

My Driver License Was Suspended. Can I Get It Back?

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- ❖ If your license is suspended because of unpaid fines on a criminal case, our packet called [Filing a Motion to Remit \(Remove\) Legal Financial Obligations in District or Municipal Court](#) has forms and instructions.
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Which tickets are suspending my license?

To find out, contact the Department of Licensing (online or by e-mail is fastest):

- **Online:** <https://fortress.wa.gov/dol/dolprod/dsdreinstatements/>. If that link no longer works, go to the [Washington Department of Licensing website](#). Click on “Drivers.” Under “Suspended license,” click on “Learn how to reinstate your license.” Then click “Start.”
- **Email:** drivers@dol.wa.gov
- **Phone:** (360) 902-3900
- **TTY:** (360) 664-0116
- **Mail:** Department of Licensing, P.O. Box 9030, Olympia, WA 98507-9030
- **In-Person:** At a driver licensing office. DOL may charge a fee for this in-person service.

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- ❖ **Do not try to get this information from a collection agency.** Different courts use different agencies. A collection agency only has information about the tickets assigned to it.
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Out-of-State Suspensions: If you are suspended in another state, Washington suspends your license too. This is true even if Washington DOL has issued you a license that

appears valid. If you are suspended in another state, you must contact *that* state’s driver license agency to find out about how to fix your suspension.

Should I contact the court?

Yes. Once you know which tickets are suspending your license, call or go to the court that fined you about what to do to reinstate your license.

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- ❖ You should call the court first. If you cannot get through to a clerk, you can go to the courthouse. **If there is a bench warrant against you, you may be arrested if you go to the courthouse.**
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Relicensing Program - Some courts have programs designed to help you reinstate your suspended license. Ask if the court has one. If so, ask:

- if you are eligible
- how you can take part
- what to bring to court

Relicensing programs typically help lower your fine and/or set up a payment plan.

Ask the Court for a Hearing. If the court has no relicensing program, you can ask for a hearing to address a traffic ticket that is suspending your license. **Not all courts will grant such a hearing**, especially if you have already had a hearing on that ticket. Some courts may have you make the request in writing. If so, ask the court clerk for instructions. You may be able to use the blank **Motion and Declaration form** at the end of this publication. If you get a hearing, ask the clerk what to bring to and what kinds of results you can expect from such a hearing.

How do I get ready for a relicensing program or hearing?

Bring Proof of Financial Circumstances. If you cannot pay the fine in full, bring proof of public assistance (**examples:** food stamps, ABD, TANF, SSI/SSDI), rent, mortgage bills, utility bills, pay stubs, tax forms, debts, and so on.

Have an Explanation Ready for Your Underlying Ticket and/or Driving Record.

The judge may ask you to explain your ticket and/or driving record, especially if

- you have gotten many traffic tickets recently
- you have gotten multiple tickets for the same infraction
- you were driving without a license or insurance

Bring Proof of Valid License, Insurance, or Tabs. If your underlying ticket was for driving without a valid license, insurance, or current tabs, you should bring proof that you now have or at the time you got the ticket had a valid license, insurance, or tabs.

There is no relicensing program. I cannot get a hearing. Now what?

Write the judge a letter asking for a payment plan or community service. Ask the court clerk:

- who to address the letter to
- how to submit such a letter
- what the mailing address or fax number is

(See the Sample Letter to the Court at the end of this Guide.)

What to Put in Your Letter:

- Address your letter to “Presiding Judge.” Include the court’s address.
- Ticket Number or case number.

- Infraction. Describe why you got the ticket. (**Examples:** speeding, failing to stop at a light, and so on.)
- Date of Infraction.
- Why You Are Responding now to the ticket. This is usually related to your need for a driver license. **Examples:** you need to reinstate your driver license to travel to work or school, or to take your children or other relatives to appointments.
- Changes in Your Life that put you in a better position now to take care of the ticket. **Examples:** You have a new job or other income to make payments, you have stable housing, or (if substance abuse was a factor) you have completed rehabilitation.
- Request to Pull Fine from Collections (only if your ticket is in collections). You should also explain why you cannot work with the collection agency. **Examples:** the collection agency requires a down payment you cannot afford. OR you cannot afford to pay your fines, but you can do community service.
- Propose a Way of Resolving the Fine. **Examples:** you can offer to pay a lower fine amount that you can afford to pay in full, a monthly payment you can afford, or a certain number of monthly community service hours that you can realistically complete.
- Attach Proof that is related, such as proof of your financial situation, proof of employment, proof you are in school, proof of rehabilitation, letter from a case manager or counselor, and so on.
- Your Mailing Address so the court can respond by mail.

