

DEPARTMENT OF MOTOR VEHICLES  
LICENSING OPERATIONS DIVISION  
Driver Safety Branch  
2510 S. East Ave #310  
Fresno, CA 93706-5116

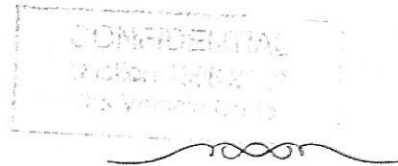


telephone: 559-445-6399 fax: 559-445-6398

### 312 INTERVIEW REPORT

RESPONDENT'S NAME  
Nathan Lyle Finnell

DRIVER LICENSE OR FILE NUMBER



Nathan Lyle Finnell is hereafter also known as "Respondent."

Respondent appeared on December 27, 2017 at the Fresno Driver Safety Office for an interview by the department to determine: If Respondent is a negligent operator of a motor vehicle because he caused or contributed to the cause of a fatal accident and does cause exist to reinstate Respondent's driving privilege.

APPEARANCE:

1) Nathan Lyle Finnell

DEPARTMENT'S PRESENTATION:

- 1) Driving Record Printout
- 2) Traffic Collision Report
- 3) Order of Suspension

RESPONDENT'S PRESENTATION:

documents: none

testimony: see within findings of fact

### FINDINGS OF FACT

I

Respondent was brought to the attention of the department after receiving a traffic collision report.

II

Respondent's driving record printout shows a suspension effective September 14, 2016 pursuant to section 13953 of the California Vehicle Code as a result of the fatal traffic collision that occurred on February 02, 2016.



III

Respondent testified that this was a horrible accident caused because of a mistake made on his part. Respondent states he was not impaired by alcohol or drugs, he was not speeding, and he did stop at the stop sign. He states the impact from the collision has affected his memory of how this collision occurred, but he states he did fail to yield the right away to the oncoming traffic. He states he may have assumed that this particular intersection was a 4-way stop based on his experience driving in that particular area, but he is unsure why he drove in front of oncoming traffic. Respondent states he did have 4 passengers in the vehicle who were co-workers and 3 passengers lost their lives as a result of the collision. Respondent states all passengers were asleep prior to the accident, and he did not have any distractions in his vehicle. He states he was not using his GPS or looking at any device that would have caused him to take his eyes off the roadway. Respondent states he was deeply upset after this collision and he decided to stop driving before any suspension went into effect. He states he did serve 90 days in jail and he is currently on court ordered probation.

IV

Respondent testified to driving 2000 miles a week for work purposes and 100 miles a week for personal use if he were to have a license to drive to the grocery store, and complete errands as needed. He states he is still employed as a tree cutter, but if he were to resume driving, he would be relocated to a more remote area.

V

Respondent appeared remorseful for his actions that resulted in this collision and he accepted responsibility for causing this accident. Respondent testified that if he were to start driving again he would always look both ways to ensure the way was clear before he proceeded to drive through an intersection. He states he also knows how dangerous it can be to make assumptions regarding traffic signs/signals and he will never make assumptions when operating a motor vehicle.

**DETERMINATION OF ISSUES**

Respondent was determined to be a negligent operator of a motor vehicle because he caused this fatal traffic collision; however, Respondent has taken responsibility for the collision and has implemented methods for safe driving. As a result, cause exists to end the suspension against Respondent's driving privilege.

**DECISION**

As a result of the preceding Findings & Determination, the suspension of the Respondent's driving privilege is ended as specified in these documents.

X



M Defendis - Driver Safety Officer

December 27, 2017

