



STATE OF MICHIGAN
 TERRI LYNN LAND, SECRETARY OF STATE
 DEPARTMENT OF STATE
 LANSING

DRIVER LICENSE APPEAL

In the matter of:

Petitioner License Number: [REDACTED]
 Hearing Date: 09/19/2008
 Case Number: [REDACTED]
 Hearing Officer: Odrobina

ORDER/AUTHORIZATION

Based on the findings of Fact and Conclusions of Law below, the original Department of State action of Revoked/Denied from 05/17/1995 has been modified and a restricted license is approved from 09/19/2008 through Indefinite.

THE FOLLOWING RESTRICTIONS APPLY:

ANY ALCOHOL/DRUG RELATED ACTIVITY; ORIGINAL ACTION TO BE REINSTATED. LICENSEE SHALL NOT CONSUME INTOXICANTS. ANY DRIVING WITHIN SPECIFIED HOURS: MAY DRIVE FROM 6:00AM TO 7:00PM; MAY ONLY OPERATE VEHICLE EQUIPPED WITH INTERLOCK DEVICE; MAY DRIVE TO AND FROM CALIBRATION; ORIGINAL ACTION TO BE REINSTATED UPON VIOLATION; IGNITION INTERLOCK REQUIRED FOR ONE YEAR FROM DATE OF RESTRICTION; SAFETY BELT USE REQUIRED.#####

REQUIREMENTS:

YOU MUST APPEAR AT A SECRETARY OF STATE BRANCH OFFICE TO COMPLY WITH THE FOLLOWING:

- VISION TEST REQUIRED
- KNOWLEDGE TEST REQUIRED
- ROAD TEST REQUIRED. (TIP may be issued only for third party road testing.)
- MUST SHOW PROOF OF INSTALLATION OF IGNITION INTERLOCK SYSTEM
- RENEWAL REQUIRED

[REDACTED]

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- **PETITIONER MUST PRESENT THIS FORM TO A SECRETARY OF STATE BRANCH OFFICE TO RENEW OPERATING PRIVILEGES WITH THE RESTRICTIONS LISTED**
- **FOLLOW BRANCH OFFICE PROCEDURES**

This administrative hearing was held at Petitioner's request pursuant to MCL 257.322 and 1999 MR9 R 257.301 *et seq.* and any other applicable administrative rules.

The following individuals were present for the hearing: Hearing Officer Odrobina, [REDACTED] and Jeffrey J Randa, Esq.

Petitioner has a lengthy record of drunk driving convictions from 1978 to 1994 offenses. He testified that he has not consumed alcohol since 12/21/1994, the date of his last arrest. The letters of support corroborate this assertion. Petitioner testified that he was incarcerated for 4 years which ended with a 90 day inpatient program and parole that included outpatient treatment and AA attendance. He further testified that it was a year before his release when he made a decision to "take the right path" in his life and not drink again.

The Substance Abuse Evaluation (SAE) indicates a diagnosis of Alcohol Dependence in full sustained remission with an "excellent" prognosis for continued abstinence. The evaluator did not recommend any further treatment or support group involvement. Sign-in sheets were submitted. A negative alcohol/drug screen with an acceptable creatinine level was submitted. Petitioner testified that he had previous periods of abstinence that last short amount of time (1-2 months) but he was not sure of the duration.

In light of the significant history of habitual violation, the diagnosis of a recognized serious substance abuse disorder and his relapse history, a restricted license is approved in this matter to allow the Department to monitor Petitioner's continued recovery from substance abuse or dependence and to provide Petitioner the opportunity to prove he has the required ability and motivation to drive safely and within the law.

Petitioner may appeal further to the Circuit Court as permitted under MCL 257.323.

NOTICE

You have been approved for a restricted license after you prove that you have installed an ignition interlock device on your vehicle. You may only drive a vehicle with an ignition interlock device installed. The purpose of this device is to measure the bodily alcohol content (BAC) of the driver and to prevent the motor vehicle from being started if the BAC is greater than .025. The device will also require you to give random breath samples while driving. Please note the following:

- 1) **You cannot drive until the interlock device is installed and a branch office of the Department issues the restricted license.**