

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 1057

Amending MCC § 15.813 and Adding § 15.821, Aggressive Driving Prohibited

(Language stricken is deleted; double underlined language is new.)

Multnomah County Ordains as follows:

Section 1. MCC Chapter 15, Sheriff, is amended to add §15.821 as follows:

§ 15.821 Aggressive Driving Prohibited.

(A) A person commits the offense of aggressive driving if the person engages in continuous conduct by violating two or more of the following moving traffic violations with the intent to harass, alarm, annoy, intimidate or obstruct another motorist or vehicle:

<u>Following too closely</u>	<u>ORS 811.485</u>
<u>Improper stopping or standing</u>	<u>ORS 811.500</u>
<u>Improper lane change</u>	<u>ORS 811.370 - 811.385</u>
<u>Violation of any speed rule</u>	<u>ORS 811.100 - 811.130</u>
<u>Unsafe passing</u>	<u>ORS 811.410 - 811.425</u>
<u>Unlawful use of vehicle lighting</u>	<u>ORS 811.515(6)(b)</u>
<u>Improper use of a vehicle horn</u>	<u>ORS 815.225(b)</u>
<u>Failure to yield the right of way</u>	<u>ORS 811.275 - 811.292</u>

(B) The offense described in this section, aggressive driving, is a Class A violation and is applicable upon any premises open to the public. A person who commits the offense of aggressive driving may be required to attend an educational program approved by the division of motor vehicles designed to improve the safety and habits of drivers.

(C) Any vehicle utilized within unincorporated Multnomah County in violation of this subchapter, may be towed without notice subject to the provisions of MCC § 15.813.

Section 2. MCC § 15.813 is amended as follows:

§ 15.813 Impoundment.

(A) When any motor vehicle is found standing or parked in or upon any street, road or highway or parking area of the county within the jurisdiction of this subchapter in violation of, and contrary to, any of the provisions of this subchapter applicable to stopping, standing or parking of vehicles, or in violation of §15.821 prohibiting aggressive driving, or in violation of § 15.820 prohibiting speed racing, the owner or person entitled to possession of the motor vehicle or a spectator as defined in § 15.820, may be issued a citation and the vehicle removed or caused to be removed by the Sheriff and held at the expense of the owner or person entitled to possession. If a vehicle is so removed and held, the provisions relating to notice to owner, appraisal of value and owner reclaiming vehicle shall be followed in ORS 809.725 and ORS Chapter 819. If the vehicle is not redeemed within 30 days it will be disposed of as prescribed in ORS Chapter 819.

(B) The Sheriff may authorize another police agency to remove and hold motor vehicles that are found in violation of this subchapter, § 15.821, or § 15.820, and may also define the geographical area within which the agency may order such removal. If a vehicle is so removed and held by another police agency, that agency shall provide notice to the owner of the removal in accordance with the procedures of the removing agency.

FIRST READING:

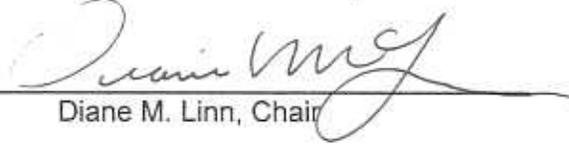
February 10, 2005

SECOND READING AND ADOPTION:

February 17, 2005



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

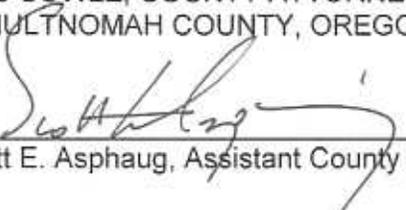


Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By



Scott E. Asphaug, Assistant County Attorney