



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: February 26, 2008
Case Number: [REDACTED]
Hearing Officer: White-Simmons

ORDER/AUTHORIZATION

Based on the findings of Fact and Conclusions of Law herein, the original Department of State action of Revoked/Denied from 12/31/2005 has been modified and a restricted license is approved from March 3, 2008 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.#####
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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**
- **PETITIONER MUST PRESENT THIS FORM TO A SECRETARY OF STATE BRANCH OFFICE TO RENEW OPERATING PRIVILEGES WITH THE RESTRICTIONS LISTED**
- **FOLLOW BRANCH OFFICE PROCEDURES**

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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 White-Simmons, [REDACTED] and Attorney Jeffrey J Randa.

The Petitioner testified that she last consumed alcohol on November 11, 2005, the date of her last drinking and driving offense. She stated that this was a time in her life when she was over indulging in several areas of her life, including eating, drinking and spending. She was experiencing self esteem issues and pressures at work. The Petitioner had begun counseling shortly before her last offense, and participated in some counseling subsequent to the last offense. The first year and a half of her abstinence she developed a routine of going to work, the gym, weight watchers and home. Drinking did not fit into her routine. She also began journaling her day in counseling, and even though she is no longer in counseling, she continues to keep a journal because she finds it cathartic. A Substance Abuse Evaluation was presented with a diagnosis of alcohol dependence in full, sustained remission and a good prognosis for continued abstinence. No treatment was recommended because of the completed counseling and education on addiction. Testimonial letters corroborated her abstinence. A drug screen was presented with negative results but low creatinine. Creatinine is an integrity variable in urine that assists determining the purity of the sample provided. A creatinine level that is less than 20 mg/dl is considered dilute and could be the result of an individual intentionally attempting to defeat a urine drug test. The Petitioner was given an opportunity to present a new drug screen done within 24 hours of the hearing date. The new drug screen was presented with negative results and the creatinine level was normal.

In light of the serious substance dependence diagnosis, 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. The requirement of the ignition interlock device is an added safety measure for the public.

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:

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