

DRIVER LICENSING ADMINISTRATIVE HEARINGS FACT SHEET

PURPOSE:

Administrative Hearings are held for the following reasons:

- to appeal the Department's denial or recall of an Occupational Limited License;
- to appeal the Department's cancellation, denial or recall of a Probationary License;
- to request a record review for the purposes of updating the record;
- to appeal the Department's ordering of the ignition interlock requirements.
- and/or to request credit toward serving a driving privilege suspension or revocation.

Administrative Hearings are NOT held:

- to determine the validity of a suspension/revocation action;
- to make a correction or adjustment to a driving record;
- or to reduce a suspension or revocation period.

REQUIREMENTS:

A request for a hearing must be made in writing, sent via US Mail to the address below, and contain:

- the petitioner's name;
- their driver's license number (if known);
- date of birth;
- current mailing address;

AND

- the signature of the petitioner or their counsel

If the petitioner is not represented by counsel, the request for hearing should contain:

- a daytime telephone number where the petitioner may be reached;
- a clear and concise statement of the facts of the case, including all essential elements of the claim;
- a clear and specific list of the issues upon which the appeal is based and the desired outcome;
- a copy of the denial or revocation letter, permit, statutory or regulatory provision or other documents which gives rise to the appeal;
- an address where documents and pleadings may be served upon the requesting party.
- petitions that do not meet the above requirements may be rejected.

If the petitioner obtains counsel, the counsel's appearance must be entered with PennDOT's Driver Licensing Docket Clerk at least 14 days prior to the Hearing.

Following acceptance of the petition, any other documents submitted will require an original and two copies. In addition, a \$100.00 filing fee (check or money order only) made payable to the Commonwealth of Pennsylvania, is required.

PLEASE NOTE:

Before you petition the Department for an Administrative Hearing be aware of the following:

- Not driving is not considered an acknowledgment of a suspension;
- Surrendering your Pennsylvania driver's license to another state is not considered an acknowledgment of your suspension;
- Hardship or extenuating circumstances is not a factor in determining eligibility for an OLL/PL;
- **The \$100.00 filing fee is non-refundable;**

HEARING LOCATION:

All driver license administrative hearings are held in Harrisburg.

HEARING FORMAT

At the direction of the Hearing Officer, the Petitioner will testify under oath, present evidence and their witnesses, and answer any questions requested by the Bureau of Driver Licensing's counsel or representative. The Bureau of Driver Licensing counsel or representative will present evidence, their witnesses, and the Petitioner or their counsel may then address questions to the Bureau and their witnesses.

PROPOSED REPORT AND FINAL ORDER:

Following the hearing, the Hearing Officer will issue a Proposed Report which indicates the decision that has been reached. Each party (the driver and the Department) will have 30 days from the mail date of the Proposed Report to file Exceptions to the report pursuant to 1 Pa. Code Section 35.211. The date of receipt by the Driver Licensing Docket Clerk determines the timeliness of the document. If no timely Exceptions are received, the report becomes final.

REGULATIONS:

For more information regarding administrative hearings, please see 67 Pa. Code 491.1 et seq.