



CITY OF
PORTLAND, OREGON
HEARINGS OFFICE

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HEARINGS OFFICER'S ORDER

APPEAL OF RACHEL WILSON

CASE NO. 1080311

DESCRIPTION OF VEHICLE: Honda Accord (WA 014PXS)

DATE OF HEARING: October 21, 2008

APPEARANCES:

Rachel Wilson, Appellant

HEARINGS OFFICER: Mr. Gregory J. Frank

Ms. Wilson appeared and testified on her behalf at the hearing. The Hearings Officer makes this decision based upon the testimony of Ms. Wilson and the exhibits admitted into the evidentiary record (exhibits 1 through and including 8).

Ms. Wilson testified that she lives in Vancouver and was driving to class and parked at a location where she observed a sign that she read as saying "PERMITTED CAR SHAPE VEHICLES ONLY." Ms. Wilson interpreted the sign as a warning that the cars could park at this location so long as they did not diminish the visibility for the intersection. Ms. Wilson stated that she was not aware, at the time her vehicle was parked, of "what car share vehicles are."

The Hearings Officer finds that Exhibits 7 and 8 are a tow officer's written report and parking violation, respectively. Exhibit 8 contains three pictures. Ms. Wilson identified the vehicle in the pictures as being her vehicle that was towed. The Hearings Officer notes that the sign in front of Ms. Wilson's vehicle (Exhibit 8) states that the space where Ms. Wilson parked is reserved for "CAR SHARE" vehicles. Ms. Wilson did not state that her vehicle qualified as a "CAR SHARE" vehicle.

The Hearings Officer finds that a vehicle may be towed, without prior notice, if the vehicle is parked in a location that has signs for a permanent parking restriction. The Hearings Officer finds that the "CAR SHARE" signs are permanent and are conspicuous at the location where Ms. Wilson parked. The Hearings Officer finds that the officer who ordered Ms. Wilson's vehicle towed followed the relevant laws/rules. Therefore, the Hearings Officer finds the tow valid.

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 22, 2008
GJF: rs/cb



Gregory J. Frank, Hearings Officer

Bureau: Parking Enforcement
Tow Number: 27016

Enclosure

Exhibit #	Description	Submitted by	Disposition
1	Hearing request letter	Wilson, Rachel	Received
2	Photos	Wilson, Rachel	Received
3	Tow receipts and citation	Wilson, Rachel	Received
4	Tow Desk printout	Hearings Office	Received
5	Hearing Notice	Hearings Office	Received
6	Tow Hearings Process Info. sheet	Hearings Office	Received
7	Tow hearing report	Parking Enforcement	Received
8	Parking Violation & photos	Parking Enforcement	Received