

STATE OF INDIANA
BUREAU OF MOTOR VEHICLES

IN THE MATTER OF:) Case No. BMV-2303000864
W [REDACTED] D [REDACTED])
DLN: [REDACTED])


FINAL ORDER

1. W [REDACTED] D [REDACTED], (“Petitioner”) requested administrative review of the Indiana Bureau of Motor Vehicles’ (“BMV”) decision to deny his request for a driving credential.
2. The matter was referred to Administrative Law Judge Mary K. Sinn (“ALJ”) for review under Indiana Code § 4-21.5-3-7(a). A prehearing conference was held on April 18, 2023. The BMV was represented by Attorney James Flett.
3. Petitioner requested that since the BMV uses a device that captures biometric data that it issues Petitioner a valid driver’s license with his “old picture” or no picture at all. Petitioner also request that the BMV quit using facial recognition technology.
4. On May 3, 2023, the ALJ issued a written Non-Final Order of Dismissal that affirmed BMV’s action of denying Petitioner’s request for a credential.
5. ALJ Sinn Non-Final Order stated that the Office of Administrative Law Proceedings (OALP) does not have jurisdiction over this matter, because no agency action has been taken, therefore there is nothing to adjudicate. The matter was dismissed.
6. 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.

7/18/23

Date



Joe B. Hoage, Commissioner
Indiana Bureau of Motor Vehicles

Written notice of this order shall be provided to:

Petitioner

Indiana Bureau of Motor Vehicles