





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

DRIVER LICENSE APPEAL

In the matter of:

Petitioner:  License Number: 
 Hearing Date: March 20, 2009
 Case Number: X044063
 Hearing Officer: Harmon-Higgins

ORDER/AUTHORIZATION

Based on the findings of Fact and Conclusions of Law on the record, the original Department of State action of revoked and denied from 01/24/2007 has been modified and a restricted license is approved from 03/20/2009 through Indefinite.

THE FOLLOWING RESTRICTIONS APPLY:

MAY DRIVE ONLY TO AND FROM PERSONS RESIDENCE AND PLACE OF EMPLOYMENT AND IN THE COURSE OF EMPLOYMENT; MAY DRIVE TO AND FROM SUBSTANCE ABUSE TREATMENT PROGRAM AND SUPPORT GROUP MEETINGS; MAY DRIVE TO/FROM EDUCATIONAL INSTITUTION; MAY DRIVE TO AND FROM MEDICAL APPOINTMENTS; ANY ALCOHOL/DRUG RELATED ACTIVITY; ORIGINAL ACTION TO BE REINSTATED. LICENSEE SHALL NOT CONSUME INTOXICANTS. 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.#####

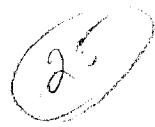
REQUIREMENTS:

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

- **MUST SHOW PROOF OF INSTALLATION OF IGNITION INTERLOCK SYSTEM**
- **FOLLOW BRANCH OFFICE PROCEDURES**



36, 39, 57, CU, 95, DC, DL, DN

pc


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 Harmon-Higgins, [REDACTED] and Attorney Jeffrey J. Randa.

Petitioner's driving record reveals two substance abuse driving offenses (resulting in a conviction) in 2005 and 2007. Petitioner is not currently on probation and does not have any pending legal matters. [REDACTED] testified that he has been abstinent from alcohol since 01/04/2007, the date of his last offense. He said that he has never used any other illegal or illicit drugs in his lifetime.

Petitioner is currently attending AA meetings which he attends once per week and has been attending since February 2007. He said that he does not currently have a sponsor. Moreover, in discussing the 12 steps of the program, he exhibited a good working knowledge of them. Petitioner said that in the future he plans to continue attending AA meetings indefinitely.

[REDACTED] presented a substance abuse evaluation performed by Anne Allen dated 12/03/2008. The evaluation provided for a diagnosis of alcohol abuse in full sustained remission. The evaluation provides for a good prognosis and did not recommend any additional continuum of care for Petitioner. Petitioner submitted a 10 panel drug and alcohol screen reported on 12/06/2008 with the evaluation which indicates negative results for all substances tested with the proper integrity checks present.

Petitioner also presented three testimonials from two friends and his ex-wife and all of the statements were consistent with Petitioner's testimony, particularly regarding his period of abstinence from alcohol and his attendance to AA meetings on a regular basis.

In light of the history of habitual violation and the diagnosis of a recognized substance abuse disorder 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: