



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

**HOW TO PREPARE FOR AN
ADMINISTRATIVE REVIEW OR LICENSE APPEAL HEARING
INVOLVING SUBSTANCE ABUSE RELATED OFFENSES**

Administrative Reviews

You are eligible for an administrative review if you meet one of the following requirements and the licensing action you are appealing does not involve a fatality:

- You are a Michigan resident with one or more alcohol and/or drug related driving convictions and you are currently on a restricted license that was approved at a previous license appeal hearing, **or**
- You are not a Michigan resident, but you are attempting to clear your Michigan driving record.

You will not have to appear in person for an administrative review. Instead, the Department of State will review the documents you submit and its own records to determine if your full driving privileges can be reinstated. You will receive a written decision by mail. If the decision is unfavorable, you can still request an in-person or video hearing. You may only request one administrative review in any 12 month period.

An administrative review cannot be scheduled until all required documents are received by the department. Please see the reverse side for further information.

In Person or Video Hearings

If you request a hearing instead of an administrative review, you must appear live at a hearing site in Michigan. Your appeal will be heard and decided by an attorney-hearing officer, who will either appear live at the hearing site or via video conferencing equipment. Once a hearing has been scheduled you will be notified of the date, time and location. After the hearing, a written decision will be mailed to you.

Your rights:

- You may bring an attorney with you; however, an attorney is not required.
- You may purchase a transcript of the hearing.
- If you disagree with the hearing decision, you can appeal the decision to a Michigan circuit court.

DAAD-66
(Revised 02/2008)

Required Forms and Documents

To request either an administrative review or an in person/video hearing, you must submit:

- Form 1 Request for Administrative Review or Hearing
- Form 2 Substance Abuse Evaluation – This report must be dated no more than 90 days prior to receipt in this office.

If you are requesting an administrative review, you are also required to submit:

- Form 3 Petitioner's Affidavit

Other Required Documents

In addition to the above forms, for either an administrative review or an in person/video hearing, you must submit:

- ❖ A Laboratory Report from a 10-Panel Urinalysis Drug Screen – This report must include at least two integrity variables such as specific gravity, urine creatinine or pH level.
- ❖ An Ignition Interlock Final Report – If you were previously approved for a restricted license with the ignition interlock device, you must submit the Ignition Interlock Final Report from the interlock vendor.
- ❖ Evidence of Support – Alcoholics Anonymous (AA) sign-in sheets, letters, or other evidence that shows you are attending a structured support group. If you have a sponsor, you should also include a notarized letter from that person.
- ❖ Documentation of Sobriety –Your sobriety must be confirmed by a cross-sampling of your friends, family and co-workers who are in a position to know, observe and personally attest to your habits regarding the use of alcohol and/or controlled substances. The letters must be signed, dated and notarized with a complete mailing address and telephone number where the writer can be reached between 8 a.m. – 5 p.m. EST. Letters should be as current as possible and must contain the following information about you:
 - The person's relationship to you.
 - How often the person sees you.
 - How long the person has known you.
 - The last time the person saw or had knowledge of you drinking or using controlled substances.
 - The amount of alcohol or controlled substance the person knows you consumed on the last occasion.
 - What social activities you participate in involving alcohol or controlled substances.
 - The person's knowledge of your past or current involvement in treatment or a support group.
 - Other information the person believes is important.
- ❖ Additional Evidence – If you have ever attended a license appeal hearing, please refer to your last hearing order for any additional information you may be required to submit. You may also submit any other evidence you believe is relevant to your case.

The information you provide will assist the department in determining whether to restore your driving privileges. However, please be aware that submitting this information does not guarantee you will be approved for a license or a clearance.

PLEASE FORWARD ALL REQUIRED DOCUMENTATION TO:

**Michigan Department of State
Driver Assessment and Appeal Division
P.O. Box 30196 • Lansing, MI 48909-7696
Fax: 517-335-2190**

www.Michigan.gov/sos

**1-888-SOS-MICH
(1-888-767-6424)**



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

REQUEST FOR ADMINISTRATIVE REVIEW OR HEARING

Full Name (Please print exactly as it appears on your driver's license or personal identification card issued by the State of Michigan.)

Street Address

City of Residence State ZIP Code Birthdate

Michigan License Number Telephone (8 a.m. - 5 p.m.)

Attorney's Name Bar Number (If retained for this matter)

Attorney's Address

Attorney's Telephone Attorney's Fax

OPTION I - Administrative Review (This option is only available to Michigan residents seeking the removal of restrictions or to non-Michigan residents attempting to clear their Michigan driving record. The licensing action being appealed cannot involve a fatality.)

