



23-073

OREGON JUDICIAL DEPARTMENT  
Office of the State Court Administrator

April 25, 2023

MEMORANDUM

TO: Appellate/Trial Court Presiding Judges  
Trial Court Administrators

FROM: Kimberly Rose, Legal Analyst for Criminal Programs  
Civil & Criminal Programs Division

SUBJECT: 2023 Schedule of Fines on Violations (SOF-23) -- Effective January 1, 2023

TOPIC TAGS: Criminal Law/Violations; Fines/Fees

ACTION: *Informational Only*

BOTTOM LINE: The Schedule of Fines on Violations has been updated for 2023 to reflect changes to some minimum fine amounts as provided in recent legislation (2022's House Bill 4120). Courts, law enforcement, and public safety partners should use this new Schedule.

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In response to recent legislation, the Office of the State Court Administrator (OSCA) updated the Schedule of Fines on Violations, which lists the presumptive, minimum, and maximum fines for classified violations and many common specific fine violations.

During the 2022 session, the legislature passed House Bill (HB) 4120, which modified minimum fine amounts for violations. HB 4120 amended ORS 153.021 to allow a court to waive payment of the minimum fine, in whole or in part, if the court determines that requiring payment of the minimum fine would be inconsistent with justice in the case. Additionally, the measure removed the provision in ORS 153.021 that previously provided that the minimum fine amount for a specific fine violation is 20 percent of the presumptive fine for the violation. These provisions of HB 4120 took effect on January 1, 2023.

Unless otherwise provided by law, Oregon law no longer specifies a minimum fine amount for specific fine violations. Accordingly, this schedule does not specify a minimum fine amount for specific fine violations and lists "N/A" where those amounts would be included in the schedule.

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The attached schedule (SOF-23) is effective January 1, 2023, and replaces the previous Schedule of Fines on Violations (SOF-21A). This schedule is posted to the Oregon Judicial Department [website](#).

The Schedule of Fines is intended to serve as a helpful guide to courts, law enforcement, and public safety partners and is not a substitute for reading the actual law. Justice and municipal courts should contact their local legal counsel or court associations for interpretation of the law and how it affects their local court policies and procedures.

Please do not hesitate to contact me at [Kimberly.Rose@ojd.state.or.us](mailto:Kimberly.Rose@ojd.state.or.us) if you have any questions.

KKR:sm/23eKKR001sm  
Attachment

ec: Hon. Juliet Britton, President, Oregon Municipal Judges Association  
Kevin Campbell, Executive Director, Oregon Association Chiefs of Police  
Eric Deitrick, General Counsel, Office of Public Defense Services  
Lindsey Detweiler, Senior Assistant General Counsel, Office of General Counsel  
Amy Emig, Business Process Analyst, Enterprise Technology and Services Division  
Susan Grabe, Director, Oregon State Bar Public Affairs  
Stephanie Guereña, Deputy Director, Business and Fiscal Services Division  
Aja Holland, Assistant General Counsel, Office of General Counsel  
Amy Joyce, ODOT Motor Vehicles Division Administrator  
Cpt. Kyle Kennedy, Government and Media Relations, Oregon State Police  
Shaun McCrea, Executive Director, Oregon Criminal Defense Lawyers Association  
Curt Melcher, Director, Oregon Department of Fish and Wildlife  
Jason Myers, Executive Director, Oregon State Sheriffs' Association  
Emily Nazarov, Government and Legal Affairs Manager, Oregon Department of Education  
Amy Ramsdell, ODOT Commerce and Compliance Division Administrator  
Hon. Kathy Stinnett, President, Oregon Justices of the Peace Association  
Kris Strickler, Director, Oregon Department of Transportation  
Michael Wu, Executive Director, Oregon District Attorneys Association

**2023 “SCHEDULE OF FINES” ON VIOLATIONS  
(SOF-23)**

**PRESUMPTIVE, MINIMUM, AND MAXIMUM AMOUNTS  
FOR VIOLATION OFFENSES IN OREGON**

**EFFECTIVE JANUARY 1, 2023**

## ABOUT THE SCHEDULE

**Effective Date:** This "schedule of fines" (SOF-23) supersedes SOF-21A and all previous fine schedules and summaries and is effective on January 1, 2023.

