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AT THE TIME AND DATE NOTED
PAUL F. HARTSFIELD
CLERK OF CIRCUIT COURT

IN THE COUNTY COURT OF THE
SECOND JUDICIAL CIRCUIT IN
AND FOR LEON COUNTY, FLORIDA

ADMINISTRATIVE ORDER 79-4

RE: TRAFFIC DIVISION, LEON COUNTY COURT

It has come to the attention of this Court that it is a hardship upon individual Defendants, a burden to the Clerk and a burden to the Court to process through the Court criminal charges of operating with expired driver's licenses or expired vehicle license tags. Both of these offenses are categorized as criminal in nature but are among the least offensive of such violations. Section 960.20, Florida Statutes creates the problem by requiring $10.00 assessment in all cases in which a plea of guilty or nolo contendre is entered or in which the Defendant is convicted of a crime under the Laws of the State of Florida. This Court had some time ago established a policy of allowing a Defendant charged with possessing an expired driver's license or vehicle license tag to plead to such offense at the Traffic Violations Bureau and pay the standard non moving violation fine of $15.00. However, upon being advised that in addition to the $15.00 they must also pay the $10.00 required by Section 960.20, Florida Statutes most Defendants are now exercising their option to come before the Court and seek a waiver of this excess fee. The provisions of Chapter 960.20, Florida Statutes when applied in these situations make the cure much worse than the disease. These particular offenses are victimless and it borders upon the asinine to subject the citizens of Leon County to this excess sum of money. It is therefore

ORDERED AND ADJUDGED the Clerk of the Traffic Violations Bureau is hereby authorized to enter this Court's Order of Dismissal in each case involving a charge that the Defendant

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was operating a motor vehicle with a license tag that had expired or a driver's license that had expired where such expiration was no more than four months prior to the date of the traffic citation and in addition where such Defendant produced evidence satisfactory to the Clerk of the renewal of his or her driver's license or vehicle license tag. Further that such dismissal shall take place prior to the entry of any plea by the Defendant and shall not waive any right of any Defendant to a personal appearance before the Court and the entry of a plea therein where such Defendant is desirous thereof. Such dismissal shall be effectuated upon the payment by the Defendant to the Clerk of the Traffic Violations Bureau for the use and benefit of Leon County and/or the City of Tallahassee the sum of $15.75 as cost of this proceeding. Such cost shall not include the $10.00 fee prescribed by Section 960.20, Florida Statutes and it is hereby ruled that under the terms of this dismissal that such fee is not applicable to such cases. This Order shall be cumulative to Administrative Order #4 entered on the 25th day of April, 1978 except to the extent that it is inconsistent in which case this Order shall govern.

DONE AND ORDERED in Chambers this 23rd day of February, 1979.

Hal S. McClamma
Administrative Judge

	Yes	No
Concurred in		
Judge Atkinson	HSM	
Judge McClure	CSM	

Approved:
Ben C. Willis
Chief Judge

cc: Judge Hayward Atkinson
Judge Charles McClure
Clerk at the Traffic Violations Bureau

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CLERK OF THE CIRCUIT COURT & COMPTROLLER LEON COUNTY GWEN MARSHALL
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