



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: July 25, 2006
 Case Number: _____
 Hearing Officer: White-Simmons

ORDER/AUTHORIZATION

Based on the findings of Fact and Conclusions of Law below, the original Department of State action of Revoked/Denied from 03/30/2003 has been modified and a restricted license is approved from July 25, 2006 through Indefinite.

THE FOLLOWING RESTRICTIONS APPLY:

LICENSEE SHALL NOT CONSUME INTOXICANTS. ANY ALCOHOL/DRUG RELATED ACTIVITY; ORIGINAL ACTION TO BE REINSTATED. MAY DRIVE TO AND FROM RESIDENCE AND EMPLOYMENT, DURING EMPLOYMENT, TO TRTMENT AND/OR SUPPORT GROUP MTGS, TO REGULARLY SCHEDULED TRTMENT FOR SERIOUS MEDICAL CONDITION, TO PROBATION, COMMUNITY SERVICE AND SCHOOL, MUST CARRY PROOF OF DESTINATIONS AND HOURS, 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**

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.

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The following individuals were present for the hearing: Hearing Officer White-Simmons, [redacted] and Attorney Jeffrey J. Randa.

The Petitioner testified that he last consumed alcohol in August 2002, the time of his last drinking and driving offense. The testimonial letters presented corroborate the Petitioner's abstinence. He stated that he has maintained abstinence by staying away from former drinking friends, working a lot and doing a work around him home. A Substance Abuse Evaluation was presented with a diagnosis of alcohol abuse in full, sustained remission and a good prognosis for continued abstinence. No treatment was recommended. An evaluation prepared by a psychologist in July 2005 referenced a last use date of November 2002, upon the birth of Petitioner's daughter, to which the Petitioner did not testify.

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/she 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.**
- 2) In order to obtain the restricted license, you must first get the interlock device installed in any vehicle you plan to operate. You will have to be driven to and from the installation center by a licensed driver and until the restricted license is issued.
- 3) After installation of the interlock device, return to a local branch office with proof of installation given you by the ignition interlock installer. If there are no other open licensing actions against you and you pass all required testing, then the branch office will issue you the restricted license.
- 4) Violations of the ***Ignition Interlock Program*** include the following:
 - A. ***MINOR*** violations will result in the issuance of a three month extension of the requirement to use the ignition interlock device and include any of the following:

[redacted]

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