



7-3-2008

DEPARTMENT OF SAFETY vs. One 1994 Ford  
Ranger, VIN No.: 1FTCR10U6RU88818, Seized  
from: Cameron L. Adams, Date of Seizure: January  
1, 2008, Claimants: Cameron L. Adams

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**BEFORE THE COMMISSIONER OF THE  
TENNESSEE DEPARTMENT OF SAFETY**

<b>IN THE MATTER OF:</b>	)	
	)	
<b>DEPARTMENT OF SAFETY</b>	)	
	)	
<b>v.</b>	)	<b>DOCKET NO. 19.05-099536J</b>
	)	<b>DOS Case No. G9658</b>
<b>One 1994 Ford Ranger</b>	)	
<b>VIN No.: 1FTCR10U6RU88818</b>	)	
<b>Seized from: Cameron L. Adams</b>	)	
<b>Date of Seizure: January 1, 2008</b>	)	
<b>Claimants: Cameron L. Adams</b>	)	

**INITIAL ORDER**

This administrative proceeding was heard on July 3, 2008, in Knoxville, Tennessee, before John Hicks, Administrative Judge, assigned by the Secretary of State, Administrative Procedures Division, and sitting for the Commissioner of the Tennessee Department of Safety. Nina Harris, Staff Attorney for the Department of Safety, represented the State. Claimant Cameron L. Adams proceeded without counsel.

The subject of this hearing was the proposed forfeiture of the subject 1994 Ford Ranger for its alleged operation by Claimant Cameron L. Adams during a second arrest for driving a motor vehicle while under the influence of an intoxicant ("DUI"). After consideration of the record, it is DETERMINED that the subject Cameron L. Adams should be FORFIETED to the seizing agency. This decision is based upon the following Findings of Fact and Conclusions of Law.

**FINDINGS OF FACT**

1. On January 1, 2008, Deputy Ernie Bowman of the Knox County Sheriff's Department stopped Claimant Cameron L. Adams for a taillight violation. At the time of the stop Cameron L. Adams was driving the subject 1994 Ford Ranger.
2. Upon stopping Claimant, Deputy Bowman believed that Claimant might be intoxicated.
3. Claimant was administered and failed a field sobriety test. Claimant 's blood tested .16.
4. Claimant was arrested him for driving under the influence.
5. Claimant was previously convicted for DUI on April 20, 2004 in Sevier County, Tennessee.
6. The subject 1994 Ford Ranger was seized.

**CONCLUSIONS OF LAW**

1. T.C.A. 55-50-504 Driving while license cancelled, suspended or revoked—  
Minors—Forfeiture.—
  - (h)(1) The vehicle used in the commission of a person's violation of §55-50-504, when the original suspension or revocation was made for a violation of §55-10-401, or a statute in another state prohibiting driving under the influence of an intoxicant, is subject to seizure and forfeiture in accordance with the procedure established in title 40, chapter 33, part 2. The department is designated as the applicable agency, as defined by §40-33-202, for all forfeitures authorized by this subsection.
2. T.C.A. 55-10-403 (k) (1): The vehicle used in the commission of a person's second or subsequent violation of §. 55-10-401.....is subject to seizure and forfeiture in accordance with the procedure established in title 40, chapter 33, part 2.

3. The State carried its burden of proof, by a preponderance of the evidence, that on January 1, 2008, Cameron L. Adams was arrested for a second DUI offence while driving the subject 1994 Ford Ranger.

4. It is CONCLUDED that pursuant to the provisions of T.C.A. § 55-50-504(h) the seized 1994 Ford Ranger is subject to forfeiture.

5. T.C.A. 55-10-403 (k) (1) The vehicle used in the commission of a person's second or subsequent violation of §. 55-10-401,....is subject to seizure and forfeiture in accordance with the procedure established in title 40, chapter 33, part 2.

6. It is CONCLUDED that pursuant to the provisions of T.C.A. § 55-10-403 (k) (1) the seized 1994 Ford Ranger is subject to forfeiture.

7. It is CONCLUDED that Claimant used the seized 1994 Ford Ranger when committing his second DUI offence.

8. It is CONCLUDED that Claimant's interest in the seized 1994 Ford Ranger should be forfeited to the seizing agency pursuant to the provisions of T.C.A. § 55-50-504(h) and T.C.A. § 55-10-403 (k) (1).

9. It is **ORDERED** that Claimant Cameron L. Adams's interest in the seized 1994 Ford Ranger is **FORFEITED** to the seizing agency.

This Initial Order entered and effective this 15th day of July, 2008.

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John Hicks  
Administrative Law Judge

Filed in the Administrative Procedures Division, Office of the Secretary of State, this  
15th day of July, 2008.

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Thomas G. Stovall, Director  
Administrative Procedures Division