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4. An Order revoking Petitioner's driver's license and driving privileges was entered effective **October 03, 2025,** pursuant to IVC §6-205(a)3, due to any felony under the laws of any State or the federal government in the commission of which a motor vehicle was used. **As discussed in Finding of Fact #6 below, in the instant hearing, the Petitioner refused to provide testimony regarding the details of the incident which led to this revocation.**

Petitioner was arrested on **July 27, 2018** for driving on a revoked/suspended license.

5. Petitioner has two arrest(s) and zero convictions for driving under the influence ("DUI"). The certified record, the PDPS and/or alcohol and drug evaluations contained in the file disclose the DUI arrest(s) of **December 21, 2022 and January 23, 2018.** (Secretary of State's Exhibits #3 & 5 and Petitioner's Exhibit #1).

Petitioner's last arrest for DUI occurred on **December 21, 2022.** Petitioner refused to provide testimony regarding 1) what if any alcohol/drugs were consumed, 2) how Petitioner came into contact with law enforcement, 3) whether he was intoxicated, and 4) whether this arrest involved a motor vehicle collision.

Petitioner's first arrest for DUI occurred on **January 23, 2018.** Petitioner refused to provide testimony regarding 1) what if any alcohol/drugs were consumed, 2) how Petitioner came into contact with law enforcement, 3) whether he was intoxicated, and 4) whether this arrest involved a motor vehicle collision.

6. On May 23, 2022, Petitioner was cited for felony reckless driving and convicted of the same. In the instant hearing, Petitioner testified that he was not cited with DUI on this occasion. **Petitioner otherwise refused to provide testimony concerning the details of the May 23, 2022 incident.** Secretary's Ex #3 contains an Illinois Crash Report which indicates that the incident involved a collision which resulted in injury and fire.

7. The record contains the following evaluation(s) which were admitted into evidence:

A current Uniform Report Alcohol and Drug Evaluation dated December 16, 2025. Because the document omits page 12, the agency which conducted said document is not known. Furthermore, the document reports that Petitioner was cited for DUI on May 23, 2022 and classifies [redacted] There is no evidence in file that Petitioner was cited for DUI on May 23, 2022. For aforementioned reasons, The Hearing Officer is unable to place significant weight on said document. **Furthermore, said document recommends that Petitioner complete [redacted] Petitioner failed to provide evidence that he completed [redacted]**

Petitioner's current loss of driving privileges is not related to a DUI arrest/disposition. However, because Petitioner's record contains a prior DUI disposition within the last 5 years (as of the date of this hearing) for which the Petitioner did not or was not required to submit to the Secretary of State an alcohol/drug evaluation to obtain driving privileges, Petitioner is required to complete and submit an investigative alcohol and drug evaluation. (Ill Admin Rules 1001.430(d)(1). In the instant hearing, the Petitioner has failed to sufficiently satisfy this requirement because he submitted an incomplete Uniform Report (which omits page 12.)

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a) Petitioner refused to provide testimony regarding his history of alcohol/drug use.

b) Petitioner testified that he is currently abstinent from alcohol. He refused to testify regarding the date of his abstinence.

c) Petitioner refused to provide testimony regarding his history of symptoms.

d) Petitioner denied that he abused alcohol. (Petitioner's Testimony). Said testimony is not consistent with [redacted] Reviewing courts have held that the degree of self-acceptance of an alcohol/drug problem is a proper consideration in determining whether the Petitioner has met their burden that they would not endanger the public safety and welfare. Berner v. Edgar, No. 4-89-278 (Rule 23, Dec. 21, 1989). **This testimony is not characteristic of an individual who has honestly assessed their problematic relationship with alcohol/drugs and accepts the negative impact said use produces, nor is it representative of an individual who has come to grips with and effectively addressed and/or resolved the Petitioner's alcohol/drug problem.**

8. Petitioner failed to provide any documentation demonstrating he completed [redacted]

a) Petitioner should return to his [redacted] for the purpose of addressing the issues raised in this Order and assessing the need for [redacted] **The provider's response must be submitted in writing at the next formal hearing.**

9. Petitioner submitted the following: A document titled "Administrative Hearing Roadmap (Hearing Officer Copy)" with attachments. (Petitioner's Ex #2)

10. In the course of the hearing, Petitioner denied using prescription medication. He submitted an Order of Felony Probation from the Nineteenth Judicial Circuit Court, dated September 4, 2025, which specifically orders "Defendant must take all prescribed medication as directed." Given said evidence, it is not clear whether Petitioner is currently recommended to use medication. (Petitioner's Ex #2).

11. Petitioner is employed by **Airport Taxi & Limo, O'Hare International Airport, Chicago, IL 60656**. (Petitioner's Testimony).

a) Petitioner's regular hours and days of employment are varying.

b) Petitioner is required to drive an unknown distance from their place of employment in the course of employment related duties.

c) Petitioner was demoted as a result of his inability to drive. If he were issued driving privileges, then his previous position would be available to him.

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d) Therefore, the Hearing Officer finds that there is an undue hardship as it pertains to employment. In order to demonstrate an undue hardship, there must be clear and convincing evidence that all other reasonable means of transportation are unavailable to the petitioner. The impact on the family unit is a valid consideration. An undue hardship is not shown by the mere fact that the driving privileges are suspended or revoked.

