

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA**  
**PHILADELPHIA MUNICIPAL COURT TRAFFIC DIVISION**

**Administrative Order**  
**No. 01 of 2018**

***In Re: Amendment of Municipal Court Traffic Division Local Rule 454***

**ORDER**

AND NOW, this 11<sup>th</sup> day of May, 2018, it is ORDERED and DECREED that Philadelphia Municipal Court Traffic Division *Rule No. 454 Trial in Summary Cases. Role of the Affiant. Sentencing Orders* is amended as attached, effective July 1, 2018.

This Administrative Order is issued in accordance with Pa.R.J.A. No. 103 and shall be filed with the attached rule with the Office of Judicial Records (formerly the *Prothonotary, Clerk of Courts and Clerk of Quarter Sessions*) in a docket maintained for Administrative Orders issued by the First Judicial District of Pennsylvania. As required by Pa.R.J.A. 103(d)(5)(ii), two certified copies of this Administrative Order and rule shall be distributed to the Legislative Reference Bureau, together with a copy on a computer diskette, for publication in the *Pennsylvania Bulletin*. As required by Pa.R.J.A. 103(d)(6) one certified copy of this Administrative Order and rule shall be filed with the Administrative Office of Pennsylvania Courts, shall be published on the website of the First Judicial District at <http://courts.phila.gov>, and shall be incorporated in the compiled set of Philadelphia local rules no later than 30 days following publication in the *Pennsylvania Bulletin*. Copies of the Administrative Order, rule and Fee Schedule shall also be published in *The Legal Intelligencer* and will be submitted to *American Lawyer Media, Jenkins Memorial Law Library*, and the Law Library for the First Judicial District.

BY THE COURT:

/s/ Gary S. Glazer

---

Honorable Gary S. Glazer,  
Administrative Judge  
Philadelphia Municipal Court Traffic Division

## Amendments to Municipal Court Traffic Division Local Rule 454.

Note: Deleted text is in ~~strikethrough font~~, and bracketed; new text is in CAPS bolded and underlined

### Rule 454. TRIAL IN SUMMARY CASES. ROLE OF THE AFFIANT. SENTENCING ORDERS

(a) **Summary Trial.** The summary trial shall be conducted by Traffic Division judges and hearing officers as provided by Pa.R.Crim.P. 454 and 1036. THE SUMMARY TRIALS WILL BE RECORDED, THROUGH ELECTRONIC MEANS OR BY A COURT REPORTER. At the conclusion of the summary trial, the judge or hearing officer shall sign the docket of the Traffic Division, identifying the disposition and the amount of the fine and costs imposed, if any. No facsimile signature may be used to sign the docket of the Traffic Division.

#### (b) Evidence.

(1) The law enforcement officer who issued or filed the citation need not appear for the summary trial. The defendant shall be advised of the charges in the citation.

(2) Any authorized user of the Pennsylvania Justice Network (“JNET”) may produce and offer to the Court the defendant’s certified driving record, as necessary.

(3) The attorney for the Commonwealth may appear and assume charge of the prosecution or, when no attorney appears on behalf of the Commonwealth, an affiant may assume charge of the prosecution and may be permitted to ask questions of any witness who testifies. Such affiant may request, in open court, that the Traffic Division judge or hearing officer permit the withdrawal of one or more of the charges pursuant to Pa.R.Crim.P. 457. If the Traffic Division or hearing officer judge authorizes the withdrawal of one or more of the charges, such withdrawal(s) shall be noted on the docket of the Traffic Division.

(c) **Sentencing Orders.** Every defendant shall be given a copy of the written order imposing sentence issued as required by Pa.R.Crim.P. 454(E). The Traffic Division judges and hearing officers shall use sentencing orders substantially in the form set forth below whenever a period of incarceration is entered as part of the sentence.

*COMMENT: [Unless otherwise required, for purposes of conducting summary trials and proceedings under Title 75, the Municipal Court Traffic Division is a court not of record and neither a court reporter or other electronic means shall be used to record or transcribe the testimony except as provided in Pa.R.Crim.P. 112. The Traffic Division may, however, direct that proceedings conducted before hearing officers be recorded solely for quality control purposes. These recordings shall not be deemed a public record and shall not be available, discoverable or offered in evidence in any proceeding.]* THE PHILADELPHIA MUNICIPAL COURT IS A COURT OF RECORD AND THEREFORE THE SUMMARY TRIALS WILL BE RECORDED UTILIZING COURT REPORTERS OR ELECTRONIC MEANS. TRANSCRIPTS SHALL BE AVAILABLE AS PROVIDED IN PA. R.J.A. NO. 4001 ET SEQ., AND PHILA. R.J.A. NO. \*4007 ET SEQ.

Note: Adopted December 21, 2005, effective on February 1, 2006; amended on May 8, 2014 effective June 23, 2014; amended on May , 2018, effective July 1, 2018.