

RECEIVED
MAY 10 2016
MUNICIPAL COURT

Dear Judge Aiken:

This request is made with the purpose of resolving an issue of law. Laws enacted by the government, which has been instituted to provide for the peace, safety and happiness of the people, are ostensibly made for precisely those ends.

It is generally known in today's society that traffic stops are the most common point whereon the people make contact with their government. In Oregon this appears to be in conflict with ORS 153.039, a section of the statutes governing traffic court proceedings. Unfortunately, this section must be read carefully, taking into consideration the phrase, "to the extent provided", in order to to grasp the totality of the intended message found in subsection two. To a literate English speaker, this is not a particular problem, but inasmuch as our failed educational system does not encourage literacy, public school graduates are unlikely to catch the drift, grasp the implications.

The conflict, highlighted at ORS 153.039, arises between ORS 801.050 and 801.305, the former describes persons who, subject to the motor vehicle law are granted "the privilege" to use highways and the latter describes places that are open, and used by the general public for vehicles "as a matter of right".

In order to minimize the investment in search time, please bear in mind that there are at least two "definitions" of "person" which must be borne in mind, the first is at ORS 174.100(5) (do not neglect to read subsection 1) and the second at ORS 183.310(8)(10). When considering these sections, one must remember the constraint placed on the drafters by the Oregon Constitution at Article IV, Section 20. "But one subject" in an enactment means that everything between one short title and the next (in statute) when a legislative history is set out in smaller font, must share a common nexus corresponding to the "single subject".

With the foregoing background information as a resource guide, please provide for my inspection a public record or records which are a legislative enactment(s) purporting to regulate "the general public" or "the people" who use that portion of the roadway "ordinarily intended for vehicular travel" (ORS 801.450) pursuant to the guarantees of Article I, Section 18 of the Oregon Constitution.

Such regulation shall describe each of following: Licensing of the general public to use that portion of highway otherwise known as roadway for "vehicular travel" (note this is NOT a request for information about "licensing of drivers"); Titling and registration of the general public's vehicles, which is not required if a vehicle is NOT operated on highways of this state (ORS 803.030, 803.305 and the implementing Oregon Administrative Rule 735-016-0020 at subsection 7); A requirement of liability insurance in such manner as is described under ORS 806.010 for "a person who operates a motor vehicle"; A duty to pay a fee for "Parking", as that term is defined at ORS 801.380; A duty to pay motor vehicle fuel tax when the purchased product is not used for "operating motor vehicles in Oregon" (OAR 735-016-0020(7)).

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You shall make this/these authorities available in a timely manner pursuant to the Attorney General's guideline of two working weeks. If you are unable to timely comply, you may request an extension of time by briefly stating the necessity of your request and a date certain by which I may expect the documents to arrive at my address as appears below.

In the event that you do not provide the documents or request an extension of time in which to comply, I will enjoy the option of presuming that "Evidence willfully withheld is adverse to the party withholding" (OEC Rule 311(c)), or requesting the assistance of the Attorney General to cause you to provide the requested public records.

When the best interest of the public will be served by the production of a public record, grounds exist to petition for waiver of fees incidental to the reproduction of records, therefore please consider this to be my petition for waiver of such fees.

Thank you for your public service,

Richard L. Koenig
P.O. Box 1031
Sherwood, Oregon [97140]

Make sure that you do not confuse my address with the "US territory" known as "OR 97140"

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Richard L. Koenig

*Aug. 22, 2016
To: Salem City Council:
Please give this Public
Record Law Request to
your "keeper of the
Records".
I'll be back for the
next meeting.
Richard L. Koenig*

