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September 9, 1986

Mr. Charles Duwayne Campbell
538 Halfmile Road
Roseburg, Oregon 97470

Motor Vehicles Division
Attention: Shirley St. John
Accident/Insurance Records Supervisor
Driver Records Section
1905 Lana Avenue, N.E.
Salem, OR 97314

Re: Request for Disclosure of Public Records of Motor Vehicles Division

Dear Mr. Campbell and Motor Vehicles Division Representative:

This letter constitutes the Attorney General's response to Mr. Campbell's request for an order requiring the Motor Vehicles Division to disclose to Mr. Campbell certain documents, particularly a letter, relating to the possible suspension of Mr. Campbell's driving privileges.

Mr. Campbell's request for a public records disclosure order was received by the office of the Attorney General on September 2, 1986. Although Mr. Campbell's letter states that the Motor Vehicles Division has denied his request for disclosure of the documents referred to above, it appears that any refusal or delay of disclosure is a result of miscommunication between Mr. Campbell and the Motor Vehicles Division.

The division recognizes Mr. Campbell's right to inspect the document, a letter from an insurance company, that prompted the division to commence suspension proceedings.

Our investigation discloses that Mr. Campbell's insurance company notified Motor Vehicles Division on June 18, 1986, that Mr. Campbell had been involved in an accident that was not covered by insurance. This letter caused Motor Vehicles Division

to send Mr. Campbell a notice that his driving privileges would be suspended because he had been involved in an uninsured accident. The suspension notice advised Mr. Campbell of his right to an administrative hearing. He has requested such a hearing, and the suspension has been rescinded pending the outcome of the hearing.

Mr. Campbell is entitled to a copy of the letter sent by the insurance company to Motor Vehicles Division, and this document routinely would be provided to him as part of the prehearing discovery process. Motor Vehicles Division is unable to locate any prior written correspondence from Mr. Campbell, and we have been unable to identify a Motor Vehicles Division clerk to whom Mr. Campbell referred in his request for a public records order from this office.

Nevertheless, Motor Vehicles Division agrees, and we hereby order, that Mr. Campbell be allowed access to a copy of the letter his insurance carrier sent to Motor Vehicles Division that caused Motor Vehicles Division to send the suspension notice in Mr. Campbell's case. If Mr. Campbell has not received a copy of this letter as part of the prehearing discovery, he can view it at no cost at Motor Vehicles Division's headquarters at its Lana Avenue offices, or he may obtain a photocopy of it upon paying a small copying charge. Mr. Campbell can contact Ms. Shirley St. John (phone number 378-8326), if he has further questions.

Furthermore, if either Mr. Campbell or the Motor Vehicles Division representative has comments or questions, each may contact either Assistant Attorney General Cynthia Carter or myself.

Very truly yours,

James E. Mountain, Jr.

JAMES E. MOUNTAIN, JR.
Special Counsel to the
Attorney General

JEM:jjt15/cam.1-.2
cc: Cynthia A. Carter, Assistant Attorney General