

State of Indiana  
Bureau of Motor Vehicles

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In the Matter of [REDACTED]	)	Case No. 16-IL-048
DL # [REDACTED]	)	
Petitioner	)	

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FINAL ORDER

1. [REDACTED] (“[REDACTED]”) requested a hearing in writing on July 5, 2016, following the receipt of the Bureau of Motor Vehicles’ (“BMV”) June 30, 2016 Notice of Denial of his application for an Indiana operator’s license.
2. An administrative hearing was held on August 10, 2016.
3. [REDACTED] appeared in person, *pro se*. The BMV was represented by Associate General Counsel Kyle Bonick.
4. The parties were sworn, evidence was presented, and the hearing was recorded.
5. The BMV denied [REDACTED]’s application for an Indiana operator’s license when a search of the National Driver Register (Driver History Response - Washington), admitted into evidence without objection as Exhibit BMV-1, revealed [REDACTED] was “not eligible due to ACD” and his Washington driving privileges were suspended indefinitely.
6. Both parties believe [REDACTED] is ineligible in Washington due to one (1) unresolved suspension, with an effective date of 5/29/2014, relating to “Driving Under the Influence of Alcohol” as shown by the Certified Driver’s Record admitted into evidence without objection as Exhibit BMV-2.
7. Indiana adopted the Driver License Compact (“Compact”) at Ind. Code § 9-28-1-3.
8. It is the policy of each party state to promote compliance with the laws, ordinances, and administrative rules and regulations relating to the operation of motor vehicles by the party state’s operators in other jurisdictions by considering compliance a condition precedent to the continuance or issuance of any license. Ind. Code § 9-28-1-3, Article 1(b)(1).
9. [A] party state shall not issue a license to an applicant who holds or has ever held a license to drive issued by any other party state if (1) such license has been suspended by reason of a violation and if such suspension period has not terminated; or (2) such license has been revoked by reason of a violation and such revocation has not terminated, except that after one (1) year from the date of revocation the person may make application for a new license if permitted by law. Ind. Code § 9-28-1-3, Article 5.

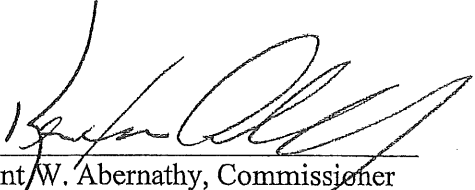


10. There are sufficient findings of fact and conclusions of law in the record to substantiate the BMV's denial of [REDACTED] application for an operator's license while his driving privileges are suspended in Washington.

11. Therefore, I AFFIRM the ALJ's Recommended Order.

SO ORDERED.

10/5/16  
\_\_\_\_\_  
Date

  
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Kent W. Abernathy, Commissioner  
Indiana Bureau of Motor Vehicles.

A copy of the foregoing was sent to the following:

[REDACTED]  
Indiana Bureau of Motor Vehicles

