

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

U.S. DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
**FILED**  
APR - 8 2004  
CLERK, U.S. DISTRICT COURT  
By Whelley  
Deputy

IN RE: \*  
FINE SCHEDULE -- \*  
DEPARTMENT OF VETERANS AFFAIRS - \*  
VETERAN'S ADMINISTRATION PROPERTY \*

MISC. NO. 7

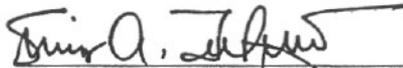
ORDER

IT APPEARING that the United States has submitted a Motion to Amend the Fine Schedule pertaining to offenses within the jurisdiction of the Department of Veterans Affairs (on Veteran's Administration property) in the Northern District of Texas.

IT IS HEREBY ORDERED that all previously-entered orders regarding the fine schedule pertaining to offenses within the jurisdiction of the Department of Veterans Affairs (on Veteran's Administration property) in the Northern District of Texas be vacated.

IT IS HEREBY ORDERED that the VA Regulations 1.218(b) Schedule of Offenses and Penalties attached hereto shall take effect at 12:00 a.m. on April 15, 2004.

SIGNED AND ENTERED on this 8<sup>th</sup> day of April, 2004.



SIDNEY A. FITZWATER  
UNITED STATES DISTRICT JUDGE  
NORTHERN DISTRICT OF TEXAS

VA REGULATIONS 1.218(b)  
SCHEDULE OF OFFENSES AND PENALTIES

(b) Schedule of offenses and penalties. Conduct in violation of the rules and regulations set forth in paragraph (a) of this section subjects an offender to arrest and removal from the premises. Whoever shall be found guilty of violating these rules and regulations while on any property under the charge and control of the VA is subject to a fine as set forth in the schedule below or, if appropriate, the payment of fixed sum in lieu of appearance (forfeiture of collateral) as may be provided for in rules of the United States District Court. Violations included in the schedule below may also subject an offender to a term of imprisonment of not more than six (6) months, as may be determined appropriate by a magistrate or judge of the United States District Court:

|  | <u>FINE: *</u>  |
|--|---|
| (1) Improper disposal of rubbish on property   | 200.00  |
| (2) Spitting on property   | 25.00   |
| (3) Throwing of articles from a building or the unauthorized climbing upon any part of a building              | 50.00   |
| (4) Willful destruction, damage, or removal of Government property without authorization                       | 10 X the face value of the item destroyed, damaged or removed up to \$500.00. Mandatory Appearance in those cases where the fine would exceed \$500.00. |
| (5) Defacement, destruction, mutilation or injury to, or removal, or disturbance of, grave marker or headstone | 500.00  |
| (6) Failure to comply with signs of a directive and restrictive nature posted for safety purposes              | 50.00   |
| (7) Tampering with, removal, marring, or destruction of posted signs   | 100.00  |
| (8) Entry into areas posted as closed to the public or others (trespass)                                       | 50.00   |

|      |  |   |
|------|--|---|
| (9)  | Unauthorized demonstration or service in a national cemetery or on other VA property   | 250.00  |
| (10) | Creating a disturbance during a burial ceremony  | 250.00  |
| (11) | Disorderly conduct which creates loud, boisterous, and unusual noise, or which obstructs the normal use of entrances, exits, foyers, offices, corridors, elevators, and stairways or which tends to impede or prevent the normal operation of a service or operation of the facility | 250.00  |
| (12) | Failure to depart premises by unauthorized persons   | 50.00   |
| (13) | Unauthorized loitering, sleeping or assembly on property   | 50.00   |
| (14) | Gambling--participating in games of chance for monetary gain or personal property; the operation of gambling devices, a pool or lottery; or the taking or giving of bets   | 200.00  |
| (15) | Operation of a vehicle under the influence of alcoholic beverages or non-prescribed narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines  | Mandatory Appearance with fines equal to that of the State of Texas fine for DUI. |
| (16) | Entering premises under the influence of alcoholic beverages or narcotic drugs, hallucinogens, marijuana, barbiturates or amphetamines   | 200.00  |
| (17) | Unauthorized use on property of alcoholic beverages or narcotic drugs, hallucinogens, marijuana, barbiturates or amphetamines  | 300.00  |
| (18) | Unauthorized introduction on VA controlled property of alcoholic beverages or narcotic drugs, hallucinogens, marijuana, barbiturates or amphetamines or the unauthorized giving of same to a patient or beneficiary  | 500.00  |
| (19) | Unauthorized solicitation of alms and contributions on premises  | 50.00   |
| (20) | Commercial soliciting or vending, or the collection of private debts on property   | 50.00   |
| (21) | Distribution of pamphlets, handbills, and flyers   | 25.00   |
| (22) | Display of placards or posting of material on property   | 25.00   |

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| (23)  | Unauthorized photography on premises  | 50.00  |
| (24)  | Failure to comply with traffic directions of VA Police  | 25.00  |
| (25)  | Parking in spaces posted as reserved for physically disabled persons  | 50.00  |
| (26)  | Parking in no-parking areas, lanes, or crosswalks so posted or marked by yellow borders or yellow stripes   | 25.00  |
| (27)  | Parking in emergency vehicle spaces, areas and lanes bordered in red or posted as EMERGENCY VEHICLES ONLY or FIRE LANE, or parking within 15 feet of a fire hydrant | 50.00  |
| (28)  | Parking within an intersection or blocking a posted vehicle entrance or posted exit lane  | 25.00  |
| (29)  | Parking in spaces posted as reserved or in excess of a posted time limit  | 15.00  |
| (30)  | Failing to come to a complete stop at a STOP sign   | 25.00  |
| (31)  | Failing to yield to a pedestrian in a marked and posted crosswalk   | 25.00  |
| (32)  | Driving in the wrong direction on a posted one-way street   | 25.00  |
| (33)  | Operation of a vehicle in a reckless or unsafe manner, too fast for conditions, drag racing, overriding curbs, or leaving the roadway                               | 100.00 |
| (34)  | Exceeding posted speed limits:  |        |
| (i)   | By up to 10 mph   | 25.00  |
| (ii)  | By up to 20 mph   | 50.00  |
| (iii) | By over 20 mph  | 100.00 |
| (35)  | Creating excessive noise in a hospital or cemetery zone by muffler cut out, excessive use of a horn, or other means   | 50.00  |
| (36)  | Failure to yield right of way to other vehicles   | 50.00  |

|      |   |                       |
|------|---|-----------------------|
| (37) | Possession of firearms, carried either openly or concealed, whether loaded or unloaded (except by Federal or State law enforcement officers on official business) | Mandatory Appearance. |
| (38) | Introduction or possession of explosives, or explosive devices which fire a projectile, ammunition, or combustibles   | Mandatory Appearance. |
| (39) | Possession of knives which exceed a blade length of 3 inches; switchblade knives; any of the variety of hatchets, clubs, and hand-held weapons; or brass knuckles | 300.00                |
| (40) | The unauthorized possession of any of the variety of incapacitating liquid or gas-emitting weapons  | 200.00                |
| (41) | Unauthorized possession, manufacture, or use of keys or barrier card-type keys to rooms or areas on the property  | 200.00                |
| (42) | The surreptitious opening, or attempted opening, of locks or card-operated barrier mechanisms on property   | 500.00                |
| (43) | Soliciting for, or the act of, prostitution   | 250.00                |
| (44) | Any unlawful sexual activity  | 250.00                |
| (45) | Jogging, bicycling, sledding or any recreational physical activity conducted on cemetery grounds  | 50.00                 |

\* Enter forfeitable collateral specified in the U.S. District Court Rule if different than the listed Section 1.218 fine, or enter "MA" for mandatory appearance if specified in the U.S. District Court Rule as required for the offense.