I am requesting an administrative review and have enclosed all documents as requested, including the Petitioner's Affidavit (Form 3). I understand that the administrative review will be based on the written proofs that I submit along with this form, and that the department may or may not accept additional evidence. I understand that previous license appeal orders may be considered in making a decision. I also understand the administrative review will not be recorded and that no testimony will be taken. I further understand the decision will be mailed after the administrative review has been completed. Selecting this option does not affect my eligibility for a hearing.

OPTION II - Hearing (Check all that apply)

I will personally attend a hearing regarding the restoration of my driving privileges. I will be notified of the scheduled date, time and location.

I will need a sign language interpreter. I understand the department will make arrangements for the sign language interpreter to appear at the hearing.

I will need a foreign language interpreter. I understand that I must provide my own foreign language interpreter, that my foreign language interpreter must be qualified and that I cannot have a family member, friend or other interested person serve as my foreign language interpreter.

Signature Date

PLEASE FORWARD THIS FORM AND ALL REQUIRED DOCUMENTATION TO:

Michigan Department of State
Driver Assessment and Appeal Division
P.O. Box 30196 • Lansing, MI 48909-7696
Fax: 517-335-2190

**SUBSTANCE ABUSE EVALUATION
(ALCOHOL AND DRUGS)
and
REQUEST FOR HEARING**

Form 2

Client Name:	Driver's License Number:	Date of Birth:
Client Mailing Address:	City:	State and ZIP Code: Telephone No:

Lifetime Conviction History

Ask the client to disclose their complete lifetime history of convictions for operating while intoxicated, impaired driving, drug crimes or any other non-driving convictions involving alcohol or controlled substances.

Offenses and Dates	Bodily Alcohol Content or drug type, if known, at the time of offense	Comments

Testing Instruments (Please attach the actual instrument used, including scores and what the scores mean.)

SALCE-ADE		SASSI-3	
ASI		MAST/DAST	
AUI		DRI	
Other:			

Lifetime Treatment History for Alcohol and/or Drug Abuse (Specify dates, program, city and outcome of treatment.)

[Please review and attach each treatment plan and discharge report.]

Detoxification:
Residential/Inpatient:
Intensive Outpatient:
Outpatient (Individual and/or group):
Education:
Driver safety intervention course:

Lifetime Support Group History (Specify all time periods of attendance and frequency)

Period	Frequency	Type (AA, Women For Sobriety, etc.)	Sponsor Y/N

Evaluator: Please administer and submit a current laboratory report from a 10-panel urinalysis drug screen, including urine sample integrity variables.

Diagnostic Impression (DSM-IV) (Indicate all applicable alcohol, drug and mental health diagnoses, supporting facts and remission status.)

Client Prognosis (Probability for abstinence or disuse and reasons for this opinion. Please indicate last date of use for alcohol and controlled substances, including illicit drugs, narcotic/addictive prescription medications, and NA beer.)

Continuum of Care Recommendations (Including professional treatment, educational courses and community support groups, e.g., AA, Women For Sobriety, Secular Organizations for Sobriety, etc. If none, please state reasons.)

Lifetime Relapse History (Lifetime history of periods of abstinence followed by a return to use of alcohol, controlled substances and/or NA beer.)

Analysis and Other Observations/Factors (Please consider client’s current living and work environments, lifestyle, and use of narcotic/addictive prescription medications and indicate whether any of these factors affect the overall prognosis indicated above.)

Authorization and Release

I authorize the Evaluator named below to furnish the information set forth on this form and to discuss the information contained therein with the Michigan Department of State. I understand this form may also be used as my written request for hearing.		
Client's Name (Printed or Typed)	Signature:	Date:

Certification of Evaluator

In signing below I certify that all statements contained in this evaluation are true to the best of my knowledge and belief.			
Name (Printed or Typed):	Qualifications/Degrees:	Date:	
Signature:		Telephone Number:	
Program Name:		Program License Number:	
Address:	City:	State:	Zip Code:

PETITIONER'S AFFIDAVIT
PLEASE ATTACH ADDITIONAL PAGES IF NECESSARY

Form 3

Name: (Please print clearly)	Michigan Driver's License Number:			Date of Birth:
Present Street Address:	City:	State:	ZIP Code:	Daytime Phone:

