

STATE OF INDIANA
BUREAU OF MOTOR VEHICLES

In the Matter of [REDACTED] S, DL# [REDACTED],
Petitioner.

FINAL ORDER

1. This matter comes before me as a result of a Notice of Appeal filed by Petitioner [REDACTED] [REDACTED]hs ("[REDACTED]") by letter of December 23, 2013 seeking administrative review of a decision by the Driver Record Management Division of the Indiana Bureau of Motor Vehicles ("BMV") to impose a driving privilege suspension for "Failure to File Insurance-Bureau" (suspension 10) upon [REDACTED].
2. This matter was referred to Administrative Law Judge Pamela Walters, Esq. for review and the issuance of a Recommended Order per Ind. Code § 4-21.5-3-27(a), which was completed on January 21, 2014. A copy of the Recommended Order issued by ALJ Walters is attached hereto and incorporated as if fully stated herein.
3. On January 24, 2014, per Ind. Code § 4-21.5-3-27(d), the Driver Record Management Division ("DRM") of the BMV filed an Objection to the Recommended Order, stating: "[p]er the BMV requirements regarding making changes to a record we require an amended SR16 showing the correct vehicle make."
4. The Recommended Order is hereby AFFIRMED but MODIFIED in part.
5. The DRM's objection is sustained and the Recommended Order is hereby MODIFIED pursuant to my authority under Ind. Code § 4-21.5-3-29(b)(2). Those portions of the Recommended Order

that require the BMV to "change the record to reflect the correct make of the vehicle" are hereby stricken and replaced with the following:

"Upon the receipt of a corrected SR16 form from the Marion County Traffic Court, the BMV is hereby ORDERED to change the record to reflect the correct make of Owens' vehicle."

6. It shall be [REDACTED]'s responsibility to obtain a corrected form SR16 from the Marion County Traffic Court, showing the correct make of her vehicle, and submit it to the BMV, if and when she wishes the BMV to amend its records to show the correct make of her vehicle.
7. The Recommended Order is hereby AFFIRMED as to all remaining portions. [REDACTED]' Notice of Appeal is hereby DENIED, and her suspension will remain in place as required by Indiana law.
8. Petitioner [REDACTED] is hereby notified that this is a FINAL ORDER. Petitioner may seek judicial review of this FINAL ORDER by filing a petition for review with the appropriate court within thirty (30) days after the date that notice of this FINAL ORDER was served, plus three (3) additional days if notice is served through the United States mail. See: Ind. Code §§ 4-21.5-3-2, 4-21.5-5.
9. Pursuant to Ind. Code § 4-21.5-3-32, this FINAL ORDER shall be made available for public inspection and copying. It shall be indexed by name and subject. All identifying details shall be deleted from the public copy of this Order per Ind. Code § 5-14-3, with written justification for all deletions explained in writing and attached to the public copy of this FINAL ORDER.

SO ORDERED.

2-10-2014

Date



Donald M. Snemis, Commissioner
Indiana Bureau of Motor Vehicles

