

IN THE MUNICIPAL COURT OF THE CITY OF TIGARD
COUNTY OF WASHINGTON, STATE OF OREGON

In the Matter of the)
) Rule 6
TRAFFIC DIVERSION PROGRAM) Supplemental Court Rule

In the interest of promoting traffic safety and compliance with state and municipal laws, the court hereby establishes the Traffic Diversion Program (hereinafter “diversion”) described below.

Participation in diversion is subject to the following conditions:

1. To participate in diversion a defendant must enter a plea of “no contest.” The court will defer entry of conviction for 90 days. If the defendant successfully completes all requirements the diverted counts will be dismissed.
2. Unless otherwise ordered by the court, eligible defendants must meet the following requirements:
 - a) The defendant may not have any convictions for moving violations or crimes in the three years before the incident date of the alleged violation.
 - b) The defendant may not have participated in a traffic diversion program or traffic school for dismissal of a violation in any court for the three years before the date of the alleged violation.
 - c) The defendant cannot have any cases pending that allege traffic violations or crimes in this or any other court.
 - d) The alleged violation was a Class B violation or below.
 - e) The defendant must have valid driving privileges.
 - f) For purposes of this rule, the term “moving violation” means a Traffic Offense Used in Habitual Offender, Driver Improvement, CMV Serious Offenses, and Hardship Driver Permit Programs in OAR753-064-020.
3. The following defendants are not eligible for diversion programs:
 - a) Any holder of a commercial driver’s license;
 - b) Anyone who has been charged with a Class A violation, unless otherwise ordered by the court;
 - c) Any defendant cited for Unlawful use of a Mobile Electronic Device (ORS 811.507); and,
 - d) Any defendant charged with driving a vehicle at 100 mph or greater speed.
4. Traffic Safety Education Classes (“class”):
 - a) Diversion participants must complete and pay all fees for a class approved in

advance by the court no later than 90 days after executing a diversion agreement with no extensions permitted unless otherwise ordered by the court based on circumstances outside the participant's control.

- b) Each diversion participant must contact the approved class to attend and pay the appropriate fee within the time permitted by the court.
 - c) Each participant must file a certificate of completion for the class 90 days, with no extensions permitted unless otherwise ordered by the court based on circumstances outside the participant's control.
5. Court fees: In addition to any fees required by the class, diversion participants shall pay a nonrefundable diversion fee to the court as follows:
- | | |
|---------------------|-----|
| Class B violations: | 200 |
| Class C violations: | 115 |
| Class D violations: | 89 |
- a) Full payment of the specified court fee shall be completed no later than 90 days from the date of execution of the diversion agreement, with no extensions permitted except as ordered by the court.
6. Additional requirements: As appropriate, the court may impose additional conditions of diversion, including a requirement that a participant does not receive any additional traffic citations resulting in a conviction for a specified period.
7. Noncompliance: If a participant fails to complete all requirements of diversion within 90 days, the court may take one or more of the following steps without further notice:
- a) Enter a finding of "guilty" and forward an abstract of the conviction to the Oregon DMV;
 - b) Enter a judgment equal to the full presumptive fine for the class of violation, with credit for any payment made under the diversion agreement; and/or
 - c) Enforce the judgment by pursuing standard collections practices and remedies, as authorized by Oregon law.

DATED January 1, 2024

Emily Oberdorfer
Presiding Judge