

07/28/2022

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

JULIA C. DUDLEY, CLERK
BY: A. Seagle
DEPUTY CLERK

IN THE MATTER OF

Standing Order No. 2022-14

AMENDMENT OF SCHEDULE A GOVERNING
PROCEDURES IN PETTY OFFENSE CASES

Upon the motion of the United States Attorney, it is hereby ORDERED that Schedule A attached to the order of this court dated November 23, 2010 governing procedure in petty offense cases, *Rule 58: Forfeitures of Collateral in Lieu of Appearance in Petty Offense Cases*, is hereby amended in full by the attached replacement Schedule A, National Park Service Forfeiture of Collateral Schedule dated May 8, 2022, effective as of the date of this order.

The clerk is directed to send certified copies of this order and the replacement Schedule A to all United States Magistrate Judges of this court; to each place of holding court in this district; to the National Park Service; to the United States Attorney; and to the Central Violations Bureau, San Antonio, Texas. The Clerk shall further post the updated Schedule A on the court's website.

ENTER this 27th day of July, 2022.

FOR THE COURT:



Digitally signed by Michael F. Urbanski
Chief U.S. District Judge
Date: 2022.07.27 09:32:19 -04'00'

Chief United States District Judge

Title 36, Chapter I, Code of Federal Regulations**SECTION****COLLATERAL****CLOSURES AND PUBLIC USE LIMITS:**

(Refer to Supt.'s Compendium of Regulations)

1.5(f)	Violating closures or public use limits.....	\$100.00
1.6(g)(1)	Failure to obtain a permit.....	\$100.00
1.6(g)(2)	Violating terms/conditions of permit.....	\$100.00

PRESERVATION OF NATURAL/CULTURAL/ARCHEOLOGICAL RESOURCE

2.1(a)(1)	Possessing, destroying, injuring, defacing, removing, digging, or disturbing from its natural state: (i) living or dead wildlife or fish, or parts or products (ii) plants or the parts or products thereof (iii) paleontological, cultural or archeological resources or parts thereof.....	\$100.00*
	Ginseng (per root).....	\$25.00*
2.1(a)(2)	Introduce wildlife, fish or plants in ecosystem.....	\$125.00*
2.1(a)(3)	Toss/roll rocks down hillside/mountainside.....	\$100.00
2.1(a)(4)	Use/Possess wood for unauthorized use.....	\$100.00
2.1(a)(5)	Walk on/climb/enter archeological/cultural resource, Monument/statue.....	\$100.00
2.1(a)(6)	Possess/destroy/deface any cultural or archeological resource.....	M
2.1(a)(7)	Possess or use a metal detector/magnetometer/sonar.....	\$150.00*
2.1(b)	Short cutting trails.....	\$75.00
2.1(c)(3)	Violate restrictions-gathering natural products.....	\$100.00*

WILDLIFE PROTECTION

2.2(a)(1)	Take or attempting to take wildlife (hunting).....	M
2.2(a)(2)	Feed/touch/tease/frighten/disturb wildlife.....	\$100.00
2.2(a)(3)	Possess unlawfully taken wildlife.....	M
2.2(d)	Transporting lawfully taken wildlife in violation of conditions (See Supt.'s Compendium).....	\$75.00
2.2(e)	Using artificial light to view wildlife.....	\$100.00*

FISHING

2.3(a)VA29.1-300	Fishing without a license.....	\$100.00
2.3(a)VA29.1-337	Failure to show fishing license upon request.....	\$75.00
2.3(a)VA29.1-336	Failure to carry license.....	\$75.00
2.3(a)VA29.1-550	Fishing during closed season.....	\$100.00

