



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

DRIVER LICENSE APPEAL

In the matter of:



License Number: [REDACTED]
 Hearing Date: 06/27/2007
 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 02/26/2005 has been modified and a restricted license is approved from 06/28/2007 through Indefinite.

THE FOLLOWING RESTRICTIONS APPLY:

LICENSEE SHALL NOT CONSUME INTOXICANTS. ANY ALCOHOL/DRUG RELATED ACTIVITY; ORIGINAL ACTION TO BE REINSTATED. 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:

- **MUST SHOW PROOF OF INSTALLATION OF IGNITION INTERLOCK SYSTEM**
- **RENEWAL REQUIRED**
- **PETITIONER MUST PRESENT THIS FORM TO A SECRETARY OF STATE BRANCH OFFICE TO RENEW OPERATING PRIVILEGES WITH THE RESTRICTIONS LISTED**
- **FOLLOW BRANCH OFFICE PROCEDURES**



DC, 95, DD, DL, DN

GLM ②

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] (Petitioner's husband) and Jeffrey J. Randa, Esq.

Petitioner testified that she has not consumed alcohol since May 22, 2004. The other witness and the letters of support corroborate this assertion. The Substance Abuse Evaluation (SAE) indicates a diagnosis of Alcohol Abuse and Bi-Polar Disorder: Type II with a good prognosis for continued abstinence. Petitioner is receiving medical and psychiatric treatment and the evaluator recommends that she continue with that treatment. Petitioner indicates her insurance is not covering her counseling currently. She is taking Prozac and Topamax; her doctor wrote that these medications would not effect her driving. A negative drug screen with an acceptable creatinine level and other integrity checks was submitted.

Petitioner testified that she did not drink alcohol when dealing with the following recent events: the death of her father, the diagnosis of her mother: [REDACTED] disease and the diagnosis of her [REDACTED] with [REDACTED]. She indicated a great deal of concern of the effects of alcohol with the medications she is taking; this was referenced in her doctor's letter. She states that she cannot consume alcohol with her medications which she feels will be a lifetime situation. In addition, she testified to never wanting to drink alcohol again for other reasons related to her marriage and children.

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 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.**