

Edward C Noonan

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2002 Winner AIP Primary - CA Secretary of State - 2006 Winner AIP Primary - CA Governor - 2006-2008 CA State Party Chairman American Independent Party
2010 Winner AIP Primary - CA US Senate - 2012 Winner AIP Primary - President of the United States - 2016 Write In Candidate - President of the United States
2012-2017 Founder & National Committee Chairman: American Resistance Party - <http://www.americanresistanceparty.org>

October 27, 2017

TO:

DMV HEADQUARTERS
2415 1st Avenue,
Sacramento, CA 95818

DMV YUBA CITY
1570 Poole Boulevard
Yuba City, CA 95993

KAISER RELEASE OF MEDICAL INFO
1600 Eureka Road
Roseville, CA 95661

SACRAMENTO BEE
2100 Q St.,
Sacramento, CA 95816

APPEAL DEMOCRAT
1530 Ellis Lake Drive.
Marysville, CA 95901

**To: State of California
Dept. of Motor Vehicles;**

This is in regards to your unlawful use of the VEC §13800 - §13801.

My California Driver's License expired on my 69th birthday, Sept 25, 2017. So, on Sept 3, 2017 I re-renewed my license online. I paid the required \$33 to do so. The online info said it would take 60 days to get my renewed license back in the mail.

A week or so later, I received a form demanding I submit my health record to the DMV. I did so. On the form I noted I had arthritis, diabetes and high blood pressure. I mailed the form in. But no driver's license was issued. Instead a multi-paged health form was mailed to me, demanding my doctor sign it and verify that my health was good enough to drive again. I traveled from Marysville to Roseville to turn in the form to the Kaiser Permanente Business office. I left the forms there to have them get it to my doctor. My doctor took the time to fill out the form (DRIVER MEDICAL EVALUATION) and mailed it back to me. He verified my health (diabetes and high blood pressure) and there was no cause to be concerned.

I took the forms to the Yuba City DMV. The clerk said it had to be RETURNED TO SACRAMENTO. I would have to call them and make an appointment. I asked if they had a Driver Safety Hearing Officer at the Yuba City DMV. They said yes. I said I wanted to use the Yuba City Hearing Officer. They said it was impossible. I told them (very loudly) this was retarded and stupid. They didn't like it!

I left the DMV office, and got half way to the car. I figured that this was NOT GOING TO STAND! I went back in and told them to call Sacramento and "transfer" my case (RID#15615931) to the Yuba City Office... Reluctantly the poor clerk said she would comply. She called and finally after 5-10 minutes got through to the Sacramento Office and talked with them.

She came back and said she would photocopy all of my paper work and would fax them to the Sacramento Driver Safety Office. Then that person would be contacting me on the phone. Then I left.

I could not believe all the hoops I had to jump through. It seemed beyond intelligent. And I have come to learn that when someone says the "LAW MUST BE COMPLIED WITH" one should look at the law and see what all the stink is about.

So I looked up VEC §13800 and was horrified at the lawlessness the DMV is acting under. Since DMV does not know the LAW a copy of §13800 is attached to the end of this letter.

As you can see, the law states that ONLY if a driver has caused a death, or property damage or has had 3 accidents or has been busted for drugs or alcohol then the §13800 is applicable.

But instead, DMV has decided that this section applies to me JUST BECAUSE I JUST TURNED 69 AND MY LICENSE NEEDED TO RENEWED. DMV is and has committed criminal acts by forcing me to comply with a law that does not exist!

Your form letter states:

**REEXAMINATION INFORMATION
(§13800-§13801)**

DMV has the authority to investigate and reexamine your ability to operate a motor vehicle safely due to a physical or mental condition, or a poor driving record. DMV receives information from many sources, such as: physicians, unsolicited letters, or law enforcement.

This is NOT TRUE! §13800-§13801 DOES NOT GIVE YOU SUPER-AUTHORITY TO INVESTIGATE ALL 65+ YEAR OLD MEN AND WOMEN who are GOOD DRIVERS! The last ticket I had was for refusing to pay for a RED LIGHT CAMERA TICKET in downtown Marysville. (2009) (I finally paid the damn thing!)

If I have to comply...You too must COMPLY and cease and desist YOUR unlawful activity!

Therefore, (1) I am giving you 10 days to hand-deliver my 'bought and paid for' driver license renewal. In addition, (2) I demand a letter of apology be sent to Kaiser Permanente for the time and effort that they spent in complying with my request to release records that were unnecessarily released for fraudulent reasons. I demand they are paid for the time you made them spend in this matter and ALL OTHER MATTERS IN THE PAST. And payment to my Doctor for the time he spent in your unlawful endeavor.

(3) You will pay me for my time and gas, and irritation in this matter.

(4) You will cease using the form DS 2011 (Rev 7/2013) for illegal and deceitful purposes. It looks you may have been scamming the senior citizen public since 2011? 2013?

Please let me know how to proceed.

I would prefer not to seek a legal remedy, but this matter MUST be addressed!

Respectfully,

Edward C Noonan
Retired

APPENDIX A

VEHICLE CODE - VEH

DIVISION 6. DRIVERS' LICENSES [12500 - 15325]

(Heading of Division 6 amended by Stats. 1961, Ch. 1615.)

CHAPTER 3. Investigation and Hearing [13800 - 14401]

(Chapter 3 enacted by Stats. 1959, Ch. 3.)

ARTICLE 1. Investigation and Re-examination [13800 - 13802]

(Article 1 enacted by Stats. 1959, Ch. 3.)

13800.

The department may conduct an investigation to determine whether the privilege of any person to operate a motor vehicle should be suspended or revoked or whether terms or conditions of probation should be imposed upon receiving information or **upon a showing by its records:**

(a) That the licensee has been involved as a driver in any accident causing **death or personal injury or serious damage to property.**

(b) That the licensee has been involved in **three or more accidents** within a period of 12 consecutive months.

(c) That the person in three consecutive years has committed three or more offenses which have resulted in convictions involving the consumption of an **alcoholic beverage or drug, or both**, while operating a motor vehicle, including, but not limited to, offenses under Section 23103.5, 23152, 23153, 23222, or 23224; has been involved in three or more accidents in which the accident reports show that the person was driving and had consumed alcoholic beverages or drugs, or both; or had any combination of three or more of those offenses and accidents.

(d) That the licensee is a **reckless, negligent, or incompetent driver** of a motor vehicle.

(e) That the licensee has permitted an **unlawful or fraudulent use of his driver's license.**

(f) That any ground exists for which a license might be refused. The receipt by the department of an abstract of the record of conviction of any offense **involving the use or possession of narcotic controlled substances** under Division 10 (commencing with Section 11000) of the Health and Safety Code shall be a sufficient basis for an investigation by the department to determine whether grounds exist for which a license might be refused.

(Amended by Stats. 1982, Ch. 1339, Sec. 11. Effective September 24, 1982.)

13801.

In addition to the investigation, the department may require the re-examination of the licensee, and shall **give 10 days' written notice** of the time and place thereof. If the licensee refuses or fails to submit to the re-examination, the department may peremptorily suspend the driving privilege of the person until such time as the licensee shall have submitted to re-examination. The suspension shall be effective upon notice.

(Enacted by Stats. 1959, Ch. 3.)