Title 36, Chapter I, Code of Federal Regulations**SECTION****COLLATERAL**

2.3(a)VA29.1-550	Exceeding creel limit.....	\$100.00
	Each fish over creel limit an additional.....	\$50.00
2.3(d)(1)	Fish with other than hook and line.....	\$100.00
2.3(d)(2)	Possess or use bait.....	\$100.00
2.3(d)(3)	Chumming for fish.....	\$100.00
2.3(d)(4)	Commercial fishing.....	M
2.3(d)(5)	Fishing by use of drugs, poisons, explosives or electricity.....	M
2.3(d)(6)	Digging for bait.....	\$100.00
2.3(d)(7)	Failing to immediately return undersize fish.....	\$100.00

WEAPONS, TRAPS AND NETS

2.4(a)(1)(i)	Possess a trap or net.....	M
2.4(c)	Use of a weapon, trap or net that endangers persons or property.....	M
2.4(b)(2)(i) (VA18.2-308)	Possess a concealed weapon in violation of state law.....	M

CAMPING AND FOOD STORAGE

2.10(b)(1)	Digging or leveling a campsite.....	\$75.00
2.10(b)(2)	Leaving equipment or refuse at site.....	\$75.00
2.10(b)(4)	Violating quiet hours (10PM-6AM).....	\$75.00
2.10(b)(5)	Installation of permanent camping facilities.....	\$75.00
2.10(b)(6)	Displaying wildlife carcasses or other remains or parts.....	\$75.00
2.10(b)(7)	Connecting to a utility system.....	\$75.00
2.10(b)(8)	Failing to obtain a permit.....	\$75.00
2.10(b)(9)	Violating conditions established by the Superintendent for camping.....	\$100.00
2.10(c)	Violation of the terms/conditions of a permit.....	
2.10(d)	Improper food storage.....	\$75.00

AUDIO DISTURBANCES

2.12(a)(1)(ii)	Excessive noise-audio device, Motor vehicle.....	\$75.00*
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FIRES

2.13(a)(1)	Fire in undesignated area.....	\$75.00
2.13(a)(3)	Lighting, using fire which causes damage or creates hazard.....	\$75.00
2.13(a)(4)	Leaving a fire unattended.....	\$75.00
2.13(a)(5)	Discarding smoldering/lighted materials improperly.....	\$100.00
2.13(b)	Failure to extinguish fire.....	\$50.00

Title 36, Chapter I, Code of Federal Regulations**SECTION****COLLATERAL**

SANITATION AND REFUSE

2.14(a)(1)	Littering.....	\$100.00*
2.14(a)(2)	Disposal-private refuse, commercial refuse, industrial refuse.....	\$100.00
2.14(a)(3)	Depositing refuse in toilets.....	\$100.00
2.14(a)(4)	Improper draining of refuse from trailer.....	\$100.00
2.14(a)(5)	Bathing at public water supply.....	\$100.00
2.14(a)(6)	Contaminate/pollute Park waters.....	\$200.00*
2.14(a)(8)	Public urination/defecation (developed areas).....	\$100.00
2.14(a)(9)	Public urination/defecation (non-developed areas).....	\$100.00
2.14(b)	Violating conditions established by the Superintendent for disposal of human waste.....	\$100.00

PETS

2.15(a)(1)	Pets- in building or area closed to pets.....	\$100.00
2.15(a)(2)	Allowing pet to run off leash (first offense)..... (subsequent offenses).....	\$100.00 \$150.00*
2.15(a)(3)	Leaving pet unattended.....	\$100.00
2.15(a)(4)	Allow pet to make unreasonable noise.....	\$75.00
2.15(a)(5)	Fail to dispose of pet excrement.....	\$75.00

HORSES

2.16(b)	Use of horses or pack animals prohibited area/road.....	\$75.00
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AIRCRAFT AND AIR DELIVERY

2.17(a)(3)	Delivering or retrieving a person/object by airborne means.....	M
2.17(d)/14CFR95.1(d)	Low flying aircraft (under 2000').....	M
2.17(d)/14CFR95.1 <i>et seq.</i>	Improper use of aircraft.....	M
2.17(d)/14CFR 103	Hang gliding- non-designated site or no license.....	M
2.17(e)	Operation/use of hovercraft.....	\$50.00*