**Changes to Previous Schedule (SOF-21A):** SOF-23 reflects the following substantive change from SOF- 21A:

- Updates some minimum fine amounts in response to Oregon Laws 2022, chapter 68 (House Bill 4120). House Bill 4120 removed the provision in ORS 153.021 that previously provided that the minimum fine amount for a specific fine violation is 20 percent of the presumptive fine for the violation. Unless otherwise provided by law, Oregon law no longer specifies a minimum fine amount for specific fine violations. This change took effect on January 1, 2023. Accordingly, this schedule does not specify a minimum fine amount for specific fine violations and lists "N/A" where those amounts would be included in the schedule.

**Purposes:** OSCA is publishing SOF-23 as a helpful guide for courts, law enforcement, and public safety partners. The schedule is not a substitute for reading the actual law.

SOF-23 provides summarized information on:

- the amount a citing enforcement officer must enter on the citation in the place designated for "presumptive fine" when charging a person with a violation offense under **state** law, regardless of the court the officer cites the person to appear in; and
- the minimum and maximum amounts courts can impose on conviction.

The presumptive fine is the amount the defendant can pay to resolve the violation offense without having to do anything else, unless the law or the court requires the defendant to appear. (See ORS 153.061.) The court can impose a higher fine, up to the maximum statutory sanction, if the law or the court requires the defendant to appear.

**Minimum Fine Amounts:** The minimum fine amounts included in this schedule are the amounts provided in ORS 153.021(1). However, House Bill 4120 (2022) amended ORS 153.021 to allow courts to waive payment of the minimum fine, in whole or in part, if the court determines that requiring payment of the minimum fine would be inconsistent with justice in the case.

**Offenses Included:** SOF-23 includes amounts for Class A, B, C, D, and E violations and common "specific fine violations."

**Local Surcharges (Jefferson County and Multnomah County):** Pursuant to Chief Justice Orders 16-026 and 16-030, in accordance with the process set forth in ORS 1.188, there is a \$5 surcharge on each fine assessed by a circuit court for traffic offenses as defined in ORS 801.555(2) and parking ordinances in Jefferson and Multnomah Counties.

**What Presumptive Fines Are Not/Do Not Do:** The presumptive fines listed in SOF-23:

- are **not** bail, security-release amounts, or security-release deposit amounts; they do not affect security-release procedures under ORS 135.265;
- do **not** include any moneys for restitution or costs; and
- do **not** apply to misdemeanors or felonies.

**Where to Find Schedules:** SOF-23 and earlier schedules are posted in PDF on the Oregon Judicial Department's website—[www.courts.oregon.gov](http://www.courts.oregon.gov).

- Click on **Forms/Rules/Fees**.
- Click on the **Court Feestab**.