What **Not** to Put in Your Letter to the Court

Do not argue about whether you should have gotten the ticket in the first place. Focus on your aim to pay off the fine through a payment plan or to work it off through community service.

Follow Up After Sending Your Letter

A couple of weeks after mailing your letter, call the court clerk. Make sure they got it and given it to the judge. If not, insist that they do so.

I have old/new tickets that I have not paid. Will they suspend my license?

The tickets listed in this section, below cannot be grounds to suspend your driver license. BUT if you do not pay them, they can still be sent to collection agencies and lower your credit rating. Do not ignore these. If you have tickets falling into the categories below that are suspending your driver license, ask the Department of Licensing to lift those suspensions.

Traffic tickets issued on or after **June 1, 2013** can only be used to suspend your driver license if you got them for a moving traffic violation (such as speeding). Traffic tickets issued on or after this date for non-moving violations (parking tickets or faulty equipment violations) cannot be grounds to suspend your driver license.

Traffic tickets issued before **July 1, 2005** cannot be grounds to suspend your driver license, even if they are still unpaid.

Should I negotiate with the collection agency?

Maybe. If your ticket is in collections and the court denies your request to pull the ticket from the collection agency, all you can do is negotiate with the collection agency. Here are some tips on how to do so:

- Offer a Payoff. Collection agencies will often take less than the full amount you

owe if you offer to pay a lower amount in full immediately. “Full amount” means the original fine amount, collection fees, and interest. Agencies differ on this, but 50% of the full amount is usually a good first offer to make. If the first person you talk to does not offer a payoff amount you can afford, ask for a supervisor. They will often give better deals.

- Offer a Monthly Payment Plan. If you set up a payment plan, you will probably end up paying more than you would through a “payoff.” You must pay off the full fine amount, including fees and interest. On the upside, the agency will release your license as soon as you make the first payment. When setting up a payment plan, you may have to make a down payment of about 10% of the total amount and show proof you have income to make future payments. Do not agree to pay more than you can afford. If you miss a payment in the future, your license will be re-suspended, and the agency will be less interested in negotiating a new agreement.

Avoid Garnishment. Collection agencies can “garnish” your wages and bank accounts to satisfy your unpaid fines. (*See below* for an explanation.) To prevent garnishment:

- Do Not give a collection agency information about your current job, bank accounts, or other sources of income.
- Do Not pay by check or debit card.
- Do make payments by credit card or money order.

What if I need some kind of ID right away?

If you get public assistance, have your DSHS caseworker fill out the Request for Identocard

form at the end of this publication. Take the completed form to DOL to get a Washington State Identification card for five dollars.

What if my tickets are in garnishment or “judgment”?

Once a court has issued a writ of garnishment, a collection agency can directly take money from your wages, bank accounts, or certain other sources of income. **At this point, the court typically cannot pull that ticket from collections to help you.** (The collection agency may say your tickets are in “judgment.” They really mean garnishment.) Your only choices are to challenge the writ of garnishment if there is still time to do so, OR try to work out a payment plan with the agency. If you are low-income, contact CLEAR. (See below.)

What if I need legal help?

- **Apply online with [CLEAR*Online](https://nwjustice.org/get-legal-help)**
- <https://nwjustice.org/get-legal-help>
or
- **Call CLEAR at 1-888-201-1014**

CLEAR is Washington’s toll-free, centralized intake, advice and referral service for low-income people seeking free legal assistance with civil legal problems.

- **Outside King County:** Call 1-888-201-1014 weekdays from 9:15 a.m. until 12:15 p.m.
- **King County:** Call 211 for information and referral to an appropriate legal services provider Monday through Friday from 8:00 am – 6:00 pm. You may also call (206) 461-3200, or the toll-free number, 1-877-211-WASH (9274). You can also get information on legal service providers in King County through 211’s website at www.resourcehouse.com/win211/.
- **Persons 60 and Over:** Persons 60 or over may call CLEAR*Sr at 1-888-387-7111, regardless of income.

Deaf, hard of hearing or speech impaired callers can call CLEAR or 211 using the relay service of their choice.

211 and CLEAR will conference in interpreters when needed at no cost to callers.

Free legal education publications, videos and self-help packets covering many legal issues are available at www.washingtonlawhelp.org.

This publication provides general information concerning your rights and responsibilities. It is not intended as a substitute for specific legal advice.

