

## IMPACT STATEMENT

**Legislation title:** Authorize City Attorney to institute legal proceedings to recover damages to an emergency vehicle in the sum of \$17,245.78 and any other costs or relief authorized by law. (Resolution)

**Contact name:** Nikesh J. Patel

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**Presenter name:** Nikesh J. Patel

### **Purpose of proposed legislation and background information:**

On December 16, 2017, Tanner Hellbusch failed to yield to a Portland Fire and Rescue ("PFR") emergency vehicle and collided into the side of the emergency vehicle. Tanner Hellbusch was cited for driving with a suspended license and for failure to yield to an emergency vehicle. The collision occurred near the intersection on SE 112<sup>th</sup> Avenue and SE Division Street in Portland, OR. Michael Hellbusch, Tanner's father, was the registered owner of the vehicle Tanner Hellbusch was driving at the time of the accident. PFR incurred \$17,245.78 in costs to repair the emergency vehicle.

On January 29, 2018, Tanner Hellbusch was found guilty in violation of ORS 811.145 for failure to yield to an emergency vehicle and in violation of ORS 811.175 for driving with a suspended or revoked license.

From December 19, 2017 to July 26, 2018, the City of Portland's Risk Management Division sent requests for payment to Tanner Hellbusch's residential address. On July 26, 2018, the City of Portland's Risk Management Division also sent a request for payment to Michael Hellbusch's residential address.

On October 11, 2018, the City learned that the vehicle driven by Tanner Hellbusch at the time of the accident was not insured.

Despite the City's efforts, the City has not received any payment for damages incurred to the emergency vehicle since the date of the accident. The proposed legislation would empower the City Attorney's Office to file a complaint against Tanner Hellbusch and Michael Hellbusch to secure \$17,245.78 in emergency vehicle damages and any other costs or relief authorized by law.

### **Financial and budgetary impacts:**

There would be no direct financial and budgetary impact on the City from the conduct of the litigation itself. The litigation will be conducted using existing resources within the City Attorney's Office. However, if successful, the litigation may secure \$17,245.78 for the City of Portland Fire and Rescue Bureau and the City of Portland Risk Management Division.

3/17/2017

**Community impacts and community involvement:**

This litigation may secure property damages that will be used to support programs in the Portland Fire and Rescue Bureau, contributing to the safety of all Portland residents. In addition, this litigation may further support programs in the Portland Risk Management Division, contributing to the Division's self-insurance and commercial insurance programs.

**100% Renewable Goal:**

Not applicable.

**Budgetary Impact Worksheet**

**Does this action change appropriations?**

- ☐ **YES:** Please complete the information below.  
☒ **NO:** Skip this section

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount