

IN THE COUNTY COURT OF THE
SEVENTEENTH JUDICIAL CIRCUIT, IN
AND FOR BROWARD COUNTY, FLORIDA

ADMINISTRATIVE ORDER NO.: VI-05-M-2

IN RE: :

CITY OF PEMBROKE PINES :
POLICE DEPARTMENT :
AUTOMATED TRAFFIC CITATIONS :

WHEREAS, the City Pembroke Pines Police Department (“City”) has implemented the use of a mobile ticketing computer system inside its police vehicles which generates traffic citations completed using information from the Department of Motor Vehicles’ records; and

WHEREAS, the City’s implementation of the mobile ticketing computer system was intended to benefit the police officers within the City, and citizens alike; and

WHEREAS, the City has recently learned that due to computer system errors and human errors, the mobile computer system created discrepancies in an undetermined number of the citations issued; and

WHEREAS, the City filed a Verified Petition for Administrative Order in which it describes the errors about which the City is concerned as:

Where an owner of a vehicle was issued a citation when he or she was not the actual driver of the vehicle. In some instances, based upon the input of a vehicle registration information by a police officer, the computer system generates the citation utilizing the vehicle’s registration information and not the violator’s driver license information; and,

Where an officer fails to “clear” the information from the computer system before issuing a subsequent citation to a subsequent violator, in which case the second citation written may also be “issued” on the City’s records to the first violator.

and,

WHEREAS, the City recognizes that some individual situations may not be accurately identified using the current computer programs in place; therefore, the Administrative Order is to apply to all those motorists and/or vehicle owners known and unknown to the City.

In accordance with the authority vested in the Chief Judge by Rule 2.050, Florida Rules Judicial Administration, it is

ORDERED that:

1. Any tickets determined to have been inadvertently or mistakenly issued by the Pembroke Pines Police Department because of the system errors and/or human errors described herein, are hereby voided ab initio.

2. Any suspension of driver licenses (D6 suspension) resulting from tickets that are determined to have been mistakenly or inadvertently issued as a result of the errors described herein, is hereby reversed.

3. Any fines for citations resulting from tickets that are determined to have been mistakenly or inadvertently issued as a result of the errors described herein are hereby waived.

4. Capiases or warrants for arrests relating to traffic citations issued by the City of Pembroke Pines from January 1, 2005 to July 31, 2005, are not to be issued unless and until the City files a motion for the issuance of such capias or warrant.

5. The Clerk of Court is to advise the City of unpaid citations issued by the City of Pembroke Pines Police Department between January 1, 2005 and July 31, 2005 prior to notifying the Department of Highway Safety and Motor Vehicles ("DHSMV"), and shall not notify the DHSMV until advised in writing by the City to do so.

6. This order shall expire June 1, 2006 unless extended by order of the court.

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida on
this 15th day of November, 2005.

/s/DALE ROSS
DALE ROSS, CHIEF JUDGE