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Sample Letter to the Court

Presiding Judge
King County Superior Court
516 Third Ave.
Seattle, Washington 98104

September 4, 2015

Re: Ticket #123456, Speeding Infraction (received 05/20/2012)

Your Honor:

I am writing regarding Ticket #123456, a speeding infraction received on May 20, 2012. I could not pay for the traffic fine then. I did not have a steady job or any way to pay for the fine.

I write now because I am hoping to get my driver license back so I can get a job. I live in an area that does not have good public transportation. I need access to a car so I can find a job.

I am in a better position now to resolve the ticket. I have a stable place to live. A caseworker is helping me find a job.

I have tried to work out a payment plan on my ticket with the collections agency. They want me to pay 50% of the fine before they would consider a payment plan on the rest. I do not have a job. I cannot afford to make that big of a down payment. I request that you allow me to work off the fine through community service. If that is not possible, I request that you allow me to make payments directly to the court in an amount I can afford. I believe I can afford to pay \$____ per month.

I am attaching a letter from my case manager explaining what I am doing in my program to help improve my situation. I am also attaching proof that I receive food stamps and TANF.

I would really appreciate the change to get my license back so I can get a fresh start and find a job.

If you have any questions, please contact me at 206-777-7503.

My mailing address is:
500 ABC St. Apt. 123
Seattle, WA 98104

Thank you for your time and consideration.

Sincerely,
[your signature here]
[type your name here]

Request for "Identicard"



To: Department of Licensing

From: Department of Social and Health Services

This is to certify that _____ (whose signature appears below)

living at _____

who was born on _____ is a recipient of continuing public assistance.

He / she has assured us that he/she does not presently have a valid drivers license and is prepared to produce whatever evidence you may require to prove his/her identity. Pursuant to RCW 46.20.117, he/she is eligible to receive an "Identicard" at cost and is prepared to pay such cost from his/her own funds.

RECIPIENT SIGNATURE

DATE

AUTHORIZED EMPLOYEE

DSHS 16-029 (REV. 11/2012)

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**MUNICIPAL COURT OF _____
COUNTY OF _____
STATE OF WASHINGTON**

City of _____,

Plaintiff,

vs.

Defendant.

No.

**MOTION TO REMOVE TICKET[S]
FROM COLLECTION AND
ESTABLISH A PAYMENT PLAN BY
COMMUNITY SERVICE OR
REASONABLE PAYMENT PLAN
AND DECLARATION IN SUPPORT**

I. Relief Requested

Defendant [*your name*] _____ requests that the court remove the above-referenced ticket[s]t from collections and establish a payment plan and/or order community service.

II. Legal Authority: A court may enter into a payment plan with or order community service for a defendant who is unable to pay the fine in full. RCW 46.63.110.

RCW 46.63.110(1) authorizes the court to order a driver who commits a traffic infraction to pay a fine or face the suspension of his/her license. The court can refer unpaid fines to collection agencies. RCW 46.63.110(6)(b). It can also recall fines from collections to do any of these:

- waive, lower, or suspend the penalty

- enter the driver into a payment plan
- order the driver to perform a number of hours of community restitution instead of paying a fine

RCW 46.63.110(6) and RCW 46.63.120(2).

A payment plan is appropriate when a court determines a person is not able to pay a fine in full. RCW 46.63.110(6). The court *must* order a payment plan if the driver requests one within one year of the fine coming due. If more than a year has passed, the court *can* (for example, based on a good cause standard) *but does not have* to order a payment plan. RCW 46.63.110(6). The payments must be reasonable based on the person's ability to pay. The person can voluntarily pay more, or make an extra payment, at any time in addition to what the payment plan requires. RCW 46.63.110(6). A court can also order community service, if a defendant requests it. RCW46.63.120(2).

In this case, Defendant's Declaration shows that good cause exists for removing the fine(s) from collection, lowering the balance, and ordering a community service plan and/or payment plan. The Court should grant the relief Defendant has requested

III. Defendant's Declaration

I, [your name] _____, declare:

My total monthly income is _____ from these sources:

I [check one] do do not expect my income to remain the same in the future.

My total monthly expenses are:

1 I am currently [*check one*] unemployed employed.

2 My birth date is _____.

3 _____

4 _____

5 _____

6 _____

7 _____

8 _____

9 _____

10 _____

11 _____

12 _____

13 _____

14 _____

15 [] [*Check if you need to*] Additional pages attached.

16 I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

17 Dated this _____ day of _____, 201_ at _____, WA.

18 _____
Defendant's Signature

19 _____
Defendant's Printed Name