

Driver License DUI/Drug Hearing Process

- 53-3-223 (4)(a)(ii) the officer shall issue a temporary license certificate effective for only 29 days from the date of arrest.
- 53-3-223 (6)(a) The division shall grant to the person an opportunity to be heard within 29 days after the date of the arrest
- 63G-4-203(i) The presiding officer shall issue a signed order in writing
- R708-14 Outlines the rules for administering DUI/Drug

Arrest received by DLD

- Arrest takes place
 - Driver may request a hearing with the DLD in writing within 10 days.
 - Officer submits his report to the DLD within 10 days.
 - If a hearing is requested by a driver, a hearing is scheduled and notice is sent to the driver, officer and legal counsel (if applicable).
 - Hearing is held no later than the 29th day from the arrest.

Hearing

- Hearing officer has approximately 24 hours to complete findings of fact and make a recommendation to suspend or revoke license or take no action.
- The hearing officer then submits the original copies to the Driver Improvement Manager.
 - Rural area offices send the hearing write up via US mail.
 - Urban area offices send the write up via interoffice mail.
- Driver Improvement Manager receives report, reviews report and either signs off or overturns decision (usually 3-7 days from date of hearing).
- Following final approval, all hearing information is given back to the DUI section, who then sends the appropriate letters notifying the driver of a decision.
- Once a letter is sent and certified, the department action/sanction is added 7 days from the certification date of the letter.

Additional Information

- If a hearing is held and the division takes no action and it is close to the 30 days, the driver can request a temporary license while the letters are mailed.
- Drivers may call the Division and find out the final decision of a hearing if they are concerned about the permit expiring.
 - If a final decision is not made the Division, we would not be able to give an extension or give a driver any information over the phone.
- These additional options do require that a driver contact the Division by phone or in person to request further assistance.

Please feel free to contact the division to discuss any additional questions or concerns.