SNOWMOBILE/SKATEBOARDS

2.18(c)	Use of snowmobiles in prohibited area.....	\$100.00
2.20	Use of skateboards in a prohibited area.....	\$50.00

Title 36, Chapter I, Code of Federal Regulations**SECTION****COLLATERAL**

SMOKING

2.21 Smoking in a prohibited area..... \$50.00

PROPERTY

2.22(a)(1) Abandoning property..... \$100.00

2.22(a)(2) Leaving property unattended over 24 hours..... \$100.00

2.22(a)(3) Failing to turn in found property..... \$100.00

RECREATION FEES

2.23(b) Entering fee area without paying..... \$100.00

MISAPPROPRIATION OF PROPERTY AND SERVICES

2.30(a)(1) Theft of property..... M

2.30(a)(2) Theft of services..... M

2.30(a)(3) Fraud –insufficient funds check or credit card..... M

2.30(a)(4) Shoplifting..... M

2.30(a)(5) Possess stolen property..... M

TRESPASSING, TAMPERING AND VANDALISM

2.31(a)(1) Trespassing..... \$100.00*

2.31(a)(2) Tampering with the property of another..... \$100.00*

2.31(a)(3) Vandalism..... \$100.00*

INTERFERRING WITH AGENCY OPERATIONS

2.32(a)(1) Threaten/Resist/Intimidate/Intentionally interfere with
government employee..... \$250.00*

2.32(a)(2) Violating a lawful order..... \$250.00*

2.32(a)(3) Providing false information to an officer..... \$250.00*

2.32(a)(4) Making a false report (causes NPS response)..... \$250.00*

REPORT OF INJURY OR DAMAGE

2.33(b) Fail to report injury or damage > \$300 (non-MVC)..... \$100.00

Title 36, Chapter I, Code of Federal Regulations**SECTION****COLLATERAL****DISORDERLY CONDUCT**

2.34(a)(1)	Disorderly conduct: fighting/violent behavior.....	\$250.00*
2.34(a)(2)	Disorderly conduct: obscene behavior/language.....	\$250.00*
2.34(a)(3)	Disorderly conduct: unreasonable noise.....	\$250.00*
2.34(a)(4)	Disorderly conduct: hazardous/physically offensive condition.....	\$250.00*

ALCOHOLIC BEVERAGES AND CONTROLLED SUBSTANCES

2.35(a)(2)(i)	Sale or gift of alcohol to a person < 21yo.....	\$250.00*
2.35(a)(2)(ii)	Possession of alcohol by person < 21 yo.....	\$250.00*
2.35(a)(3)(iii)	Possession of open container of alcohol in a prohibited area.....	\$100.00
2.35(b)(1)	Sale of controlled substance.....	M
2.35(b)(2)	Possession of a controlled substance	
	Under two (2) ounces of marijuana.....	\$250.00*
	Over two (2) ounces of marijuana.....	M
	Possess any other drug.....	M
2.35(c)	Under the Influence of alcohol or controlled substances.....	\$250.00*

GAMBLING & SOLICITNG

2.36(a)	Gambling.....	\$50.00
2.37	Non-commercial soliciting.....	\$150.00

EXPLOSIVES

2.38(a)	Use, possession, storage, or transport of explosives w/o permit....	M
2.38(b)	Use or possess fireworks.....	\$100.00

PERMITS

2.50	Special event permit violation.....	\$100.00*
2.51	Public assembly permit violation.....	\$100.00*
2.52	Sale or distribution of printed matter permit violation.....	\$100.00*

Note: Violation of the terms of a permit under §§2.50-2.52, would be written under the appropriate section above, with a fine of \$100.00. Failure to have a permit, or continuing an activity after a permit is revoked would written under 36 CFR § 1.5. Refer to the appropriate section of the CFR, the Compendium and permits.

