 20		20 TO 24		25 TO 34		35 TO 44		45 TO 54		55 TO 64		OVER 64		TOTAL
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	
INAD OR DEF EQ	1	0	1	1	1	0	3	0	0	0	1	0	1	0	9
INADE BRAKES	2	0	1	0	1	0	0	0	1	0	0	0	0	0	5
INADE TIRES	10	2	9	3	6	3	5	2	2	0	0	0	0	0	42
LACK REQ EQUIP	0	0	3	1	3	2	2	1	0	0	1	0	0	0	13
LANE CONV	0	0	1	1	4	2	4	0	3	1	2	0	0	0	18
LITTERING	7	2	5	1	2	0	0	0	0	1	1	0	0	0	19
LOANING DL	1	0	0	0	1	0	0	0	0	0	0	0	0	0	2
LV SCENE ACC BI	0	1	2	0	1	0	1	0	1	0	0	0	0	0	6
LV SCENE ACC PD	26	2	23	1	11	5	4	1	0	0	2	0	0	1	76
MANSLAUGHTER	1	0	0	0	2	0	0	0	0	0	1	0	0	0	4
NO INSPEC STKR	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1
OP AFT HAB OFF	6	0	51	3	47	6	14	1	3	0	1	0	0	0	132
OP AFT SUSP CR	80	1	228	22	212	14	54	1	21	1	9	0	4	0	647
OP AFT SUSP FR	7	0	16	3	11	3	1	1	2	0	0	0	1	0	45
OP AFT SUSP FTA	34	4	201	19	214	19	100	6	31	6	6	1	2	0	643
OP AFT SUSP OUI	12	0	21	0	11	1	4	0	0	0	0	0	0	0	49
OP ALONE PERMIT	1	0	0	0	1	0	0	0	0	0	0	0	0	0	2
OP BEYOND RES	6	0	4	3	3	1	1	0	1	1	0	1	0	0	21
OP DEF EXHAUST	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1
OP M/C BEY RES	5	0	2	0	1	0	0	0	0	0	0	0	0	0	8
OP M/C W/O LIC	100	1	37	1	18	0	2	0	1	0	0	0	0	0	160
OP M/C W/O REG	37	1	8	0	1	1	0	0	0	0	0	0	0	0	48
OP M/V OB VIEW	0	0	2	0	0	0	1	0	0	0	0	0	0	0	3
OP MV WO T/LIT	0	0	0	0	1	1	0	0	0	0	0	0	0	0	2
OP UNSAFE M/V	6	1	16	1	8	1	6	0	0	0	0	0	0	0	39
OP W/IMPRO LIC	16	2	11	0	7	0	1	0	0	0	0	0	0	0	37
OP W/O COR-LENS	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1
OP W/O LICENSE	610	133	481	115	315	79	87	29	44	4	15	2	4	0	1918
OP W/O LIGHTS	8	0	14	2	8	0	4	0	0	0	2	1	0	0	39
OP W/O REG	2	0	0	0	0	0	0	0	0	0	0	0	0	0	2
OP W/O VLD STK	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
OPR UNREG MV	206	10	128	18	92	18	27	10	12	2	4	0	3	0	530
OTH IMPROP PASS	2	0	7	1	5	1	1	0	2	0	1	0	1	1	22
OTH MOV VIOL	26	2	23	3	18	4	12	2	5	0	3	2	4	1	105
OTH VIOL	30	8	87	9	155	10	130	7	69	3	32	2	8	0	550
OUI DRUGS	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1
OUI LIQUOR	110	20	461	43	517	56	221	18	100	9	35	8	7	2	1607
P W/O H ON M/C	2	0	0	0	0	0	0	0	0	0	0	0	0	0	2
PARK ON HWY	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1
PASS 100FT INTE	0	0	5	1	6	1	0	0	1	0	1	0	0	0	15
PASS CURVE HILL	0	0	6	0	5	0	3	0	0	0	1	0	0	0	15
PASS ON RIGHT	2	0	11	1	5	1	2	1	5	1	1	0	0	0	30
PASS ROAD BLOCK	1	0	1	0	0	0	0	0	0	0	0	0	0	0	2
PASS STP SCH BS	3	1	4	0	3	2	0	4	1	2	2	1	0	0	23
PR OP UNISP M/V	0	1	5	3	4	3	6	0	1	1	1	0	0	0	25
PR UNA PRS DRI	4	3	7	0	5	3	2	1	4	0	0	1	2	0	32

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REPORT OF CONVICTIONS FOR YEAR ENDING DECEMBER 1984

OFFENSE	UNDER 20		20 TO 24		NON-RESIDENT 25 TO 34		35 TO 44		45 TO 54		55 TO 64		OVER 64		TOTAL
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	
RECK DRIVING	0	0	1	0	1	0	0	1	0	0	0	0	0	0	3
RED LITE VIOL	0	0	3	1	3	3	0	2	1	0	0	1	0	0	14
SPEED UNDER 10	3	1	6	1	13	6	14	3	12	1	4	0	0	1	65
SPEEDING 10-14	84	29	346	88	555	95	431	89	242	41	157	32	42	8	2239
SPEEDING 15-19	361	110	1344	346	1860	484	1232	299	711	121	420	70	152	27	7537
SPEEDING 20-29	275	67	897	203	990	210	641	119	299	59	155	28	60	10	4013
SPEEDING 30+	55	7	138	14	99	10	41	8	14	1	8	0	0	0	395
SQUEALING TIRES	1	0	1	0	1	0	0	0	0	0	0	0	0	0	3
TK M/V W/O CONS	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
TLR W/O LIGHTS	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1
TOW UR MV W/O P	0	0	1	0	1	0	0	0	0	0	0	0	0	0	2
TOW W/O S-CHAN	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1
UNINSP MOTOR V	8	0	12	2	10	1	5	0	1	2	0	0	0	0	41
UNLAWF USE D/L	6	1	3	0	0	1	0	0	0	0	0	0	0	0	11
UNLIC OP TO DR	0	0	1	0	1	0	0	0	0	1	0	0	0	0	3
VIO INST PERMIT	103	14	62	13	14	2	5	1	0	0	0	0	0	0	214
MISC VIOLATIONS	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
SUB-TOTALS	2771	510	5587	1092	5952	1188	3333	659	1703	280	954	166	339	56	24590
TOTALS	3281		6679		7140		3992		1983		1120		395		

