

U.S. DISTRICT COURT
PORTLAND, MAINE
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**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

2011 MAR 16 A 9:34

**ORDER ESTABLISHING PROCEDURES AND PENALTIES
FOR PETTY AND MISDEMEANOR OFFENSES COMMITTED
AT UNITED STATES NAVY FACILITIES IN MAINE**

DEPUTY CLERK

It is hereby ORDERED in accordance with Federal Rule of Criminal Procedure 58(d) and Local Rule 158:

1. For offenses appearing on Schedule A or Schedule B, committed at Portsmouth Naval Shipyard, Kittery; Naval Support Activity, Prospect Harbor; Naval Computer and Telecommunications Station, Cutler; Great Pond Outdoor Adventure Center, Great Pond; and SERE Training Facility, Rangeley, 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. Payments shall be made to:

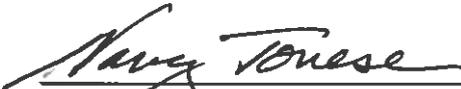
Central Violations Bureau
P.O. Box 71363
Philadelphia, PA 19176-1363

Payments also may be made online at www.cvb.uscourts.gov.

3. An offense appearing on Schedule B may be charged by violation notice, but the defendant must appear before a United States Magistrate Judge.
4. 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.
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 an 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.
7. This Order shall continue in effect pending further order of this court.

Dated: 3/16/2017



Chief Judge
United States District Court

SCHEDULE A

**Offenses and Amounts of Penalties for Offenses
Committed on Naval Installations in Maine**

<u>Authority</u>	<u>Description of Violation</u>	<u>Penalty*</u>
18 U.S.C. § 1382	Re-entering a Military Installation After Being Ordered Not to Re-Enter by the Base Commander	
	First Offense	200.00
	Second Offense	400.00
	Third or Subsequent Offense	600.00

**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-A M.R.S.A. § 1251(1)(A)	Operating a Motor Vehicle without a License	137.00

The state traffic infractions listed on Exhibit A, attached, are also subject to this Schedule A. Violations of these state laws are applicable to military installations and considered criminal offenses under 40 U.S.C. § 318c, 32 C.F.R. § 210.3, and 32 C.F.R. § 634.25. The penalties* set forth are from the Maine Judicial Branch Violation Bureau's "Schedule of Amounts Due" for traffic infractions occurring on or after October 15, 2015.

* In each case, the penalty amount shall include the special assessment required under 18 U.S.C. § 3013. The special assessment for Class B misdemeanors is \$10, and the assessment for Class C misdemeanors is \$5.

EXHIBIT A

**Fine Amounts from
Maine Judicial Branch, Violations Bureau
Schedule of Amounts Due**

<u>TITLE, SECTION</u>	<u>OFFENSE</u>	<u>FINE</u>
29-A, 452(3)	Improper display of registration plates	137.00
29-A, 458(3)	Operating stock car on way	137.00
29-A, 462(3)	Operating loaded truck on temporary registration	165.00
29-A, 463(3)	Failure to surrender registration plate	137.00
29-A, 501(1)	Pickup truck exceeding 6,000 pounds registered as automobile	139.00
29-A, 501(3)	Failure to pay double registration fee on a for-hire vehicle	165.00
29-A, 501(7)(F)	Misuse of one-trip permit	165.00
29-A, 501(8)	Violation of condition on special registration permit	165.00
29-A, 501(8)(D)	Operating on special registration permit underage	165.00
29-A, 505(5)	Misuse of farm truck registration	314.00
29-A, 509(3)	Operating home-made farm tractor beyond 10 miles	193.00
29-A, 513(2)(A)	Operating special mobile equipment without permit	193.00

