

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

U.S. DISTRICT COURT
PORTLAND, MAINE
RECEIVED AND FILED

1988 FEB -1 AM 10: 53

BY:

DEPUTY CLERK

ORDER ESTABLISHING PROCEDURES AND PENALTIES
FOR PETTY AND MISDEMEANOR OFFENSES AT
NAVAL AIR STATION, BRUNSWICK, MAINE

(Superseding Order filed December 22, 1983)

It is hereby ORDERED:

1. For offenses appearing on Schedule A, committed at the Naval Air Station, Brunswick, Maine, the United States may commence proceedings by issuing a violation notice completed by a law enforcement officer.

2. A person charged by violation notice with a Schedule A offense may avoid the necessity of appearing in court by paying, before the scheduled hearing date, the penalty established under Schedule A.

3. Whenever the United States Attorney for this District concludes that the offense is of an aggravated nature, the prosecution may proceed by information or indictment in lieu of the violation notice. The Clerk's Office shall thereupon schedule an arraignment at a specified time and place and the defendant must appear accordingly.

4. An offense appearing on Schedule B shall be prosecuted by information or indictment.

5. An offense not listed on either Schedule shall be prosecuted by information or indictment.

6. Nothing in this Order shall prohibit a law enforcement officer from arresting a person for the commission of any offense, including those for which collateral may be posted and forfeited. In the event of such an arrest, the law enforcement officer shall promptly consult with the United States

Attorney concerning the prosecution of the charges, and the United States Attorney's decision shall be final.

6. This Order shall continue in effect pending further order of this Court.

Dated: JANUARY 29, 1988



Chief Judge
United States District Court

Dated: JANUARY 28, 1988



Judge
United States District Court

SCHEDULE A

Offenses and Amounts of Penalties Fixed
Therefor at Naval Air Station, Brunswick, Maine

<u>Authority</u>	<u>Description of Violation</u>	<u>Penalty</u> *
18 U.S.C. § 1382	Reentering a Military Installation After Being Ordered Not to Reenter by the Base Commander	
	First Offense	\$ 125
	Second Offense	325
	Third or Subsequent Offense	525

Laws of the State of Maine Adopted for Areas
Within Federal Jurisdiction by 18 U.S.C. § 13

<u>Authority</u>	<u>Description of Violation</u>	<u>Penalty</u> *
29 M.R.S.A. § 530(1)(B)	Operating a Motor Vehicle Without a License	\$ 75

The remaining penalties* are those set forth in the State of Maine District Court's so-called "Waiver List for Traffic Violations Bureau" for violations contained in 29 M.R.S.A. §§ 106 et seq., attached to this Schedule as Exhibit A.

* In each case, \$25 of the penalty is designated as a special assessment for the Crime Victims Fund, 18 U.S.C. § 3013(a)(1)(A).

EXHIBIT A
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

SECTIONCOMPLAINT WORDINGFINE

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

SECTIONCOMPLAINT WORDINGFINE

2

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

2

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

252

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>
01	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 GWV 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
127	Inadequate air pollution control system	35.00

<u>TION</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

SCHEDULE B

A Person Charged with an Offense Listed Below
Must Appear Before a United States Magistrate

Laws of the State of Maine Adopted for Areas
Within Federal Jurisdiction by 18 U.S.C. § 13

<u>Authority</u>	<u>Description of Violation</u>
29 M.R.S.A. § 893	Failure to remain at scene after accident resulting in death or injury
29 M.R.S.A. § 894	Failure to remain at scene after accident with damage to vehicle and property
29 M.R.S.A. § 897	Failure to give notice upon striking an unattended vehicle
29 M.R.S.A. § 898	Failure to report striking fixture on roadway
29 M.R.S.A. § 1252(4)	Exceeding posted speed limit by 30 miles per hour or more
29 M.R.S.A. § 1312-B	Operating a motor vehicle while under the influence of alcohol
29 M.R.S.A. § 1314	Driving to endanger
29 M.R.S.A. § 2182(1)	Display of fictitious or altered operator's license
29 M.R.S.A. § 2184	Operating after license suspension
29 M.R.S.A. § 2184(1-A)	Operating after suspension due to previous OUI offense
29 M.R.S.A. § 2501-A(2)	Failure to stop for a law enforcement officer
29 M.R.S.A. § 2501-1(3)	Eluding a law enforcement officer
17-A M.R.S.A. § 853-A	Engaging in prostitution
17-A M.R.S.A. § 854	Public Indecency