

DUI CLIENT CHECKLIST

MVA HEARING

SOMEONE MUST DRIVE YOU TO THE HEARING

1. You are to receive a license Extension from MVA before your 45-day Temporary License expires. If you do not receive the Extension within one week of the expiration of the 45 days, **CALL ME**.
 - A. Bring the Temporary License **and** the Extension to the Hearing.

2. For the **.08-.14** Administrative Hearing we can request a driver's license that allows you to drive for work, education, alcohol education/treatment, and healthcare (including prescriptions) for you or a member of your immediate family.
 - A. You must bring proof of employment- pay stub, business card, or letter from employer. This is necessary even if you only need your car to get to and from work.
 - B. If you attend high school or college you must bring proof of enrollment.
 - C. You must bring proof of the medical needs of the person for whom you are required to provide transportation and proof as to why there is no one else to help
 - D. **IF YOU DRIVE YOUR EMPLOYER'S VEHICLE** you need a letter from your employer:
 1. Authorizing you to drive the employer's vehicle, and
 2. Stating that your job will be terminated if you are not allowed to drive the employer vehicle.

3. If your breath test is **.15 or above, you refused, or a subsequent .08-.14 breath test offense within 5 years of a previous alcohol related disposition you will not be entitled to a restricted license, only an**

interlock on all vehicles you drive. If you drive a company vehicle you can be exempted from having the company vehicle interlocked if you bring a letter to the Administrative Hearing from your employer:

- A. Authorizing you to drive the employer's vehicle without an ignition interlock.
- B. Stating the employer is aware of the DUI and that the employer authorizes you to continue to drive the employer's vehicle without an interlock.
- C. Stating that your job will be terminated if you are not allowed to drive the employer vehicle.

This way your personal vehicle will be interlocked but you will be able to drive an employer vehicle.

FOR A .15> OR A REFUSAL YOU CAN TAKE THE INTERLOCK ON YOUR PERSONAL VEHICLE WITHOUT A HEARING AND HAVE YOUR EMPLOYER FILL OUT A REQUEST THAT THE EMPLOYER VEHICLE BE EXEMPED FROM THE INTERLOCK. I HAVE THE NECESSARY INFORMATION.

4. For all Administrative Hearings you must bring proof of participation in an Alcohol Education/Treatment Program including any AA attendance. Some Administrative Law Judges will not consider a restricted license or interlock unless you have been attending a court approved alcohol education/treatment program.

- A. You have to ask your treatment counselor a **few weeks** in advance of the Administrative Hearing to fax me (██████████) or give you a **Status Letter** concerning your treatment progress. They do this routinely, but you must request it.

5. If you have an AA sponsor ask him or her to attend or to write a letter on your behalf.

COURT HEARING

1. **Numbers 4 and 5 above.** Even if you had a Status Letter for the MVA Hearing, an updated letter is needed for court.
2. A favorable letter from your employer.
3. Proof of enrollment in school.
4. If you participate in **Right Turn of Maryland** tell Ron McClain, Bob Thompson, or Cindy Bauer your trial date. They will appear and testify about your participation in the program if you give them sufficient notice of the trial date.
5. Any family members or friends who can testify about the difference they perceive since your arrest and entry into the alcohol education/treatment program can either write a letter or appear in court.
6. Do not bring your minor children to court. The appearance of children looks like a sympathy pitch and detracts from your success in treatment.

**LAW OFFICE OF
MURNANE & SIMMONS
RICHARD A. SIMMONS, ESQUIRE
801 West Central Avenue
P.O. Box 125
Davidsonville, MD 21035**

Mobile (443) 623-6905
Office (410) 956-2000 Fax (410) 956-9350
E-mail: rich.murnanesimmons@yahoo.com