

**THE ELEVENTH JUDICIAL CIRCUIT
MIAMI-DADE COUNTY, FLORIDA**

**CASE NO. 09-1
(Court Administration)**

**ADMINISTRATIVE ORDER
NO. 09-01
(Rescinding AO No. 00-13 and
AO No. 00-13 A1)**

**IN RE: DISMISSAL OF TRAFFIC
CITATIONS ISSUED FOR FAILURE
TO PAY TOLLS**

WHEREAS, Section 316.1001(c), Florida Statutes, provides that when an owner of a motor vehicle is issued a citation for failure to pay a toll, but the owner is not the alleged violator, the owner may file an affidavit establishing the identity of the person who had the care, custody or control of the motor vehicle at the time of the violation; and

WHEREAS, a more efficient utilization of both judicial and Clerk of the Court resources can be achieved by establishing a procedure for the administrative disposition of such citations;

NOW, THEREFORE, pursuant to the authority vested in me as Chief Judge of the Eleventh Judicial Circuit of Florida, under Rule 2.215, Florida Rules of Judicial Administration, it is hereby ordered that:

1. If a toll violation citation is filed against an owner of a vehicle who alleges that the vehicle was stolen prior to the time of the alleged violation, and files an affidavit attesting to the theft with the police report documenting the theft attached, the Clerk of Court shall dismiss the citation.
2. If a toll violation citation is filed and a person other than the individual cited for the violation admits to committing the violation and wishes to pay the civil penalty, the Clerk of Court shall provide an Affidavit Acknowledging Responsibility for the person to complete and submit, accepting responsibility for the violation. If payment of the penalty is remitted at that time, the Clerk of Court shall amend the citation to reflect the name, address, driver license number and date of birth of the actual violator.

3. If the Toll Enforcement Authority files a Request for Dismissal with the Clerk of the Court for a citation issued in error, the Clerk of the Court shall dismiss the citation.

Administrative Order No. 00-13 and Administrative Order No. 00-13 A1 are hereby rescinded in their entirety and held for naught.

This Administrative Order shall be effective upon signing.

DONE AND ORDERED in Chambers at Miami-Dade, Florida, this 13th day of January, 2009.

**JOSEPH P. FARINA, CHIEF JUDGE
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA**