

STATE OF INDIANA
BUREAU OF MOTOR VEHICLES

IN THE MATTER OF:) Case No. 17-IL-079
[REDACTED])
DLN: [REDACTED])

FINAL ORDER

1. On November 13, 2017, [REDACTED] (“Petitioner”) requested administrative review of the Indiana Bureau of Motor Vehicles’ (“BMV”) denial of a credential issuance.
2. The matter was referred to Administrative Law Judge Steven Sams (“ALJ”) for review under Indiana Code § 4-21.5-3-7(a). A hearing was held on January 18, 2018. The BMV was represented by Staff Attorney Natalie Huffman.
3. The hearing was recorded. Petitioner failed to appear, either in person or by counsel. The BMV proffered testimony and offered exhibits into evidence.
 - a. Petitioner was denied an Indiana credential after the BMV search of the National Driver Register revealed that the Petitioner has one unresolved suspension in the State of Louisiana, with an effective date of September 10, 2017, in regard to an “Administrative Per Se for BAC.”
 - b. Petitioner’s Certified Driver’s Record was admitted into evidence without objection.
4. On January 30, 2018, the ALJ issued a written Recommended Order that affirmed BMV’s action of denying Petitioner’s request for a credential.
5. On February 12, 2018, Petitioner requested a reconsideration of the Recommended Order. Petitioner provided that he failed to receive notice of the administrative hearing that was held on January 18, 2018. Petitioner advised that there have recently been a series of mail thefts in his neighborhood. Petitioner provided that he had been granted a hardship license from the State of Louisiana and requests to have said hardship license transferred to Indiana.
6. Pursuant to I.C. 4-21.5-3-29(b), I hereby DISSOLVE the ALJ’s January 30, 2018 Recommended Order and remand for a hearing to be conducted on the merits of Petitioner’s request for administrative review.

7. Petitioner is hereby notified that this is a Final Order. Petitioner may seek judicial review of this Final Order pursuant to I.C. 4-21.5-5.

SO ORDERED.

26 March 2018

Date

Peter L. Lacy

Peter L. Lacy, Commissioner

Indiana Bureau of Motor Vehicles

Written notice of this order shall be provided to:

Petitioner

Indiana Bureau of Motor Vehicles