(a)	(b)	(c)	(d)	(e)
<b>2023 Schedule of Fines on Violations (SOF-23)</b>	<b>Presumptive Fine</b>	<b>Minimum Fine* [153.021]</b>	<b>Maximum Fine (Individuals) [153.018(2)]</b>	<b>Maximum Fine (Corporations) [153.018(3)]</b>
<b>Standard [153.019]</b>				
(1) Class A violation	\$440	\$225	\$2,000	\$4,000
(2) Class B violation	\$265	\$135	\$1,000	\$2,000
(3) Class C violation	\$165	\$85	\$500	\$1,000
(4) Class D violation	\$115	\$65	\$250	\$500
(5) Class E violation (PCS offenses only)	\$100	\$45	\$100	N/A
<i>Local Surcharge Counties (example: Multnomah, Jefferson) add \$5 to fine amounts in each column (traffic offenses and parking only).</i>				
<b>Traffic Violation in Special Zone [153.020]</b>				
(6) Class A violation	\$875	\$225	\$2,000	\$4,000
(7) Class B violation	\$525	\$135	\$1,000	\$2,000
(8) Class C violation, speed only	\$325	\$85	\$500	\$1,000
(9) Class D violation, speed only	\$225	\$65	\$250	\$500
<i>Local Surcharge Counties (example: Multnomah, Jefferson) add \$5 to fine amounts in each column (traffic offenses and parking only).</i>				
<b>Tobacco and Alcohol</b>				
(10) <b>A Viol.</b> OLCC licensee furnishing alcohol to a minor, 471.410(6), <b>first offense</b>	\$440	\$225	\$2,000	\$4,000
(11) <b>SF Viol.</b> OLCC licensee furnishing alcohol to a minor, 471.410(6), <b>second offense</b> (third or subsequent is a Class A misd.)	\$860	N/A	\$2,000	\$2,000
(12) <b>A Viol.</b> Allow minor to consume alcohol on property, 471.410(10), <b>first offense</b>	\$440	\$225	\$2,000	\$4,000
(13) <b>SF Viol.</b> Allow minor to consume alcohol on property, 471.410(10), <b>second or subsequent offense</b>	\$1,000	N/A	\$2,000	\$2,000
(14) <b>SF Traffic Viol.</b> Refusal to take test for intoxicants, 813.095	\$650	N/A	\$2,000	\$2,000
(15) <b>SF Viol.</b> Sell tobacco or inhalant delivery system to a person under 21, 167.755(2)(a)	\$10	N/A	\$50	\$2,000
(16) <b>SF Viol.</b> Sell tobacco or inhalant delivery system to a person under 21, 167.755(2)(b)(A), <b>manager/supervisor, first or second offense</b>	\$50	N/A	\$250	\$2,000
(17) <b>SF Viol.</b> Sell tobacco or inhalant delivery system to a person under 21, 167.755(2)(b)(B), <b>manager/supervisor, third or subsequent offense</b>	\$100	N/A	\$500	\$2,000
(18) <b>SF Viol.</b> Sell tobacco or inhalant delivery system to a person under 21, 167.755(2)(c)(A), <b>owner, first or second offense</b>	\$100	N/A	\$500	\$2,000
(19) <b>SF Viol.</b> Sell tobacco or inhalant delivery system to a person under 21, 167.755(2)(c)(B), <b>owner, third or subsequent offense</b>	\$200	N/A	\$1,000	\$2,000
<i>Local Surcharge Counties (example: Multnomah, Jefferson) add \$5 to fine amounts in each column (traffic offenses and parking only).</i>				

