

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

IN RE: FORFEITURE OF COLLATERAL
SCHEDULE COVERING LAWS AND
REGULATIONS ENFORCED BY THE
NATIONAL AERONAUTICS AND SPACE
ADMINISTRATION IN THE MIDDLE
DISTRICT OF FLORIDA

CASE NO. 6:09-mc-104-Orl-22

ORDER

THIS CAUSE comes before the Court upon the Government's Application for Court Order Revising the Forfeiture of Collateral Schedule for Laws and Regulations Enforced by the National Aeronautics and Space Administration (NASA), which NASA utilizes in the course of the Agency's participation in the federal misdemeanor program coordinated by the Central Violations Bureau.

IT IS HEREBY ORDERED THAT the Government's Application for Court Order Revising the Forfeiture of Collateral Schedule for Laws and Regulations Enforced by the National Aeronautics and Space Administration is GRANTED.

On September 15, 2014, NASA published a final rule in the Federal Register at 79 FR 54902, to amend 14 CFR part 1204 by adding subpart 11, Enforcing Traffic Laws at NASA Centers and Component Facilities, which establishes traffic enforcement regulations, authorities, and procedures at all NASA Centers and component facilities. On November 13, 2015, NASA published a final rule in the Federal Register at 80 FR 70151, to amend the regulations to make non-substantive changes to correct citations and to clarify the scope, policy, responsibilities, procedures, and violations described in the regulations.


Effective January 12, 2016, 14 CFR § 1204.1104 authorizes NASA Centers and component facilities to punish persons found in violation, in or on a NASA installation, of any vehicular or pedestrian traffic law, or local installation vehicular or pedestrian traffic rule or regulation made applicable to the installation under the provisions of 14 CFR, part 1204, subpart 11. The regulation requires NASA Centers and component facilities to classify violations in accordance with 18 U.S.C. § 3559(a)(6)–(9). Accordingly, NASA has prepared a revised forfeiture of collateral schedule that implements forfeiture requirements for violations of Kennedy NASA Procedural Requirement 1600.1B, KSC Security Procedural Requirements, Chapter 11, Traffic and Parking Control. The Director, Kennedy Space Center, has duly specified the maximum punishments for violating such rules and regulations in the proposed forfeiture of collateral schedule in accordance with 14 CFR § 1204.1102.

Under the federal misdemeanor program coordinated by the Central Violations Bureau, a person charged with certain petty offenses under the laws and regulations of the United States may post collateral in lieu of personal appearance. Upon the failure of the person charged with a petty offense violation to appear before the United States Magistrate Judge for trial of the offense, collateral in the appropriate amount, as shown on the attached forfeiture of collateral schedule, shall be forfeited to the United States and serve as the fine for said offense.

From the date of this Order, all forfeitures of collateral on petty offenses committed on Kennedy Space Center shall be handled in accordance with the forfeiture of collateral schedule attached to this Order. Nothing herein shall prohibit a United States Magistrate Judge, or law enforcement officer, from requiring the personal appearance of the person accused before the Magistrate Judge, whether the offense to be charged appears or does not appear in the forfeiture of collateral schedule.

Offenses for which collateral may be posted in lieu of appearance and the amount of said collateral shall be shown on the forfeiture of collateral schedule attached hereto.

DONE AND ORDERED at Orlando, Florida, this 14th day of March, 2016.



The Honorable Anne C. Conway
United States District Judge