



Oregon

Theodore R. Kulongoski, Governor

Department of Transportation

DMV Services
1905 Lana Avenue NE
Salem OR 97314

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SANTA ROSA CA 95404

FILE CODE:

ODL: 1 1 1 1
DOB: 1 1 1 1
CASE#: 1 1 1 1

On May 27, 2009 I conducted the administrative review you requested in response to a Notice of Suspension dated April 20, 2009. The purpose of the informal review was to examine the documents on which the Oregon Department of Transportation, Driver and Motor Vehicle Services (DMV), relied in suspending your driving privileges. The action was based on notice from California that you have been convicted of driving under the influence of alcohol or drugs.

Based upon the administrative review pursuant to Oregon Revised Statute (ORS) 813.400 (3) and ORS 809.440 (2), I have determined that:

- You are the person convicted by the California Court, on January 28, 2009, of driving under the influence of alcohol or drugs.
- The conviction involved a motor vehicle.
- The out-of-state conviction upon which DMV's action is based was for an offense which is comparable to the offense of driving under the influence of intoxicants under Oregon law.
- ORS 809.400 authorizes suspension or revocation of an Oregon resident's driving privileges based on an out-of-state conviction for any offense which, if committed in this state, would result in a suspension or revocation.
- Based on information you sent showing that California had issued you driving privileges January 8, 2009, I have determined that you were not an Oregon resident at the time of the conviction.

As a result of the above, the suspension of your driving privileges based on Oregon taking action on a California conviction based on the belief that you were an Oregon resident has been withdrawn.

If you wish to appeal this order, you must file a petition for review in the Marion County Circuit Court or the circuit court for the county in which you reside within sixty (60) days of the service of this order (pursuant to ORS 183.484). A copy of the petition for review should be filed with DMV, and the Oregon Attorney General's Office.

Issued this 27th day of May 2009.

Driver Programs Section

cc: Dave Jake Schwartz

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