<u>TITLE, SECTION</u>	<u>OFFENSE</u>	<u>FINE</u>
29-A, 517(2)	Failure to display approved registration plate or marker	137.00
29-A, 521(11)	Misuse of plate or placard issued to person with disability	165.00
29-A, 954(5)	Misuse of transporter registration plates	341.00
29-A, 956	Failure of dealer to keep records	311.00
	Failure of dealer to make records available	311.00
	Failure of dealer to file records	311.00
29-A, 1002(7)	Failure of dealer or employee to accompany loaded truck during demonstration	311.00
29-A, 1002(9)	Moving mobile home without tax collection certificate	311.00
29-A, 1003	Misuse of loaner registration plates	311.00
29-A, 1407	Failure to notify of (name) (address) change on registration	137.00
29-A, 1611(1)	Operating rented or leased vehicle without insurance	311.00
	Operating a vehicle for hire without insurance	311.00
29-A, 1902(3)	Inadequate parking brake	137.00
29-A, 1902(4)	Operating without adequate brakes on all axles	165.00
29-A, 1903(1)	Inadequate horn	137.00

<u>TITLE, SECTION</u>	<u>OFFENSE</u>	<u>FINE</u>
29-A, 1903(2)	Unnecessary use of (horn) (signaling device)	137.00
29-A, 1904(1)(A)	Operating vehicle not equipped with headlights	137.00
29-A, 1904(2)	Headlamps attached too (high) (low)	137.00
29-A, 1904(3)	Improperly colored headlamp	137.00
29-A, 1904(5)	Insufficient headlamp on motor driven cycle	137.00
29-A, 1904(5)	Headlamp projecting too high	137.00
29-A, 1904(5)(E)	Headlamp exceeding 32 candlepower	137.00
29-A, 1904(6)	Operating motorcycle without required lighting at night	137.00
29-A, 1905	Inadequate tail light	137.00
29-A, 1906(1)	Inadequate clearance lights	137.00
29-A-1906(2)	Inadequate clearance lights on closed body	137.00
29-A, 1907	Inadequate reflector on rear	137.00
29-A, 1908	Lights not within 12 inches of rear	137.00
29-A, 1909	Inadequate plate light	137.00
29-A, 1909(B)(2)	Improper auxiliary lighting – color	137.00
29-A, 1912(1)	Operating vehicle with excessive exhaust noise	137.00
29-A, 1912(2)	Operating vehicle equipped with a (cutout) (bypass) other similar device	137.00

<u>TITLE, SECTION</u>	<u>OFFENSE</u>	<u>FINE</u>
29-A, 1912(4)	Operating with an (incomplete) (leaking) exhaust system	137.00
29-A, 1913(1)	Operating with inadequate mirror	137.00
29-A, 1913(2)	Failure to remove temporary mirrors	137.00
29-A, 1913(3)	Operating motorcycle without adequate mirror	137.00
29-A, 1914	(Selling) (leasing) (trading) (transferring) motor vehicle not equipped with front seat belts	137.00
29-A, 1917(2)	Inadequate tire	137.00
29-A, 1919(1)	Operating out of season with studded tires	137.00
29-A, 1919(2)	Failure to carry studded tire permit	137.00
29-A, 1921	TV or video device showing content visible to operator	137.00
29-A, 1922(1)	Display of illuminated advertising on vehicle	137.00
29-A, 1951	Failure to display name on truck tractor	137.00
29-A, 1952(1)	Inadequate flag and flare kit	137.00
29-A, 1952(2)	Failure to properly display flags and flares	137.00
29-A, 1953(1)	Inadequate splash guards	137.00
29-A, 2051(1)(A)	Leaving travel lane unsafely	137.00
29-A, 2051(2)	Improper use of two-way lane	137.00

<u>TITLE, SECTION</u>	<u>OFFENSE</u>	<u>FINE</u>
29-A, 2051(3)	Failure to obey lane controls	137.00
29-A, 2051(3)(C)	Changing lane of travel against signals	137.00
29-A, 2052(2)	Operating wrong way on divided way	165.00
29-A, 2052(3)	Crossing highway dividing space	165.00
29-A, 2052(4)	(Entering) (leaving) limited access way improperly	165.00
29-A, 2052(5)(A)	(Being a pedestrian) (riding a bicycle) (operating a motor driven cycle) (other forbidden) on a limited access way	137.00
29-A, 2053(1)	Failure to keep right	139.00
29-A, 2053(2)	Failure to keep slow moving vehicle to right	139.00
29-A, 2053(3)	Failure to yield to vehicle on right	139.00
29-A, 2053(4)	Failure to yield to entering a public way	139.00
29-A, 2053(6)(A)	Failure to yield on entering rotary	139.00
29-A, 2053(7)	Operating to left in rotary	165.00
29-A, 2054(2)(A)	Unauthorized headlight flashers	139.00
29-A, 2054(2)(C)(3)	(Snow removal) (sanding) vehicles with inadequate auxiliary lights	139.00
29-A, 2054(2)(C)(4)	Snowplowing vehicle misusing flashing amber light	139.00
29-A, 2054(2)(C)(5)	Improper auxiliary lights on rural mail vehicles	139.00

