

# DRIVER'S LICENSE SUSPENSION REFORM ACT

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## FREQUENTLY ASKED QUESTIONS

### 1. What is the Driver's License Suspension Reform Act (DLSRA)?

The DLSRA:

- Ends driver's license suspensions for unpaid traffic fines and fees;
- Reinstates driver's licenses that were suspended for unpaid traffic fines and fees;
- Establishes installment payment plans for all traffic fines, fees, and mandatory surcharges;
- Allows drivers to petition the court to waive or reduce the total amount of fines, fees, and surcharges that you owe at any time.
- Requires additional notice for drivers before suspending a driver's license for unanswered traffic summons/appearance tickets or missed traffic hearings; and
- Allows drivers to terminate their driver's license suspensions for unanswered traffic summons/appearance tickets or missed traffic hearings by appearing in traffic court or by entering into a payment plan.

The DLSRA **does not** end driver's license suspensions for not answering a traffic summons or an appearance ticket or not appearing in traffic court.

### 2. What can I expect if my driver's license was suspended for unpaid traffic fines?

The DMV should have automatically cleared all suspensions of driver's licenses, privileges to operate, and registrations for unpaid traffic fines and fees. However, this will not eliminate any fines you may still owe.

- The cleared suspensions will still appear on your driver's abstract, but they will be listed with a "cleared on date" of June 29, 2021 or earlier and the reason "scofflaw answered."

- The DMV will send written notice to all people with driver's license suspensions for unpaid traffic fines to inform them of these changes and their right to enter into payment plans. If you believe that your driver's license has been suspended for unpaid traffic fines and do not receive this notice, contact the traffic violations agency or the traffic court where your ticket directed you to appear.

Be sure to contact your traffic violations agency or traffic court (i.e. the agency/court where your traffic ticket directed you to appear) to enter into an installment payment plan so that you can pay off your traffic fines, fees, and mandatory surcharges at an affordable monthly rate. While your suspension has been cleared and the reinstatement fee was waived, your underlying fines remain in place.

### **3. My license was suspended for unpaid traffic fines but my driver's license is still suspended. What do I do?**

In New York, one instance of not paying your traffic fines can lead to multiple suspensions with different official reasons given by the DMV. The DLSRA ended and automatically cleared driver's license suspensions with the specific official reason of "failure to pay traffic fines."

- To confirm that your driver's license was suspended for "failure to pay traffic fines," contact the DMV by phone at (800) 698-2931 or through [MyDMV online](#) and ask if your driver's license is suspended and why.
- You can also order your [DMV abstract](#) for a fee.

It's possible that your license was suspended, but the DMV's official reasons were not "failure to pay traffic fines" so the suspensions remain on your abstract, even though they relate to the same unpaid fines.

- Your license may have been suspended with the official reason of "failure to answer a summons." Such suspensions are issued when you don't respond to a traffic ticket, either by paying the fine or appearing in traffic court.
- Your license may have been suspended for not paying the [driver responsibility assessment](#) or driving without insurance.

The DLSRA only ended and automatically cleared driver's license suspensions officially attributed to "failure to pay traffic fines." But, the DLSRA also makes it easier for you to clear some of these other suspensions.

#### **4. What do I do if my driver's license was suspended for "failure to answer a summons"?**

The DLSRA does not automatically clear suspensions where the DMV's official reason is "failure to answer a summons." However, the DLSRA creates two ways for you to clear such suspensions:

First, if your appearance ticket or traffic summons remains open (i.e. the court/agency has not entered a default judgment against you), contact the issuing traffic court or traffic agency and answer your traffic ticket by either pleading guilty or by pleading not-guilty and requesting a hearing. This will clear your suspension for "failure to answer a summons."

Second, you may also clear your suspension by entering into an installment payment plan, even if your ticket is no longer open and a default judgment has been entered against you. See below on how to enter into an installment payment plan.

- The \$70 reinstatement fee must still be paid as part of the installment payment plan, but full payment of the fee is not required at the time the suspension is cleared.
- The DMV will send written notice to all people with license suspensions for not answering a traffic summons or an appearance ticket, or not appearing in traffic court, to inform them of their right to enter a payment plan and how to do so. Information on how to enter a payment plan should also be posted on your local traffic violations agency or traffic court website.

#### **6. What do I do if my driver's license was suspended for a reason other than "failure to pay traffic fines" or "failure to answer a summons"?**

It depends! Some suspensions we hear about frequently are:

- Suspensions for unpaid driver's responsibility assessment: to clear this suspension, you must pay the assessment; and

- Suspensions for driving without insurance: to clear this suspension, you must pay your related civil penalties.
- You may be able to pay required assessments, penalties, fines, fees, and mandatory surcharges as part of an installment payment plan.

## 7. What is an installment payment plan?

Under the DLSRA, you have the option to enter into installment payment plans to pay all of your traffic-related fines, fees, and mandatory surcharges in affordable monthly payments. This includes the \$70 driver's license reinstatement fee imposed when you clear a suspension for "failure to answer a summons."

You will need to enter into a separate installment payment plan at every traffic violations agency and/or traffic court where you owe traffic fines, fees, and mandatory surcharges.

## 8. How do I get on an installment payment plan?

For traffic tickets issued in New York City by the Traffic Violations Bureau (TVB), submit a single online application using one ticket number which you can find on your ticket, driving abstract, or by calling the TVB. If you do not have a ticket number, fill out that section using the equivalent number of zeros. For example, "00000". Do not submit multiple applications, even if you have more than one ticket returnable to the TVB. The single application will act as an application for an installment payment plan that includes all the fines and fees you owe on TVB traffic tickets. The online application can be found here: [online application](#).

Outside of New York City, contact the DMV or [look up](#) the court where your ticket directs you to return. Your court's website should have information on how to enter into an installment payment plan or you can contact them about setting one up. They will likely require you to submit this [financial disclosure form](#).

## 9. How much will I have to pay on an installment payment plan?

- Monthly payment amounts will be set at \$25 or 2% of net monthly income, whichever is higher.
- Your net monthly income is calculated as your total income from all sources and assets minus deductions required by law, including court ordered garnishment and support payments.

- You may petition the court to waive or reduce the total amount of fines, fees, and surcharges that you owe at any time.

## 10. I'm on a payment plan but can no longer afford my payments. What can I do?

Contact the DMV, or your traffic violations agency or traffic court (the agency/court where your traffic ticket directed you to appear).

- You may petition the court for lower monthly payments at any time if it would be “in the interest of justice.”
- If you've experienced a decrease in your income, you may petition the court for lower monthly payments up to two times per year.

## 11. What happens if I miss a payment on my installment plan?

- The traffic violations agency or traffic court should not suspend your driver's license.
- The traffic violations agency or traffic court should not take any action until 90 days have passed.
- Once 90 days have passed, the court may take action to collect missed payments, including entering a civil judgment and issuing a warrant for your arrest. What actions are taken will depend on your local traffic violations agency or traffic court policies and practices.

## 12. What if I have more questions or encounter pushback at the DMV or in traffic court?

Please contact Ranit Patel at [patel@nclej.org](mailto:patel@nclej.org) or Antonya Jeffrey at [ajeffrey@ffjc.us](mailto:ajeffrey@ffjc.us).

**If you missed an installment payment or believe the traffic violations agency or traffic court violated the DLSRA, we want to hear from you!**