Title 36, Chapter I, Code of Federal Regulations**SECTION****COLLATERAL**

LIVESTOCK USE AND AGRICULTURE

2.60(a)	Permitting livestock to run at large.....	\$75.00
2.60(b)	Violate terms and conditions of lease.....	\$75.00

RESIDING ON FEDERAL LANDS

2.61	Residing on park land without permit.....	M
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MEMORIALIZATION

2.62(a)	Installing memorial w/o authorization.....	\$100.00
2.62(b)	Scattering human ashes w/o permit.....	\$100.00

VEHICLES AND TRAFFIC SAFETY

4.2(b)	Violating State Law Adopting VA46.2-xxxx <i>All other state traffic offenses not listed below are \$50.00 collateral.</i>	
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VA 46.2

104	No OL in Possession.....	\$50.00
104	No registration card.....	\$50.00
300	No Valid Driver's license.....	\$250.00*
301	Driving while suspended/Revoked.....	M
328	No Endorsement "M".....	\$100.00
334.01	Curfew, Passenger, cellphone restriction.....	\$100.00
341.8	Residents 30 day obtain license.....	\$50.00
346	Possession of suspended OL.....	\$50.00
349	Allowing unlicensed person to drive.....	\$100.00
613(1)	Operate/Permit unregistered (vehicle,trailer).....	\$100.00
613(2)	Expired, fictitious, altered, cancelled Registration.....	\$100.00
613(3)	Possess/lend Registration,decal,plate not entitled to it.....	\$100.00
707	No Liability insurance.....	\$250.00
711	Failure to display tags.....	\$50.00
715	Failure to display front tag.....	\$50.00
716	Cover over tags.....	\$50.00
722	Altered/forged tags.....	\$100.00
802	Fail to drive to right of road.....	\$50.00
804	Passing on double yellow.....	\$100.00
806	Drive wrong way, one way.....	\$100.00
810.1	Smoking in vehicle W minor under 15.....	\$100.00
816	Following to close than reasonable/prudent.....	\$100.00

Title 36, Chapter I, Code of Federal Regulations**SECTION****COLLATERAL**

817(a)	Attempt to elude (Misdemeanor (foot or vehicle)).....M
817(b)	Attempt to elude (Felony).....M
818.2	Hold Handheld device(cellphone).....\$125.00
821	FTY ROW, at stop sign.....\$50.00
829	FTY ROW to Emergency Vehicle.....\$100.00
834(D)	Failure to obey Flaggers signals.....\$100.00
838	Improper passing (Overtaking).....\$100.00
839	Improper passing of Bicycle/mobility device (3 feet).....\$100.00
843	Improper passing-insufficient distance to overtake.....\$100.00
845	Improper U-turn.....\$50.00
848	Improper Backing.....\$50.00
851	Failure to signal turn.....\$50.00
852	Reckless Driving General.....\$500.00/M
854	Passing on curve/grade.....\$100.00
855	Too many in front seat.....\$100.00
856	Failing to give proper signals.....\$100.00
862	Reckless driving by speed (20MPH+ Over limit.....\$500.00/M
865	Racing (6m-2yr suspension of license).....M
894	Hit and Run accident injury/death/damage.....M
895	Hit and Run- Passenger's duties.....M
896	Hit and Run- unattended property.....M
905	Bicycle/moped required to ride on right side of road.....\$50.00
910	Motorcycle (no Helmet,faceshield,glasses).....\$100.00
912	Motorcycle (no headlight/mirrors/horn).....\$50.00
914(A)	Moped- Driven faster than 35 MPH.....\$50.00
914(B)	Moped- failure to carry Gov ID (16yrs).....\$50.00
915.1	ATV on roadway.....\$100.00
915.3	ATV w/o helmet.....\$100.00
928	Pedestrian to walk on left edge of road.....\$50.00
932	Bicycle, Skates, skateboard attached to vehicle.....\$50.00
1003	Defective equipment.....\$50.00
1011	Headlight.....\$50.00
1013	Taillight (500ft distance).....\$50.00
1030	Operating without headlights.....\$50.00
1034	Failure to dim high beams(Driving).....\$50.00
1035	Failure to dim high beams(Parked).....\$50.00
1040	Improper use of Hazard lights.....\$50.00
1043	Insignificant tire tread.....\$50.00
1049	Exhaust system- Excessive smoke/noise.....\$50.00
1050	Exhaust system- Motorcycle excessive smoke/nosie.....\$50.00
1052	Window Tint 50% front/35% back.....\$50.00
1054	Dangling objects has 2 obstruct.....\$50.00
1055	Defective/No windshield wipers.....\$50.00
1060	Unnecessary use of horn/excessive noise.....\$50.00
1063	Altered suspension Passenger car 14"-22"\$50.00