Proof of Residency

- Are you currently a resident of Michigan? ____ Years of Residency: ____ If yes, proceed to Line (7)
- If you are not a resident of Michigan, why did you leave and when? _____
- Are you a permanent resident of another state/country? ____ If yes, where? (Please attach proof of residency if you are a resident of a state other than Michigan) _____
- When did you become a permanent resident of your current state? _____
- Why are you applying for clearance of your Michigan license? _____
- Do you intend to re-establish residency in the state of Michigan anytime in the future? ____ If yes, When? _____

Conviction History (Please attach all out-of-state driving records, if applicable)

- In your lifetime, have you ever had a license in another state(s)? ____ If yes, please indicate the state and license number(s): _____
- In your lifetime, how many times have you been convicted in Michigan or any other state of an alcohol and/or controlled substance-related driving offense, such as drunk or impaired driving? _____
Please explain: _____
- In your lifetime, have you ever been convicted of any alcohol and/or controlled substance related offenses that did not involve driving, such as domestic violence, disorderly conduct, etc? _____
Please explain: _____
- In your lifetime, have you, as a driver, ever been involved in a crash in which someone was injured or killed? ____ If yes, please explain: _____
- In your lifetime, have you ever been incarcerated, on probation or parole for one or more alcohol and/or controlled substance related offense(s) (driving and non-driving)? ____ If yes, please indicate the offense, where and when it occurred, and the release date: _____
- Do you currently have a case pending against you in any state, for any offense, driving or non-driving? If yes, please indicate the location, court date and the nature of the offense. _____
- When was the last time you were convicted of any civil infraction, misdemeanor, or felony (driving or non-driving)? _____ Please indicate the conviction, the date, and location of the offense. _____

Alcohol and/or Controlled Substance History

- Describe your past drinking habits and controlled substance use in detail. Include how often you consumed alcohol and used controlled substances, what kind(s) and the amount typically consumed/used per occasion.

- Describe your current drinking habits and controlled substance use in detail. Include how often you consume alcohol and/or use controlled substances, what kind(s) and the amount typically consumed/used per occasion.

- When did you last consume alcohol? _____ What kind(s), and what was the amount consumed?

- When did you last use a controlled substance and what substance did you use? _____

18. When did you last consume non-alcoholic beer (i.e. Sharp's, O'Doul's, etc.)? _____ What was the amount of non-alcoholic beer consumed? _____
19. What is your intention as to the future use of alcohol/controlled substances? _____
20. Do you agree that the substance abuse evaluation about you accurately describes your alcohol/controlled substance use history and your current status? ____ If no, please explain: _____
21. Are you currently taking any prescribed medications? _____ If yes, please list all medications and the medical conditions for which you are taking them, and for how long. _____

Treatment History

22. Have you participated in or successfully completed a substance abuse counseling or treatment program? ____ If yes, please state the name of the program(s), date(s), location(s), frequency of attendance and any other relevant information. Please attach verification of completion. _____
23. Have you ever attempted abstinence from alcohol and/or controlled substances? ____ If yes, when and for how long did you maintain total and complete abstinence? _____
24. Have you ever abstained from alcohol and/or controlled substances while incarcerated, or while on probation or parole? ____ If yes, when and for how long did you abstain? _____
25. Have you ever used alcohol and/or controlled substances after a period of abstinence? ____ If yes, please list date(s) and reason(s). _____

Continuum of Care

26. Are you currently attending a community-based or 12-step support program? ____ If yes, please state the name of the program(s), date(s), location(s), frequency of attendance, name of sponsor (if any), and any other relevant information. Please attach verification of attendance and statement from sponsor (if applicable). _____
27. Are you currently involved in any other recognized recovery program? ____ If yes, please state the name of the program(s), date(s), location(s), frequency of attendance, and any other relevant information. Please attach verification of attendance. _____
28. If you are not currently a member of an organized self-help program or other recognized recovery program, do you have an informal support system you rely upon to help you maintain abstinence? ____ If yes, what is the nature of this support system? _____ Please provide documentation.

Additional Information

29. Please provide any additional information you feel is relevant to your appeal. You may attach additional pages if necessary. _____

UNDER PENALTY OF PERJURY, I CERTIFY THAT I AM THE PETITIONER IN THIS MATTER AND THAT THE STATEMENTS SET FORTH IN THIS DOCUMENT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Signature of Petitioner

Date

Subscribed and sworn to by _____
before me on the ____ day of _____,

Signature: _____
Printed name: _____
Notary Public, State of _____, County of _____
My commission expires _____
Acting in the County of _____