<u>TITLE, SECTION</u>	<u>OFFENSE</u>	<u>FINE</u>
29-A, 2054(2)(D)	Unauthorized vehicle with blue light	139.00
29-A, 2054(2)(G)	Improper use of spotlight	139.00
29-A, 2054(3)	Installing a bell or siren on unauthorized vehicle	139.00
29-A, 2054(5)	Improper exercise of emergency vehicle privileges	139.00
29-A, 2054(6)	Misusing emergency vehicle lights/bell/siren	139.00
29-A, 2055(2)	Unattended and unfastened animal-drawn	131.00
29-A, 2055(3)	Failure to stop when approaching a frightened animal	139.00
29-A, 2055(3-A)	Passing an animal without using reasonable caution	139.00
29-A, 2055(5)	Throwing object from vehicle at animal vehicle	139.00
29-A, 2056(1)	Pedestrian failing to use sidewalk	137.00
29-A, 2056(2)	Pedestrian walking on wrong side of way	137.00
29-A, 2056(4)	Failure to yield to pedestrian in crosswalk	165.00
29-A, 2056(5)	Pedestrian failing to yield to vehicle	137.00
29-A, 2056(6)(A)	Crossing between intersections	137.00
29-A, 2056(6)(B)	Crossing intersection diagonally	137.00
29-A, 2056(6)(C)	Pedestrian entering way in path of vehicle so close it is impossible for driver to yield	137.00

<u>TITLE, SECTION</u>	<u>OFFENSE</u>	<u>FINE</u>
29-A, 2056(7)	Passing vehicle stopped at crosswalk	139.00
29-A, 2057(1)(A)	Failure to yield to other vehicles and pedestrians within intersection during (green light) (green arrow)	131.00
29-A, 2057(1)(C)(1)	Failure to stop for red light	131.00
29-A, 2057(1)(C)(2)	Turning right on red without yielding	131.00
29-A, 2057(1)(C-1)	Violation of red arrow signal	131.00
29-A, 2057(1)(C-2)	Failure to obey flashing red light	131.00
29-A, 2057(3)	Entering lane against red signal	131.00
29-A, 2057(5)(C)	Pedestrian entering roadway on red arrow signal	131.00
29-A, 2057(5)(C)	Pedestrian failing to obey red light	131.00
29-A, 2057(6)(A)	Failure to yield to pedestrian crossing on signal	139.00
29-A, 2057(6)(B)	Pedestrian disobeying traffic signal	131.00
29-A, 2057(7)	Failure to stop at stop sign	131.00
29-A, 2059	Operating wrong way on one-way	165.00
29-A, 2060(1)	Improper right turn	137.00
29-A, 2060(2)	Improper left turn on two-way roadway	137.00
29-A, 2060(3)	Failure to follow turn directors	137.00
29-A, 2060(3)	Improper left turn on one-way roadway	137.00

