

What is a hardship license?

It is a license issued while your driver's license is suspended. It allows you to drive for certain purposes, usually to work, during the suspension.

How do I know if I am eligible for a hardship license?

A hardship license is usually **not** available if your license is suspended for one of the following reasons:

- ◆ Physical, mental or emotional instability;
- ◆ You are convicted of driving while suspended;
- ◆ You were convicted of involuntary manslaughter or reckless homicide as a result of an automobile accident; or
- ◆ Your current suspension is for driving while intoxicated and you have a previous conviction for driving while intoxicated.

The hardship license requirements vary depending on the reason for the suspension. Some suspension reasons and the basic requirements for a hardship license for each type of suspension are listed below.

My license was suspended for driving without insurance.

Only people that can show they “inadvertently” drove without insurance, and that the suspension causes an undue hardship on the person's family or dependents because it interferes with work are eligible for a hardship license. In other words, you must have had reason to believe that you had insurance.

My license was suspended for driving while under the influence.

You may be eligible for a hardship license if: 1) it is your first driving under the influence offense, 2) you successfully completed a certified rehabilitation program and 3) the suspension causes undue hardship on your family or dependents by interfering with your work.

My license was suspended because I had a car accident and a money judgment was entered against me.

If you can afford to regularly pay on the judgment, you can ask the court to order a repayment plan and reinstate your regular driver's license.

My license was suspended for not paying a traffic ticket.

You don't need a hardship license. Pay the ticket and make sure the county clerk

forwards the record of your payment to the Bureau of Motor Vehicles (BMV).

My license was suspended for 6 months after I pled guilty/was convicted of possession of a controlled substance.

You can petition the court for a hardship license to go to and from work after serving the first 30 days of the suspension.

My license was suspended for being a habitual traffic offender.

If your license was suspended for 5 years, you may qualify for a hardship license without serving any of your suspension if you drive a vehicle for commercial or business purposes as part of your job and you meet the other requirements.

If your license was suspended for 10 years you can ask the court for a hardship license after you have served the first 5 years of your license suspension so long as you have not driven or committed any other driving offenses during the suspension.

If any of your suspensions are based on a conviction for driving while under the influence of alcohol or drugs, you will have to show that you successfully completed a certified rehabilitation program.

What if there is a mistake on my driving record or I think that my license was wrongly suspended?

You can challenge the BMV's decision to suspend your license if you have reason to believe that a mistake was made. Contact a private attorney or Indiana Legal Services as soon as you receive notice that your license is being suspended – there may be a time limit for challenging the BMV's decision.

Some other things to remember:

- ◆ If you are having trouble paying your car insurance, there are programs that might be able to help you. If you are on the TANF program, consider contacting your caseworker. If there is a child in the household and you work at least part-time, contact your local Office of Family & Children about the STEP program.
- ◆ Almost all license suspensions require you to pay a reinstatement fee to get your driver's license reinstated. To find out what your reinstatement fees are, contact the Indiana Bureau of Motor Vehicles.
- ◆ Keep your address up to date with the Bureau of Motor Vehicles. If you do not update your address you may not receive suspension notices and notices of reinstatement fees.

- ◆ Keep copies of receipts when paying traffic tickets or reinstatement fees.
- ◆ Contact an attorney if you want help getting a hardship license or to find out if and when you will be eligible for a hardship license or license reinstatement.

Last Revised 2/2002 Special Code: 1930000

ILS Office Contact Numbers

Bloomington: (812) 339-7668 1-800-822-4774	Hammond: (219) 853-2360
Columbus: (812) 372-6918 1-866-644-6407	Indianapolis: (317) 631-9410 1-800-869-0212
Evansville: (812) 426-1295 1-800-852-3477	Lafayette: (765) 423-5327 1-800-382-7581
Fort Wayne: (260) 424-9155 1-888-442-8600	New Albany: (812) 945-4123 1-800-892-2776
Gary: (219) 886-3161 1-888-255-5104	South Bend: (574) 234-8121 1-800-288-8121

My Driver's License was Suspended... Can I Get a Hardship License?

Prepared by:

Indiana Legal Services, Inc.

The production of this pamphlet is made possible by a grant from the Indiana Bar Foundation.

This pamphlet is for information only. It is **NOT** legal advice. For legal advice, contact a private attorney or a lawyer at the nearest Legal Services Office.

Laws and Policies change. Please look at the last revised date to make sure the information is still current.

Information Available on the web
www.indianajustice.org