

**STATE OF INDIANA**  
**BUREAU OF MOTOR VEHICLES**

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IN THE MATTER OF:                                 )                                 Case No. 19-IL-019  
[REDACTED]   )                                   
DLN: [REDACTED]                                 )                                 

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FINAL ORDER

1. On April 1, 2019, [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 Steven Sams (“ALJ”) for review under Indiana Code § 4-21.5-3-7(a). A hearing was held on May 2, 2019. The BMV was represented by Attorney Ashley Merritt. Petitioner failed to appear.
3. On May 8, 2019, the ALJ issued a written Recommended Order that affirmed BMV’s action of denying Petitioner’s request for a credential. The evidence presented provided that Petitioner had an unresolved suspension and revocation from the State of Illinois.
4. On May 28, 2019, Petitioner requested a reconsideration of the Recommended Order. Petitioner provided that he did not receive notice of the hearing in a timely manner and requested the opportunity to present evidence to support his appeal.
5. Pursuant to Indiana Code § 9-28-1-3, Indiana adopts and enters into the Driver License Compact (“Compact”). Article 1 of the Compact states that 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 their operators in each of the jurisdictions where such operators drive motor vehicles by considering compliance with the Compact a condition precedent to the continuance or issuance of any license.
6. Article 5 of the Compact provides that 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suspended by reason of a violation and if such a suspension period has not been terminated; or (2) such license has been revoked by reason of a violation and such revocation has not terminated, except after one (1) year from the date of revocation, the person may make application for a new license if permitted by law.

7. Pursuant to I.C. 4-21.5-3-29(b), I hereby DISSOLVE the ALJ's May 8, 2019 Recommended Order and remand this matter for a new hearing on the merits. Petitioner shall be informed of his ability to appear telephonically at said hearing.
8. 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.

15 July 2019

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