

**South Carolina Department of Public Safety****S.C. Highway Patrol****MEMORANDUM**

TO: Troop Captains 1 - 8
FROM: Colonel Russell F. Roark, III *RR*
DATE: March 14, 2006
RE: Administrative Hearings

As you are aware, responsibility for conducting Administrative Hearings was transferred from the Division of Motor Vehicles (DMV) to the Administrative Law Court beginning January 1, 2006. The Administrative Law Court unit responsible for conducting administrative hearings is now known as The Division of Motor Vehicle Hearings (DMVH). The DMVH will continue to conduct hearings in the geographic areas where the violations occurred. As information, the primary telephone number for the Division of Motor Vehicle Hearings is 803-734-3201 and the fax number is 803-734-3200.

Currently, the DMVH only recognizes two parties in the hearing, The Department of Motor Vehicles (DMV) and the Defendant. As a result, the (DMV) remains responsible for the notification of law enforcement officers regarding the date, time and location of hearings. Additionally, any request for postponement of a hearing must be faxed to Ms. Melissa Fulton (803-896-9901) at the DMV with supporting documentation: the original hearing notice accompanied with a written request justifying a continuance.

DMV has requested our assistance with the notification process. Beginning March 17, 2006, Major R. W. Stewart of Patrol Headquarters will be the point of contact for receiving Administrative Hearing Notices from the DMV. Major Stewart will transmit the notices electronically to the appropriate Troop. Troop Commanders or their designee will transmit the notice via electronic-mail through the Troop Chain of Command to the affected Trooper. Troops are requested to establish an electronic folder to maintain records of delivery of the Administrative Hearing notices.

Courtesy - Efficiency - Service

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Please designate a primary and secondary contact person to receive Administrative Hearing notices for your respective Troops and forward the names to Major Stewart no later than March 17, 2006.

Any questions regarding this memorandum should be directed to Lieutenant Colonel H. A. Stubblefield.

RFR/RWS:blm

Cc: Lieutenant Colonel H.A. Stubblefield
Major M. L. Howard
Major B. S. McDonald
Major E. C. Johnson
Mr. Charles H. Sheppard, DPS General Counsel
Mr. Val. Valenta, DMV General Counsel