



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

DRIVER LICENSE APPEAL

In the matter of:

[REDACTED]

License Number: [REDACTED]
Hearing Date: August 25, 2006
Case Number: [REDACTED]
Hearing Officer: S Bandy

ORDER

This administrative hearing is held at Petitioner's request pursuant to MCL 257.322 and 1999 MR9 R 257.301 *et seq.* relative Petitioner's request for a clearance of their Michigan licensing status.

Following individuals were present for this administrative hearing: Hearing Officer S Bandy, [REDACTED] Jeffrey Randa, Esq.

For reasons indicated below, it is **ORDERED** that Petitioner's appeal is **GRANTED** and **FULL LICENSE** restoration is **APPROVED**.

Petitioner presented testimony and supporting proofs indicating that he has maintained a period of long-term abstinence from alcohol use. According to Petitioner, his last alcohol consumption occurred at the time of his second drunk driving violation in June 2001, over five years ago. In addition to the evidence of sobriety, Petitioner's proofs indicate that since the last offense he has completed alcohol education, a 16 hour program given for drunk driver in Illinois. Petitioner also submitted an updated substance abuse evaluation that indicates his alcohol abuse disorder is in remission, with a good prognosis for continued abstinence or disuse. The evaluator does not recommend further counseling or any support group involvement.

After considering the evidence submitted by Petitioner and any legal arguments, the Hearing Officer finds that Petitioner has met the licensing requirements of the Department and satisfactorily rebutted the statutory presumption of habitual violation as mandated by MCL 257.303(4).

Therefore, it is **ORDERED** that Petitioner's appeal is **GRANTED** and **FULL LICENSE** restoration is **APPROVED**.

The original Department of State action of Revocation/Denial from 12/23/2001 has been amended to an action of Full Driving Privileges from 08/25/2006.

KJ-MC

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