

IN THE CIRCUIT COURT OF PHELPS COUNTY, MISSOURI ROLLA
MUNICIPAL DIVISION

ADMINISTRATIVE ORDER 2024-04-16
RE: VIOLATIONS BUREAU ORDER AND FINE SCHEDULE

FINDINGS

The Court makes the following findings:

A. That the undersigned is the duly elected Municipal Judge of the Rolla Municipal Division of the Circuit Court of Phelps County (hereinafter "Rolla Municipal Division"), and as such has original jurisdiction of any animal control violations, housing violations and traffic violations.

8. That Rule 37.49(a) and (c) of the Missouri Supreme Court Rules allows for the establishment of a local violations bureau.

C. That Rule 37.49(d) requires that "For those violations included within the authority of the bureau by virtue of an order pursuant to Rule 37.49(a) and (c) the order shall adopt the uniform fine schedule established by Rule 37.495."

D. That the Missouri Supreme Court has instructed all municipal judges that they shall not establish a system which circumvents Rules 37.49 and 37.495.

E. That the Missouri Supreme Court has further instructed all municipal judges that if the judge wishes to establish a violations bureau and if the municipality has an ordinance which is the same or similar to one on the uniform schedule, then the uniform schedule established by Rule 37.495 is mandatory.

F. That if this Court does not establish a violations bureau, then every person charged with any violation will be required to appear in Court to dispose of his or her charge.

G. That the establishment of a violations bureau is the most efficient method available to the Court to allow a person charged with a violation to dispose of his or her charges without appearing the Court, if said person so desires.

H. That the Court incorporates by reference the findings in its Administrative Order 2020-07-31 re: Assessment of Sheriffs Retirement Fund Surcharge.

ORDERS

IT IS, THEREFORE, ordered, adjudged and decreed that all prior violation bureau orders are amended by deleting the same in their entirety and replacing the same as follows:

1. A violations bureau is hereby established for the Rolla Municipal Division of the Circuit Court of Phelps County, Missouri, which is subject to the supervision of the Circuit Court of Phelps County.

2. The Chief Division Clerk of the Rolla Municipal Division, is designated as the violation bureau clerk and shall perform those duties set forth in Rule 37.49(b). The Chief Division Clerk may designate and delegate a deputy clerk to perform some or all of said duties, under the supervision and direction of the Chief Division Clerk.

3. Any person charged with a violation designated on the attached schedule may pay the specified amount of the fine and costs to the bureau in person, by mail or through an electronic payment system available through any automated case management system approved for statewide use. Full payment received before the court date and time for initial appearance constitutes a guilty plea and waiver of trial. Full payment received on or after the initial appearance date and time may, in the court's discretion, be accepted as a guilty plea and waiver of trial.

4. Any person charged with a violation must appear in Court with respect to any of the following charges:

- a.) Any violation submitted by the prosecutor for disposition through a court appearance; and
- b.) Any violation for which a summons to appear is issued; and
- c.) Any violation resulting in personal injury or property damage; and
- d.) Operating a motor vehicle while intoxicated or under the influence of intoxicants or drugs; and
- e.) Operating a vehicle with a counterfeited, altered, suspended, or revoked license; and
- f.) Fleeing or attempting to elude an officer; and
- g.) Any violation not listed on the attached schedule; and
- h.) Any other violation excluded by law.

- s. The attached schedule shall be prominently posted at the place where the fines are to be paid and posted on the City's website.

04/16/2024

DATE



BRAD NECKERMANN, JUDGE OF THE CIRCUIT COURT OF PHELPS COUNTY,
MISSOURI, ROLLA MUNICIPAL COURT

SCHEDULE OF FINES AND COSTS

SPEEDING VIOLATIONS

M.P.H. OVER POSTED LIMIT

	<u>FINE</u>	<u>COSTS</u>	<u>TOTAL</u>
1 - 5 m.p.h. over	\$50.50	\$31.50	\$82.00
6 - 10 m.p.h. over	\$60.50	\$31.50	\$92.00
11 - 15 m.p.h. over	\$80.50	\$31.50	\$112.00
16 - 19 m.p.h. over	\$120.50	\$31.50	\$152.00
20 - 25 m.p.h. over	\$200.50	\$31.50	\$232.00