Method of Adjudication by State

State	Classification of Lesser Traffic Offenses*	Method of Adjudication
Alabama	Misdemeanor	Traditional judicial
Alaska	Infraction, no jail penalty	Traditional judicial
Arizona	Misdemeanor	Traditional judicial
Arkansas	Misdemeanor	Traditional judicial
California	Infraction, no jail penalty	In 1980, the Traffic Adjudication Board will test an administrative approach in a 3-county pilot project. However, the motorist will have the option to request traditional judicial processing. (In the past, modified systems have operated at the discretion of selected judges.)
Colorado	Misdemeanor, no jail penalty	Traditional judicial
Connecticut	Infraction, no jail penalty	Traditional judicial
Delaware	Misdemeanor	Traditional judicial
District of Columbia	Infraction, no jail penalty	As of February, 1979, administrative adjudication will be the responsibility of the Department of Transportation.
Florida	Infraction, no jail penalty	Traditional judicial; a modified judicial system is under consideration.
Georgia	Misdemeanor	Traditional judicial
Hawaii	Misdemeanor	Traditional judicial
Idaho	Misdemeanor	Traditional judicial
Illinois	Misdemeanor	Traditional judicial
Indiana	Misdemeanor	Traditional judicial
Iowa	Misdemeanor	Traditional judicial
Kansas	Misdemeanor	Traditional judicial
Kentucky	Misdemeanor, no jail penalty	Traditional judicial
Louisiana	Misdemeanor	Traditional judicial
Maine	Infraction, no jail penalty non-criminal proceeding	Traditional judicial
Maryland	Misdemeanor, no jail penalty	Traditional judicial
Massachusetts	Infraction, no jail penalty	Modified judicial: A motorist may choose to pay by mail, have a non-criminal hearing before a clerk-magistrate or go through the traditional judicial process.
Michigan	Infraction and no jail penalty as of May 1, 1979	Traditional judicial, but modified judicial system used in Detroit Recorders Court, Traffic and Ordinance Division: Motorist may appeal any referee-imposed sentence and obtain trial de novo. Statewide modified judicial system is under consideration.

*"Infraction" is used as a generic term to indicate offenses given less-than-misdemeanor status. In most states, infractions exclude reckless driving, driving while under the influence and homicide by vehicle. The term generally includes such lesser offenses as violations of the basic speed rule, stopping, standing or parking where prohibited, stop sign violations etc. For a comparative analysis of selected offenses across all states, see reference # 15.

Method of Adjudication by State (continued)

State	Classification of Lesser Traffic Offenses*	Method of Adjudication
Minnesota	Infraction, no jail penalty	Traditional judicial
Mississippi	Misdemeanor	Traditional judicial
Missouri	Misdemeanor	Traditional judicial
Montana	Misdemeanor	Traditional judicial
Nebraska	Infraction, no jail penalty non-criminal proceeding	Traditional judicial
Nevada	Misdemeanor	Traditional judicial
New Hampshire	Infraction, no jail penalty, non-criminal proceeding	Traditional judicial
New Jersey	Misdemeanor	Traditional judicial
New Mexico	Misdemeanor	Traditional judicial
New York	Infraction, no jail penalty, non-criminal proceeding	Since 1970, an administrative adjudication system has operated under the Department of Motor Vehicles serving New York City, Rochester, Buffalo and Suffolk County. Further expansion may occur in 1979.
North Carolina	Misdemeanor	Traditional judicial; the state legislature has authorized a feasibility study of administrative adjudication.
North Dakota	Infraction, no jail penalty	Modified judicial
Ohio	Infraction, no jail penalty	Traditional judicial
Oklahoma	Misdemeanor	Traditional judicial
Oregon	Infraction, no jail penalty	Traditional judicial
Pennsylvania	Infraction, no jail penalty	Traditional judicial
Rhode Island	Infraction, no jail penalty, non-criminal proceeding	Since 1975, a statewide system of administrative adjudication has operated under the Department of Transportation.
South Carolina	Misdemeanor	Traditional judicial
South Dakota	Infraction, no jail penalty, non-criminal proceeding	Traditional judicial
Tennessee	Misdemeanor	Traditional judicial
Texas	Misdemeanor, no jail penalty	Traditional judicial
Utah	Misdemeanor	Traditional judicial
Vermont	Infraction, no jail penalty	Traditional judicial
Virginia	Infraction, no jail penalty	Traditional judicial; Fairfax County is considering a modified judicial system.
Washington	Misdemeanor (infraction in City of Seattle only), no jail penalty	Modified judicial in some courts in King County (Seattle).
West Virginia	Misdemeanor	Traditional judicial
Wisconsin	Misdemeanor	Traditional judicial
Wyoming	Misdemeanor	Traditional judicial

*"Infraction" is used as a generic term to indicate offenses given less-than-misdemeanor status. In most states, infractions exclude reckless driving, driving while under the influence and homicide by vehicle. The term generally includes such lesser offenses as violations of the basic speed rule, stopping, standing or parking where prohibited, stop sign violations etc. For a comparative analysis of selected offenses across all states, see reference #15.