<u>TITLE, SECTION</u>	<u>OFFENSE</u>	<u>FINE</u>
29-A, 2061(1)	Occupying home (camp trailer) (mobile home) (semi-trailer) (trailer) while moving	165.00
29-A, 2062(1)	Carrying improperly seated motorcycle passenger	139.00
29-A, 2062(1)(A)	Failure to ride on motorcycle seat	139.00
29-A, 2062(2)	Operating motorcycle without headlight	137.00
29-A, 2062(3)	Operating motorcycle with handlebars above shoulder level	137.00
29-A, 2062(4)(B)	Operating more than two motorcycles abreast	139.00
29-A, 2063(3)	Riding a bicycle other than astride a regular or permanent seat	136.00
29-A, 2063(3-A)	Carrying excess passengers on a bicycle	136.00
29-A, 2063(4)	Attaching to a moving vehicle while riding on a (bicycle) (roller skis) (scooter)	136.00
29-A, 2064	Coasting on downgrade	137.00
29-A, 2066(1)	Following too closely	137.00
29-A, 2066(2)	Failure to leave space between vehicles for overtaking vehicle to enter	137.00
29-A, 2066(3)	Operating on motorcade without leaving space between vehicles	137.00
29-A, 2066(5)	Following fire truck within 500 feet	137.00
29-A, 2066(5)	Following emergency vehicle within 150 feet	137.00

<u>TITLE, SECTION</u>	<u>OFFENSE</u>	<u>FINE</u>
29-A, 2067(1)(A)	Operating without headlights before sunrise or after sunset	137.00
29-A, 2067(2)	Failure to dim headlights	137.00
29-A, 2067(3)	Parking on left with lighted headlamps	137.00
29-A, 2068(1)(A)	Parking unnecessarily on way	137.00
29-A, 2068(1)(B)(1)	Parking without leaving 10 feet of clearance	137.00
29-A, 2068(1)(B)(2)	Parking without adequate sight distance	137.00
29-A, 2068(1)(C)	Parking so as to obstruct traffic	137.00
29-A, 2068(1)(C)(1)	Parking in restricted area	137.00
29-A, 2068(2)	Leaving vehicle without brakes set	137.00
29-A, 2068(3)	Moving stopped vehicle when unsafe	137.00
29-A, 2068(4)	Opening vehicle door into traffic	137.00
29-A, 2068(5)	Leaving door open unnecessarily	137.00
29-A, 2070	Improper passing	165.00
29-A, 2070(2)(A)	Failure to give way to the right when overtaken	137.00
29-A, 2070(2)(B)	Speeding up while being passed	139.00
29-A, 2070(3)	Operating on left while passing so as to interfere with (approaching) (overtaken) vehicle	139.00

<u>TITLE, SECTION</u>	<u>OFFENSE</u>	<u>FINE</u>
29-A, 2070(4)	Failure to return to right within 100 feet of approaching vehicle	139.00
29-A, 2070(5)(A)	Operating left on a (grade) (curve)	139.00
29-A, 2070(5)(B)	Operating left at intersection or railroad crossing	139.00
29-A, 2070(5)(C)	Operating left within 100 feet of a bridge (viaduct) (tunnel)	139.00
29-A, 2070(6)	Passing on right where prohibited	139.00
29-A, 2071(1)	Changing course of travel when unsafe	137.00
29-A, 2071(2)(A)	Turning without giving appropriate signal to other traffic	137.00
29-A, 2071(2)(B)	Failure to signal turn 100 feet before turning	137.00
29-A, 2071(3)	(Stopping) (suddenly reducing speed) without signal	137.00
29-A, 2071(4)(B)	Signal lamps not proper color	137.00
29-A, 2072	Reversing direction without adequate vision	139.00
29-A, 2073(3)	Operating over posted speed limit	
	1-9 over	119.00
	10-14 over	137.00
	15-19 over	185.00
	20-24 over	215.00
	25-29 over	263.00
29-A, 2074	Imprudent speed	119.00

<u>TITLE, SECTION</u>	<u>OFFENSE</u>	<u>FINE</u>
29-A, 2074(1)(E)	Operating school bus over 45 mph while transporting students	311.00
29-A, 2075(1)	Operating so slow as to impede traffic	137.00
29-A, 2075(1)(A)	Operating below minimum speed	137.00
29-A, 2082(1)	Using non-transparent material in place of glass	135.00
29-A, 2082(2)	Operating with obstructed view	135.00
29-A, 2082(6)	Interference with driver's (view) (control)	135.00
29-A, 2084	Improper display of decals	135.00
29-A, 2084(1)(A)	Cycle/scooter with inadequate headlamp	71.00
29-A, 2084(1)(B)	Cycle/scooter with inadequate rear reflector	71.00
29-A, 2084(1)(C)	Cycle/scooter with inadequate reflector material on pedals	71.00
29-A, 2109	Soliciting (alms) (contributions) (subscriptions) from persons in vehicles	137.00
29-A, 2109	Selling (merchandise) (tickets) to persons in vehicles	137.00
29-A, 2110(2)(B)	Hitchhiking on limited access highway	70.00
29-A, 2302(1)(A)	Inadequate lettering on school bus	139.00
29-A, 2302(1)(C)	Improper paint on school bus	139.00

