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March 11, 2008

Rosemary C. O'Connor
4824 S.W. Shattuck Road
Portland, OR 97221

Re: Petition for Public Records Disclosure Order:
Oregon Department of Motor Vehicles Records

Dear Ms. O'Connor:

This letter is the Attorney General's order on your petition for disclosure of records under the Oregon Public Records Law, ORS 192.410 to 192.505. The petition, which we received on March 4, 2008, asks the Attorney General to order the Driver and Motor Vehicle Division (DMV) to disclose a copy of a driver safety complaint filed against you in December 2005.

The Public Records Law confers a right to inspect any public records of a public body in Oregon, subject to certain exemptions and limitations. *See* ORS 192.420. Any person denied the right to inspect or receive a public record of a state agency may petition the Attorney General to determine whether the record may be withheld. ORS 192.450(1).

In consultation with our office, DMV has determined that its Administrative Rule, OAR 735-076-0005 (2)(a), would permit it to disclose this particular record to you in light of certain indications that the report was not made in good faith. DMV has therefore agreed to provide you with the record. You will shortly receive from DMV an explanation of any fee that may be required. Because DMV has agreed to provide the record, we deny your petition as moot.

Sincerely,

PETER D. SHEPHERD
Deputy Attorney General

AGS21354
c: Craig Daniels, DMV