26+ m.p.h. over

MANDATORY COURT APPEARANCE

ANY SPEEDING IN A SCHOOL ZONE

MANDATORY COURT APPEARANCE

OTHER TRAFFIC VIOLATIONS

		<u>COSTS</u>	<u>TOTAL</u>
Bicycle violations	\$15.50	\$31.50	\$47.00
Disobey electric signal	\$60.50	\$31.50	\$92.00
Disobey traffic control device	\$60.50	\$31.50	\$92.00
Excessive, loud, unusual or explosive noise from vehicle	\$50.50	\$31.50	\$82.00
Expired operator's/driver's license	\$50.50	\$31.50	\$82.00
Fail to dim lights	\$50.50	\$31.50	\$82.00
Fail to drive on right half of road	\$60.50	\$31.50	\$92.00
Fail to signal a stop or turn	\$60.50	\$31.50	\$92.00
Fail to stop at posted stop sign	\$60.50	\$31.50	\$92.00
Fail to use headlights between sunset and sunrise	\$50.50	\$31.50	\$82.00
Fail to use headlights when raining or foggy	\$10.00	\$0.00	\$10.00
Fail to use single lane	\$60.50	\$31.50	\$92.00
Fail to yield at electric signal intersection	\$60.50	\$31.50	\$92.00
Fail to yield at stop intersection	\$60.50	\$31.50	\$92.00
Fail to yield at yield intersection	\$60.50	\$31.50	\$92.00
Fail to yield to an emergency vehicle	\$150.50	\$31.50	\$182.00
Fail to yield to pedestrian in crosswalk or intersection	\$100.50	\$31.50	\$132.00
Following too closely	\$60.50	\$31.50	\$92.00
Improper backing	\$60.50	\$31.50	\$92.00
Improper child restraint	\$49.50	\$31.50	\$81.00
Improper emerging	\$60.50	\$31.50	\$92.00
Improper or defective brakes	\$50.50	\$31.50	\$82.00
Improper or defective horn	\$50.50	\$31.50	\$82.00
Improper or defective headlights or taillights	\$50.50	\$31.50	\$82.00
Improper or defective muffler	\$50.50	\$31.50	\$82.00
Improper or expired vehicle registration/license plate	\$50.50	\$31.50	\$82.00
Improper passing - interfering with oncoming traffic	\$130.50	\$31.50	\$162.00
Improper passing - other	\$80.50	\$31.50	\$112.00
Improper right, left or U-turn	\$60.50	\$31.50	\$92.00
Improper signal of a stop or turn	\$60.50	\$31.50	\$92.00
Made right, left or U-turn where prohibited by sign	\$60.50	\$31.50	\$92.00
Mud flap violation	\$50.50	\$31.50	\$82.00
Operate non-licensed all-terrain vehicle on street	\$50.50	\$31.50	\$82.00

OTHER TRAFFIC VIOLATIONS (CON'T)

	<u>FINE</u>	<u>COSTS</u>	<u>TOTAL</u>
Operate vehicle in unsafe condition	\$50.50	\$31.50	\$82.00
Passing on right violation	\$80.50	\$31.50	\$112.00
Pedestrian violations	\$15.50	\$31.50	\$47.00
Permit invalidated licensee to operate motorcycle	\$70.50	\$31.50	\$102.00
Railroad crossing violation	\$60.50	\$31.50	\$92.00
Right turn on red where prohibited by sign	\$60.50	\$31.50	\$92.00
School bus stop arm violation	\$130.50	\$31.50	\$162.00
Seatbelt violation	\$10.00	\$0.00	\$10.00
Two way left run lane violation	\$60.50	\$31.50	\$92.00
Window tinting violation	\$50.50	\$31.50	\$82.00
Wrong way on a one way street	\$60.50	\$31.50	\$92.00
ANY OTHER TRAFFIC VIOLATIO	MANDATORY COURT APPEARANCE		

ANIMAL CONTROL VIOLATIONS

<u>FINE</u>	<u>COSTS</u>	<u>TOTAL</u>		
Domestic animals or fowl running at large		\$50.50	\$31.50	\$82.00
Dog at large		\$50.50	\$31.50	\$82.00
ANY OTHER ANIMAL CONTROL VIOLATIONS				
			MANDATORY COURT APPEARANCE	

PARKING VIOLATIONS

	<u>FINE</u>	<u>COSTS</u>	<u>TOTAL</u>
Parking to obstruct mailbox •	\$50.50	\$31.50*	\$82.00
Parking when prohibited on private parking lots	\$50.50	\$31.50*	\$82.00
Parking on public lot without parking permit	\$50.50	\$31.50*	\$82.00
Parking on railroad right-of-way or property	\$50.50	\$31.50*	\$82.00
Parking in or blocking or obstructing fire lane	\$50.50	\$31.50*	\$82.00
Parking on railroad tracks	\$50.50	\$31.50*	\$82.00
Parking in front of a public or private driveway	\$50.50	\$31.50*	\$82.00
Parking within 15 feet of a fire hydrant	\$50.50	\$31.50*	\$82.00
Handicapped parking violations	\$100.50	\$31.50*	\$132.00
All other parking violations	\$15.50	\$31.50*	\$47.00

*§27-80 Rolla City Code "No court costs shall be assessed if the full amount of the fine pursuant to such schedule is paid within thirty days of the violation. If the full fine is not paid within such period, then court costs shall be assessed as in other ordinance violation cases."

HOUSING & NUISANCE VIOLATIONS

<u>COSTS</u>	<u>TOTAL</u>		
Abandoned vehicle nuisance violations	\$50.50	\$31.50	\$82.00
ALL OTHER HOUSING & NUISANCE VIOLATIONS	MANDATORY COURT APPEARANCE		

OTHER NON-TRAFFIC VIOLATIONS

<u>FINE</u>	<u>COSTS</u>	<u>TOTAL</u>
ALL OTHER NON-TRAFFIC VIOLATIONS		MANDATORY COURT APPEARANCE