

## **6 Things To Know Right Now about the recent Virginia budget amendment to temporarily halt driver's license suspensions for unpaid court debt:**

- 1. The budget amendment should lift current driver's license suspensions for unpaid or delinquent court debt, and will prevent future such suspensions beginning July 1, 2019 and lasting until June 30, 2020.** (We don't yet know what the policy will be after the budget amendment expires.)
  - According to the DMV, if your license is suspended solely for unpaid court debt AND it is not expired AND you still have it in your possession, your driver's license will automatically become valid (and reinstatement fee will be waived) on July 1, 2019, and you will not have to do anything.
  - If your license is suspended solely for unpaid court debt and it IS expired or otherwise needs to be updated (for example, you lost it or you need to update your "proof of legal presence"), your suspension will be lifted and reinstatement fee waived BUT you will likely need to contact the DMV to renew your license and will likely be charged renewal or other administrative fees, which will vary by individual.
  - If your license is suspended for unpaid court debt AND some other reason, the DMV says it will lift the court debt suspension BUT you will still need to serve out the other suspension(s) and fulfill any court or DMV obligations related to those suspensions before your license can become valid. We do not yet know how DMV will implement this.
  - If your Virginia driver's license was suspended for court debt and you now live in another state, the Virginia DMV says this suspension "will no longer be visible" to other states, but we do not yet know what this means in practice.
  - The DMV says they will send a letter to individuals in Virginia listing any additional actions, if any, they will need to take to get a valid license (renewal applications, fees, etc.).

### **How do I figure out why my driver's license is suspended?**

The DMV can give you a report called a "Compliance Summary" for free. The Compliance Summary will list all of the reasons why your driver's license is suspended. You can get your Compliance Summary by doing any of the following:

- Going to any DMV office and picking it up in person.
- Calling DMV at (804) 497-7100 to get one mailed to you. The DMV call center is open from 8:00 AM to 5:00 PM Monday through Friday, and Saturday 8:00 AM to 12:00 PM.
- Setting up an account on the DMV website ([www.dmv.virginia.gov](http://www.dmv.virginia.gov)) and downloading it.

- 2. Though it lifts current court debt-related driver's license suspensions and prevents future such suspensions through June 30, 2020, the budget amendment does not cancel debt owed.**

You will still be required to pay your court debt, & **the court could still pursue collections against you** with mechanisms that include: wage garnishment, tax intercept, debt collector intervention, and, possibly, issuing a kind of warrant called a "show cause" that will require you to appear in court to answer for the debt, which could result in some jail time.

In some cases, payment of your court debt may be a part of probation requirements or to maintain a suspended jail sentence term—**please consult your attorney in these matters for advice.**

3. **The budget amendment only lifts/prevents license suspensions that are solely due to unpaid court fines & fees.** This does not include, for example, license suspensions given for unpaid child support. It does not include suspensions directly resulting from convictions for reckless driving, DUI, or simple possession—though it *would* include a license suspension based on solely on any unpaid fines & fees tied to those convictions.
4. **It's possible to have more than one kind of driver's license suspension at the same time.** If you have a license suspension for an offense like a DUI, reckless driving, etc., AND a license suspension for unpaid court fines and fees, the budget amendment *should* still cause the unpaid fines/fees suspension to be lifted. This means, however, that the other suspension(s) will still be in effect. Again, the best way to keep track of this is to obtain your DMV compliance report on or before July 1 of this year, or as soon as you can after that.
5. **The Virginia state budget that contains this budget language goes into effect July 1, 2019, and the DMV says eligible licenses will automatically become valid (unless there are administrative requirements or other suspensions), but our advice: make sure your license is valid before you drive.** This law will not come into effect until July 1, 2019, so none of this applies until then!
  - If you drive, please drive with caution—our best advice is to seek your DMV compliance report until it shows your suspension has been lifted. Then, you may want to carry the compliance report with you if you drive, just as a precaution.
  - Even if your suspension is lifted, your license might not be VALID, and if you drive, you could be charged with “Driving Without An Operator’s License” (DWOL) until you fulfill the necessary requirements. The new law does not prevent consequences for DWOL or DWLS (Driving With License Suspended) charges—if your license is not valid or you are still serving another suspension or you drive from now until July 1, 2019, while under a court-debt suspension, you can still be subject to these charges.
6. **If your driver's license was suspended solely for unpaid court debt, you should not be charged the \$145+ license reinstatement fee by the DMV for that reinstatement.** If you have another type of license suspension, or if you need to obtain a new driver's license or renew an expired one, the DMV may charge you fees related to either reinstating your license once you've served your other suspension, or fees associated with renewing or first obtaining a license. If your only license suspension is for unpaid court fines and fees, however, you should not be charged a fee related to the suspension, but could face fees for renewal, replacement, etc.

**If you have questions about your driver's license suspension, please contact the DMV. Their website has some information, as well as a contact email form specific to these cases, and other phone numbers and ways to reach them: [www.DMVnow.com](http://www.DMVnow.com)**

**For more information about our Legal Aid Justice Center work on these issues, please visit our website at <http://www.justice4all.org/drive>.**