Title 36, Chapter I, Code of Federal Regulations**SECTION****COLLATERAL**

	Truck up to 4500lbs 14'-28'", Carolina squat.....	\$50.00
	Truck 4501lbs-7500lbs 14-29 front 14-30 rear.....	\$50.00
1066	Defective/adequate brakes.....	\$50.00
1078	Using earphone in both ears/headphones.....	\$50.00
1079	Radar detector.....	\$50.00
1080	Speedometer in good working order.....	\$50.00
1082	No rear view mirror or either 2 external mirrors.....	\$50.00
1092	Seatbelts installed (1963).....	\$50.00
1095(A)	No restraint device (infant to under 8 yr old).....	\$100.00
1095(B)	No Seatbelt (8yrs-17yrs).....	\$100.00
1155	Improper fastening of loads.....	\$100.00
1156	Allowing loads to spill,shift,drop,leak.....	\$100.00
1156.1	Person less than 16yr in bed of truck.....	\$100.00
1158	No state expired inspection sticker/expired.....	\$50.00
1173	Counterfeit inspection sticker.....	\$100.00
1564	Failure to destroy expired Temporary tags.....	\$50.00

ACCIDENT REPORTING

4.4(c)	Towing - fail to notify before towing after accident.....	\$100.00
4.4(c)	Failure to report motor vehicle accident (practical/24hr).....	\$150.00*

TRAVEL ON PARK ROADS/DESIGNATED ROUTES

4.10(a)	Travel off roadway/parking area	\$100.00
4.10(c)(1)	Pneumatic tires required.....	\$75.00
4.10(c)(2)	Operate motor vehicle in manner that causes unreasonable damage to park roads.....	\$100.00

LOAD, WEIGHT AND SIZE LIMITS

4.11/46.2-1101 et seq	Load/weight/size limits:	
46.2-1121	Red flag required on load extended more than 4' from rear.....	\$50.00
46.2-1120	Max. 3' beyond front.....	\$50.00
46.2-1111	Max. 6" width beyond fender/body.....	\$50.00
4.11(b)(1)	Exceeding weight limits.....	\$50.00

TRAFFIC CONTROL DEVICES

4.12	Failure to obey traffic control device.....	\$50.00
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Title 36, Chapter I, Code of Federal Regulations**SECTION****COLLATERAL****OBSTRUCTING TRAFFIC**

4.13(a)	Obstructing traffic by parking/stopping.....	\$50.00
4.13(b)	Operating slowly as to interfere with normal traffic.....	\$50.00

OPEN CONTAINER OF ALCOHOLIC BEVERAGE

4.14(b)	Carrying/storing an open container of alcoholic beverage within a motor vehicle.....	\$150.00
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SAFETY BELTS

4.15(a)	Use of safety belts required by all occupants of a motor vehicle.....	\$50.00
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RIGHT OF WAY

4.20	Yield right of way to pedestrians, saddle and pack animals.....	\$50.00
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SPEED LIMITS

4.21 (c)	Exceeding the speed limit.....	\$75.00+
	~Each MPH over speed limit additional <20 mph	\$3.00
	~Each MPH over speed limit additional >20 mph	\$5.00