12. At the conclusion of the hearing, the Petitioner acknowledged that they understood the questions asked of them and stated that their responses were complete and accurate. Petitioner declined the opportunity to add to their testimony.

13. In conclusion, the Petitioner, **EHAB ALLABABIDI,** has failed to carry their burden of proving that they have satisfactorily resolved their alcohol/drug problem and that the Petitioner would be a safe and responsible driver if granted driving relief. The Petitioner is being denied driving privileges for the following reason(s): (See Finding(s) of Fact #4, 6, 7, 7(a, b, c, and d), 8, 9(a), and 10). Therefore, it is recommended that the Petitioner be denied driving relief.

Although the Petitioner demonstrated undue hardship as it pertains to employment, the Secretary may deny the Petitioner's application for a restricted Driving Permit even though the evidence establishes an undue hardship when the evidence indicates that the public safety will be endangered if the person is permitted to drive. Foege v. Edgar, 110 Ill. App. 3d 190, 441 N.E. 2d 1267 (1st Dist. 1982); Cusack v. Edgar, 137 Ill. App. 3d 505, 484 N.E. 2d 1145 (1st Dist. 1985). See: 92 Ill. Adm. Code, Sec. 1001.420(f) as amended, Sec. 6-206 (c) and Sec. 6-206 (c) 3, of the Ill. Vehicle Code.

STATUTES AND RULES APPLICABLE:

The authority sections of the IVC (625 ILCS, Act 5) relied upon herein are: 2-101, 2-103, 2-104, 6-205(a)3, 6-205(c), 6-206(c)3, 6-208(b) and/or 11-501.1. The authority sections of the Rules and Regulations promulgated by the Secretary are: Chapter II, 92 IAC, §1001.10 *et seq.*

CONCLUSIONS OF LAW:

1. The evidence established that the Petitioner's abuse of alcohol/drugs developed into an alcohol/drug problem, but the extent of that problem is not clear.

2. The Petitioner failed to provide evidence sufficient to carry their burden of proving that their alcohol/drug problem has been resolved. See 92 Ill. Adm. Code Sec. 1001.440, as amended.

3. Given the unresolved issues raised herein (See Finding(s) of Fact 13), the Petitioner failed to carry their burden of proving that they would be a safe and responsible driver and that the Petitioner would not endanger the public safety and welfare. See 92 Ill. Adm. Code Secs. 1001.100(q), 1001.420, 1001.430 and 1001.440, as amended.

4. The Petitioner's undue hardship with regard to maintaining employment is secondary to the Secretary of State's obligation and duty to protect the public safety and welfare. See 92 Ill. Adm. Code Secs. 1001.420(f), as amended.

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whatever the records in front of you says.

HEARING OFFICER PALMER: How did you come into contact with the police on that occasion?

EHAB ALLABABID: Whatever the record says in the Uniform Sworn Report should answer it.

HEARING OFFICER PALMER: Okay, now I'm going to ask you about your alcohol and drug consumption the year prior to the last arrest. So the year, prior to December of 2022, how much and how often were you drinking?

EHAB ALLABABID: I am not going to give an estimate or narrative from memory that could be inaccurate, so I can't answer that question in a way that's relevant to why we're here today.

HEARING OFFICER PALMER: Have you ever used any illegal drugs?

EHAB ALLABABID: Like I said, I do not use illegal drugs.

HEARING OFFICER PALMER: Have you ever used marijuana?

EHAB ALLABABID: No.

HEARING OFFICER PALMER: I'm going to ask you a series of questions about symptoms. We want to know if you've ever experienced these symptoms in your

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entire life. Please answer yes or no, or I don't understand the question, or if you want to just refuse to answer the question, that's fine too, okay. Blackouts?

EHAB ALLABABID: Okay. No.

HEARING OFFICER PALMER: Passing out?

EHAB ALLABABID: No.

HEARING OFFICER PALMER: Loss of control of your alcohol use?

EHAB ALLABABID: No.

HEARING OFFICER PALMER: Binge drinking?

EHAB ALLABABID: No.

HEARING OFFICER PALMER: Withdrawal symptoms like shaking or tremors?

EHAB ALLABABID: No.

HEARING OFFICER PALMER: Hangovers?

EHAB ALLABABID: No.

HEARING OFFICER PALMER: Drinking more than you intended to drink?

EHAB ALLABABID: No.

HEARING OFFICER PALMER: An increased tolerance to alcohol?

EHAB ALLABABID: No.

HEARING OFFICER PALMER: Did you ever receive

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complaints or concerns from your family or friends regarding your alcohol use?

EHAB ALLABABID: No.

HEARING OFFICER PALMER: Do you have any blood relatives who have been diagnosed as alcoholics?

EHAB ALLABABID: No.

HEARING OFFICER PALMER: Did you ever drive under the influence?

EHAB ALLABABID: No.

HEARING OFFICER PALMER: Did you ever abuse alcohol?

EHAB ALLABABID: No.

HEARING OFFICER PALMER: Did you ever abuse illegal drugs or marijuana?

EHAB ALLABABID: No.

HEARING OFFICER PALMER: Did you have some treatment? Did you complete treatment after you had your evaluation?

EHAB ALLABABID: No. The evaluation for the record, are you talking about the one that was submitted a few days ago from Douglas Allen?

HEARING OFFICER PALMER: I don't know because the page that normally has that information is not included, but it's dated. The completion date of the