<u>TITLE, SECTION</u>	<u>OFFENSE</u>	<u>FINE</u>
29-A, 2302(1)(D)	Improperly painted bumper on school bus	139.00
29-A, 2302(1)(E)	Inadequate signal lamps on school bus	139.00
29-A, 2302(1)(F)	Inadequate mirror on school bus	139.00
29-A, 2302(3)	Failure to make required changes to former school bus	139.00
29-A, 2302(4)	Misuse of school bus equipment	139.00
29-A, 2302(5)	Using school bus equipment when transporting for other purposes	139.00
29-A, 2303(3)	Operating school bus without having passed annual physical	139.00
29-A, 2304(1)	Insufficient seating space on a school bus	139.00
29-A, 2304(2)(B)	Obstructed emergency door on school bus	139.00
29-A, 2304(3)	Permitting standees on school bus	139.00
29-A, 2304(4)	Failure to wear seatbelts when provided on a school bus	139.00
29-A, 2305(4)	Improper fire extinguisher on school bus	139.00
29-A, 2380(2)(A)	Operating beyond structural height	311.00
29-A, 2380(2)(B)	Operating with load extending beyond maximum structure height	311.00
29-A, 2380(5)	Inadequate tail gate	137.00
29-A, 2380(5)(A)	No three-inch risers or binders	137.00

<u>TITLE, SECTION</u>	<u>OFFENSE</u>	<u>FINE</u>
29-A, 2381(1)(B)	Operating vehicle likely to damage bridge or way	137.00
29-A, 2382(6)	Operating beyond over-limit permit restrictions	311.00
29-A, 2382(9)(A)	Improperly equipped pilot vehicle	311.00
29-A, 2382(9)(B)	Improper display of warning lights/signs on pilot vehicle	311.00
29-A, 2385(1)	Failure to (flag) (light) extended load	139.00
29-A, 2385(2)	Log load without reflector	139.00
29-A, 2390(1)	Over length motor vehicle transporter	311.00
29-A, 2390(1)(A)	Over length vehicle	311.00
29-A, 2390(1)(B)	Over length combination vehicle	311.00
29-A, 2390(1)(D)	Tree length logs exceeding more than 25% beyond vehicle	311.00
29-A, 2395	Operating over posted weight limit	610.00
29-A, 2395(3)	Operating beyond posted road restrictions	610.00
29-A, 2396(1)	Placing injurious substance on a way	190.00
29-A, 2396(2)	Unsecured load on a vehicle	311.00

SCHEDULE B

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

<u>Authority</u>	<u>Description of Violation</u>
21 U.S.C. § 844	Possession of a controlled substance
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>
17-A M.R.S.A. § 853-A	Engaging in prostitution
17-A M.R.S.A. § 854	Indecent conduct
29-A § 2074(3)	Exceeding posted speed limit by 30 mph or more
29-A M.R.S.A. § 2102(3)	Display of fictitious or altered operator's license
29-A M.R.S.A. § 2252	Failure to remain at scene after accident resulting in death or injury
29-A M.R.S.A. § 2253	Failure to remain at scene after accident with damage to attended vehicle
29-A M.R.S.A. § 2254	Failure to give notice upon striking an unattended vehicle
29-A M.R.S.A. § 2411	Criminal OUI
29-A M.R.S.A. § 2412-A(1-A)(A)	Operating after license suspension
29-A M.R.S.A. § 2412-A(1-A)(B)	Operating after suspension due to previous OUI offense
29-A M.R.S.A. § 2413	Driving to endanger
29-A-2414(2)	Failure to stop for a law enforcement officer