



CITY OF
PORTLAND, OREGON
HEARINGS OFFICE

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HEARINGS OFFICER'S ORDER

APPEAL OF JAMES RAMON-LEWIS

CASE NO. 1080308

DESCRIPTION OF VEHICLE: Mitsubishi Montero (No Plate)

DATE OF HEARING: October 14, 2008

APPEARANCES:

The appellant did not appear

HEARINGS OFFICER: Mr. Ian Simpson

The Hearings Officer, on substantial evidence and based upon the record as a whole, and receiving Exhibits 1 through 10 into the record without objection, finds as follows:

The towing officer's report (Exhibits 6 through 9) stated that the appellant's vehicle was towed because the driver was driving uninsured, was driving while suspended or revoked, and was fleeing or attempting to elude a police officer.

In his letter requesting a hearing (Exhibit 1) the appellant did not deny any of the officer's asserted violations.

Given these circumstances, this was a valid tow. Please note the relevant City Code sections below concerning this matter.

16.30.220 Towing Without Prior Notice.

(Amended by Ordinance Nos. 165980, 170912, 176352, and 176442, effective May 1, 2002.) Any authorized officer may, without prior notice, order a vehicle towed, when:

K. A police officer has probable cause to believe that the vehicle's operator has committed any of the following offenses:

1. Driving uninsured (ORS 806.010);
2. Driving while suspended or revoked (ORS 811.175 or ORS 811.182);
3. Operating a vehicle without driving privileges or in violation of license restrictions (ORS 807.010) and the operator's license has been expired for 60 days or more, or that the operator has not had a valid driver's license within the previous 60 days.


5. Fleeing or attempt to elude police officer (ORS 811.540);

Therefore, it is ordered that all towing and storage charges against the vehicle shall remain the responsibility of the vehicle's owner.

This order may be appealed to a court of competent jurisdiction pursuant to ORS 34.010 et seq.

Dated: October 17, 2008

IS: cb



Ian Simpson, Hearings Officer

Bureau: Police
Tow Number: 26545

Enclosure

Exhibit #	Description	Submitted by	Disposition
1	Hearing request letter	Ramon-Lewis, James	Received
2	Tow desk report printout	Ramon-Lewis, James	Received
3	Hearing notice	Hearings Office	Received
4	Tow hearing info. sheet	Hearings Office	Received
5	Towed vehicle record	Police Bureau	Received
6	Custody report	Police Bureau	Received
7	Traffic Violation Tow Report Non-Connect	Police Bureau	Received
8	Narrative	Police Bureau	Received
9	Notice of Impoundment	Police Bureau	Received
10	LEDS data printout	Police Bureau	Received