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<b>Special Traffic Violations</b>				
(20) <b>SF Traffic Viol.</b> Speeding 100 mph or greater, 811.109(5)	\$1,150	N/A	\$2,000	\$2,000
(21) <b>A Traffic Viol.</b> Careless driving, serious injury or death of vulnerable user, 811.135(3)	N/A must appear	N/A	\$12,500	\$12,500
(22) <b>SF Traffic Viol.</b> Unlawful parking in a winter recreation parking area, 811.590	\$30	N/A	\$2,000	\$2,000
(23) <b>SF Traffic Viol.</b> Bicycle helmet, 814.485 and 814.486	\$25	N/A	\$2,000	\$2,000
(24) <b>SF Traffic Viol.</b> Motor-assisted scooter helmet, 814.534 and 814.536	\$25	N/A	\$2,000	\$2,000
(25) <b>SF Traffic Viol.</b> Skateboarder, scooter rider, in-line skater helmet, 814.600	\$25	N/A	\$25	\$25
<i>Local Surcharge Counties (example: Multnomah, Jefferson) add \$5 to fine amounts in each column (traffic offenses and parking only).</i>				
<b>Overweight--Schedule I [818.430(1)]</b>				
(26) 1,000 or less	\$100	N/A	\$2,000	\$2,000
(27) 1,001 - 2,000	\$150	N/A	\$2,000	\$2,000
(28) 2,001 - 3,000	\$200	N/A	\$2,000	\$2,000
(29) 3,001 - 5,000	\$300	N/A	\$2,000	\$2,000
(30) 5,001 - 7,500	(a) * 0.15	N/A	\$2,000	\$2,000
(31) 7,501 - 10,000	(a) * 0.16	N/A	\$2,000	\$2,000
(32) 10,001 - 12,500	(a) * 0.20	N/A	amt in (b)	amt in (b)
(33) 12,501 and over	(a) * 0.24	N/A	amt in (b)	amt in (b)
<i>Local Surcharge Counties (example: Multnomah, Jefferson) add \$5 to fine amounts in each column (traffic offenses and parking only).</i>				
<b>Overweight--Schedule II [818.430(2)]</b>				
(34) 100 - 5,000	\$200 + (a) * 0.10	N/A	\$2,000	\$2,000
(35) 5,001 - 10,000	\$350 + (a) * 0.15	N/A	\$2,000	\$2,000
(36) 10,001 - and over	\$600 + (a) * 0.30	N/A	amt in (b)	amt in (b)
<i>Local Surcharge Counties (example: Multnomah, Jefferson) add \$5 to fine amounts in each column (traffic offenses and parking only).</i>				
<b>Overweight--Schedule III [818.430(4)]</b>				
(37) 100 - 5,000	\$200 + (a) * 0.15	N/A	\$2,000	\$2,000
(38) 5,001 - 8,250	\$350 + (a) * 0.20	N/A	\$2,000	\$2,000
(39) 8,251 - 10,000	\$350 + (a) * 0.20	N/A	amt in (b)	amt in (b)
(40) 10,001 - and over	\$500 + (a) * 0.30	N/A	amt in (b)	amt in (b)
<i>Local Surcharge Counties (example: Multnomah, Jefferson) add \$5 to fine amounts in each column (traffic offenses and parking only).</i>				

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<b>Miscellaneous Other Violations</b>				
(41) <b>SF Viol.</b> Scrap metal business violation, 165.117, <b>first through third offense.</b>	\$1,000	N/A	\$2,000	\$2,000
(42) <b>SF Viol.</b> Scrap metal business violation, 165.117, <b>fourth or subsequent offense.</b>	\$5,000	N/A	\$5,000	\$5,000
(43) <b>SF Viol.</b> Unlawful air pollution in the second degree, 468.936	\$5,000	N/A	\$25,000	\$25,000
(44) <b>D Viol.</b> Livestock running atlarge, 607.045 and 607.992(3), <b>first offense</b> (second or subsequent is a Class B viol.)	\$60	\$60	\$250	\$500
(45) <b>D Viol.</b> Operating a sailboat that is at least 12 feet in length w/o aquatic invasive species permit, 830.565 and 830.990(1)	\$115	\$65	\$250	\$500
(46) <b>D Viol.</b> Operating motor boat w/o aquatic invasive species permit, 830.565 and 830.990(1)	\$50	\$50	\$250	\$500
(47) <b>D Viol.</b> Failure to drain water from motor boat before transport, Or Laws 2019, ch 154, sec 2 (HB 2076) and 830.990(1)	\$50	\$50	\$250	\$500
(48) <b>D Viol.</b> Unlawfully providing single-use plastic bags to customers. Or Laws 2019, ch 434, sec 4 (HB 2509)	\$115	\$65	\$250	\$250
<i>Local Surcharge Counties (example: Multnomah, Jefferson) add \$5 to fine amounts in each column (traffic offenses and parking only).</i>				

**\* Note about Minimum Fine Amounts:** The minimum fine amounts included in this schedule are the amounts provided in ORS 153.021(1). However, House Bill 4120 (2022) amended ORS 153.021 to allow courts to waive payment of the minimum fine, in whole or in part, if the court makes an individualized determination that requiring payment of the minimum fine would be inconsistent with justice in the case. As such, there may be cases where the court imposes a fine that is less than the minimum fine or no fine.