UNSAFE OPERATIONS

4.22(1)	Speed too great for conditions.....	\$150.00
4.22(2)	Squealing/skidding tires.....	\$100.00
4.22(3)	Fail to maintain proper control.....	\$100.00
4.22(b)(4)(i)	Permitting/occupying towed vehicle.....	\$100.00
4.22(b)(4)(ii)	Permitting/riding on exterior vehicle.....	\$100.00

OPERATING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS

4.23(a)(1)	DUI (driving impaired).....	M
4.23(a)(2)	DUI (+.08 breath test, blood test).....	M
4.23(c)(2)	DUI (Breath-refusal).....	M

Title 36, Chapter I, Code of Federal Regulations**SECTION****COLLATERAL****BICYCLES**

4.30(h)(1)	Bicycles - riding on sidewalk, trails.....	\$50.00
4.30(h)(2)	Bicycles - subject to motor vehicle laws.....	\$50.00
4.30(h)(3)	Bicycles - wilderness area.....	\$100.00
4.30(h)(4)	Bicycles - riding two abreast.....	\$50.00
4.30(h)(5)	Bicycles - possession of open alcohol.....	\$50.00
4.30(h)(6)	Bicycles- any violations of state law (adopted).....	\$50.00

HITCHHIKING

4.31	Hitchhiking – prohibited areas.....	\$50.00
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COMMERCIAL AND PRIVATE OPERATIONS

5.1	Display/post/advertisements w/o permit.....	\$75.00
5.3	Engage in business w/o permit.....	\$50.00
5.5(a)	Commercial filming w/o permit.....	\$100.00
5.5(b)	Commercial photography w/o permit.....	\$100.00
5.6(b)	Use of park roadways by commercial vehicles.....	\$100.00
5.7	Unauthorized construction of roads/util./structures w/o permit....	M

SHENANDOAH NATIONAL PARK SPECIAL REGULATIONS**BACKCOUNTRY CAMPING**

7.15(a)(1)	Camp w/o backcountry permit.....	\$100.00
7.15(a)(2)	With more than 9 other persons.....	\$100.00
7.15(a)(3)(i)	Within 250 yards Or in view from any paved road or park boundary.....	\$100.00
7.15(a)(3)(ii)	Within ½ mile or View from any campground, lodge, restaurant Developed area, Visitor Center, Ranger Station, picnic area.....	\$100.00
7.15(a)(3)(iii)	On Or in view of trail, road, sign posted ‘no camping’	\$100.00
7.15(a)(3)(iv)	Within view of other camping party.....	\$100.00
7.15(a)(4)	Camp more than 2 nights in same location.....	\$100.00

POWERLESS FLIGHT

7.15(b)	Powerless flight without permit.....	\$100.00
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Title 36, Chapter I, Code of Federal Regulations**SECTION****COLLATERAL**

SANITATION

7.15(c)(1)	Possession of glass in backcountry.....	\$100.00
7.15(c)(2)	Urinate/Defecate within 30feet of stream in backcountry.....	\$100.00
7.15(c)(3)	Failure to bury fecal matter 3 inches.....	\$100.00

BLUE RIDGE PARKWAY SPECIAL REGULATIONS

7.34(b)(1)	Fishing prohibited 1/2hr after sunset to 1/2 hr before sunrise.....	\$75.00
7.34(b)(2)	Fishing from James River Parkway Bridge.....	\$75.00
7.34(b)(3)(ii)	Peaks of Otter Lake (Abbott Lake)	
7.34(b)(3)(ii)(A)	Fishing with other than Artificial lure and single hook.....	\$75.00
7.34(b)(4)	Possession/Use of bait or insects.....	\$75.00
7.34(d)	The use of any vessel on the waters of the BLRI are prohibited.....	\$75.00

APPALACHIAN NATIONAL SCENIC TRAIL SPECIAL REGULATIONS

7.100(a)(1)	Use of bicycle, motorcycle or motor vehicle is prohibited.....	\$75.00
7.100(a)(2)	Use of horses or pack animals is prohibited.....	\$75.00