

Rule 58CR - 9.03. Petty Offenses.

(A) Prosecution by Information.

Prosecution of a petty offense initiated by citation or violation notice and processed through the Central Violations Bureau shall be commenced in the District Court only upon the filing of an information, which shall supersede the citation or violation notice issued to a defendant. When a defendant appears pursuant to a summons or an arrest warrant issued with an information, the Court shall proceed in accordance with Fed.R.Crim.P. 58.

(B) Paying a Fixed Sum in Lieu of Appearance.

(1) In cases other than those commenced in the District Court upon the filing of an information as provided in paragraph (A) of this rule, a fixed sum may be posted as collateral by a defendant charged with a petty offense, the forfeiture of which shall be accepted by the government in full satisfaction of the charge without a court appearance. The payment of a fixed sum as provided in this rule shall terminate the case, and signifies that the person charged with a petty offense agrees that the sum so paid shall be forfeited to the United States.

(2) The petty offenses for which a fixed sum may be paid, and the sum to be paid for each such violation, shall be determined as provided by law or as set forth in schedules approved and subsequently amended from time to time by order of the Court.

(3) Schedules of fixed sums approved pursuant to subparagraph (2) shall be maintained by the Clerk of Court for examination by the public.

(Paragraph (B) added by amendment adopted on July 9, 2004; effective August 16, 2004)