



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

## Should I read this?

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- ❖ Read this only if you live in the state of Washington.
  - ❖ You can find all the packets and fact sheets we link to here at [WashingtonLawHelp.org](http://WashingtonLawHelp.org).
  - ❖ **COVID-19 alert:** Your license should not be suspended for your failure to appear at a hearing during the pandemic. If this happens to you anyway, talk to a lawyer. See contact info below.
  - ❖ If your license is suspended because of unpaid fines on a criminal case, use our [How to Ask a Washington State Court to Reduce or Waive Your Legal Financial Obligations](#) packet.
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## Which tickets are suspending my license?

To find out, register online for a License eXpress account with the Department of Licensing (DOL). Go to [www.dol.wa.gov/licenseexpress.html](http://www.dol.wa.gov/licenseexpress.html).

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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 info about tickets assigned to it.
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**Out-of-State Suspensions:** If you are suspended in another state, Washington also suspends your license. This is true even if Washington DOL has issued you a license

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that looks valid. You must contact that state's driver license agency to find out 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. Ask them what you need to do to reinstate your license.

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- ❖ You should call the court to do this. 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 to help you reinstate your suspended license. Ask if the court has one. If so, ask:

- if you can take part in it
- how you can take part
- what to bring to court

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

**Ask the Court for a Hearing.** If there is no relicensing program, you can ask for a hearing to address a traffic ticket that is suspending your license. **Not all courts will grant this hearing.** If you have already had a hearing on the ticket, you might not get another one. Some courts may have you ask in writing. If so, ask the court clerk how to do this. You might be able to use the **Motion and Declaration form** here.

If you get a hearing, ask the clerk what to bring and what you can expect from such a hearing.

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

**Bring Proof of Your Financial Situation.** If you cannot pay the fine in full, bring proof of public assistance (**examples:** food assistance, ABD, TANF, SSI/SSDI), rent or 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. This especially true if

- you have gotten many traffic tickets recently
- you have gotten more than one ticket for the same thing
- you were driving without a license or insurance

**Bring Proof of Valid License, Insurance, or Tabs.** If the underlying ticket was for driving without a license, insurance, or current tabs, you should bring proof that you now have or at the time you got the ticket had a 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 get the letter to that person
- 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.” Put 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 to the ticket. You should try to link this to your need for a driver license. **Examples:** you need a driver license to travel to work or school. You need to take your children or other relatives to appointments.
- Changes in Your Life that will now let you fix the ticket. **Examples:** You have a new job or other income to make payments. You have stable housing. If substance abuse was an issue, you have completed rehabilitation.

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- Request to Pull Fine from Collections (only if the ticket is in collections). You should explain why you cannot work with the collection agency. **Examples:** the collection agency requires a down payment you cannot afford. You cannot afford to pay your fines, but you can do community service.
- Suggest how to Resolve the Fine. **Examples:** you can offer to pay a lower amount that you can afford to pay in full, a monthly payment you can afford, or a certain number of monthly community service hours you can realistically do.
- Attach Proof related to your requests. **Examples:** proof of your financial situation, job and wages, proof you are in school or rehab, letter from a case manager or counselor, and so on.
- Your Mailing Address so the court can respond to you.

### **What not to put in your letter to the court**

Do not argue that you should not have gotten the ticket. Focus on paying off the fine through a payment plan or working it off through community service.

### **Follow up after sending your letter**

Wait a couple of weeks after mailing your letter. Then call the court clerk. Make sure the clerk got it and gave it to the judge. If not, insist that they do now.

## **I have old or new tickets I have not paid. Will they suspend my license?**

The tickets listed below **cannot** be grounds to suspend your 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 tickets in these categories are suspending your license, ask the DOL to lift the suspensions:

**Traffic tickets issued on or after June 1, 2013** can only suspend your license 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** suspend your license.

**Traffic tickets issued before July 1, 2005 cannot** suspend your license. It does not matter if they are still unpaid.

## Should I try to work something out with the collection agency?

**Maybe.** That is all you can do if your ticket is in collections and the court will not pull it from the collection agency. Here are some tips:

- **Offer a Payoff.** Collection agencies will often take less than the full amount owed if you offer to pay a lower amount in full immediately. “Full amount” means the original fine amount, collection fees, and interest. Half the full amount is usually a good first offer. If the first person you talk to does not offer a payoff amount you can afford, ask for a supervisor. They will often offer something better.
- **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.” With a payment plan, you must pay off the full fine amount. This includes 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 and show proof you can make future payments. **Do not agree to pay more than you can afford.** If you miss a payment, your license will be re-suspended. The agency might not want to work out a new agreement.

**Avoid Garnishment.** Collection agencies can “garnish” your wages and bank accounts to pay your unpaid fines. (See below for an explanation.) Keep this from happening:

- Do **not** give a collection agency info about your 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.

## I need some kind of ID right away.

If you get public assistance, have your DSHS caseworker fill out the Request for Identocard form here. Take that form to DOL. A Washington State Identification card costs five dollars.



## **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 usually cannot pull that ticket from collections.** (The collection agency may say your tickets are in “judgment.” They really mean garnishment.)

You can challenge the writ of garnishment, if there is still time, **or** try to work out a payment plan with the agency. If you have a low income, contact CLEAR. (See below.)

## **Get Legal Help**

**Outside King County:** Call the CLEAR Hotline at 1-888-201-1014 weekdays from 9:15 a.m. - 12:15 p.m.

**In King County:** Call 2-1-1 for referral to a legal services provider weekdays from 8:00 am – 6:00 pm.

**Persons 60 and Over** can call CLEAR\*Sr at 1-888-387-7111 (statewide).

**Deaf, hard of hearing or speech impaired callers** can call CLEAR or 211 (or toll-free 1-877-211-9274) using a relay service of your choice.

**Apply online with [CLEAR\\*Online](https://nwjustice.org/get-legal-help) - [nwjustice.org/get-legal-help](https://nwjustice.org/get-legal-help).**

CLEAR and 211 will provide a free interpreter.

Visit [WashingtonLawHelp.org](https://WashingtonLawHelp.org) for free information about Washington laws, do-it-yourself court forms, videos about legal issues and a legal help directory.

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## Sample Letter to the Court

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

September 4, 2019

Re: Ticket #123456, Speeding Infraction (received 05/20/2016)

Your Honor:

I am writing about Ticket #123456, a speeding infraction I received on May 20, 2016. I could not pay for the traffic fine then. I did not have a steady job or any way to pay.

I am hoping to get my 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 that big of a down payment. I request that you let me work off the fine through community service. If that is not possible, I request that you let me make payments directly to the court in an amount I can afford. I believe I can afford to pay \$\_\_\_\_ per month.

Attached is a letter from my case manager. It explains what I am doing in my program to improve my situation. Also attached is 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 call 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 "Identocard"



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 "Identocard" at cost and is prepared to pay such cost from his/her own funds.

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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*] \_\_\_\_\_ asks the court to remove the above-referenced ticket[s] 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 their 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

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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 unable 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:

\_\_\_\_\_  
\_\_\_\_\_.

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

1 My birth date is \_\_\_\_\_.

2 \_\_\_\_\_

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

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

15 Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_\_\_\_, WA.

16 \_\_\_\_\_  
Defendant's Signature

17 \_\_\_\_\_  
Defendant's Printed Name

18 \_\_\_\_\_

19 \_\_\_\_\_