



CITY OF
PORTLAND, OREGON
HEARINGS OFFICE

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HEARINGS OFFICER'S ORDER

APPEAL OF WILLIAM D. OLSON

CASE NO. 1080336

DESCRIPTION OF VEHICLE: Ford F350 (OR AD7NA)

DATE OF HEARING: December 2, 2008

APPEARANCES:

Mr. William D. Olson, Appellant

HEARINGS OFFICER: Mr. Ian Simpson

The Hearings Officer, on substantial evidence and based upon the record as a whole, and receiving Exhibits 1 through 6 into the record without objection, finds as follows:

An officer reported (Exhibit 6) that he responded to a report about a hit and run incident. When the officer arrived at the scene, he saw a vehicle parked legally facing north against the east curb of the street. A second vehicle was parked illegally, facing south against the east curb. The second vehicle's rear bumper was against the first vehicle's front bumper and caused some damage. Neighbors told the officer that a man living in the house adjacent to the two vehicles often used his truck (the second vehicle) to push other vehicles parked in front of his house. The officer had the vehicle towed as evidence of a hit and run crime.

The appellant stated that he did not know why his vehicle was towed. The Hearings Officer finds that the City Code authorizes an officer to tow a vehicle if the officer reasonably believes that it is evidence in a crime.

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:

G. A police officer reasonably believes that the vehicle or its contents constitute evidence of any offense, if such towing is reasonably necessary to obtain or preserve such evidence;

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: December 5, 2008

IS: rs



Ian Simpson, Hearings Officer

Bureau: Police

Tow Number: 30192

Enclosure

Exhibit #	Description	Submitted by	Disposition
1	Hearing request letter	Olson, William D.	Received
2	Tow Desk printout	Hearings Office	Received
3	Hearing Notice	Hearings Office	Received
4	Tow Hearings Process Info. sheet	Hearings Office	Received
5	Towed Vehicle Record	Police Records	Received
6	Oregon Police Traffic Crash Report	Police Records	Received