

## INDIANA DRIVER'S LICENSE SUSPENSIONS

EVENT	SUSPENSION DAYS	RELIEF	HOW GET RELIEF?
BMV demands proof insurance	90	Have insurance co. send Form SR-50 proving you had insurance	Contact your insurance company for mailing of form to BMV
<b>PRE-CONVICTION SUSPENSION:</b> OWI arrest Fail chemical test [breath or blood] or a “probable cause” suspension 9-30-6-9( c)	180	Specialized Driving Privilege	You must file a notice of intent for SDP along with a Verified Petition, the judge can grant with or without a hearing
<b>PRE-CONVICTION SUSPENSION:</b> OWI arrest REFUSE to take breath or blood test if 1 <sup>st</sup> offense 9-30-6-9(b)	365 days	ignition interlock	You file a petition, it is discretionary with the judge
<b>PRE-CONVICTION SUSPENSION:</b> OWI arrest REFUSE to take breath or blood test 2 <sup>nd</sup> or subseq. Offense 9-30-6-9(b)	730 days	ignition interlock	You file a petition it is discretionary with the judge
<b>CONVICTED OF OWI - 1<sup>ST</sup></b> offense misdemeanor no refusal	0-365 days if ‘A’ misdemeanor; 0-60 days if ‘C’ misdmeanor	Retroactive credit for pre-conviction suspension and specialized driving privilege	Sentencing Order for Specialized Driving Privileges or, Sentencing order setting term of suspension. For first offense there does not have to be suspension up to court.
<b>CONVICTED OF OWI - 2<sup>ND</sup></b> or subsequent offense misdemeanor with prior offense under IC 9-30-5; no refusal	365 days mandatory minimum suspension	specialized driving privilege relief	pre-conviction SDP and/or SDP as part of sentencing

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<p><b>CONVICTED OF OWI - pre-conviction refusal suspension - 1<sup>st</sup> offense misdemeanor</b></p>	<p>0 days suspension up to maximum sentence - 60 days in C misdemeanor; 365 days in A misdemeanor</p>	<p>No retroactive credit for refusal if terminate refusal; retroactive credit if vacate or withdraw refusal suspension</p>	<p>Specify the license suspension in your plea agreement; SDP available if you terminate the refusal suspension short of its maximum duration - 1 year maximum refusal suspension 1<sup>st</sup> offense pre-conviction</p>
<p><b>CONVICTED OF OWI - pre-conviction refusal suspension - 2<sup>nd</sup> or subsequent offense misdemeanor</b></p>	<p>0 days suspension up to maximum sentence - 60 days 'C' misdemeanor - 365 days 'A' misdemeanor</p>	<p>No retroactive credit for refusal if terminate refusal; retroactive credit if vacate or withdraw refusal suspension</p>	<p>Specify the license suspension in your plea agreement; SDP available if you terminate the refusal suspension short of its maximum duration - 2 years maximum refusal suspension 2<sup>nd</sup> or subseq. offense pre-conviction</p>
<p><b>CONVICTED OF FELONY OWI - prior offense w/in 5 years, no refusal</b></p>	<p>365 days up to 2.5 year suspension of license</p>	<p>retroactive credit for any pre-conviction suspension, SDP eligible</p>	<p>Specify suspension and SDP into your plea Agreement as part of Court's sentencing order</p>
<p><b>CONVICTED OF FELONY OWI- causing serious bodily injury -</b></p>	<p>365 days up to 2.5 year suspension of license</p>	<p>retroactive credit for any pre-conviction suspension, SDP eligible</p>	<p>Specify suspension and SDP into your plea Agreement as part of Court's sentencing order</p>
<p><b>CONVICTED OF FELONY OWI - causing Death -</b></p>	<p>2 years to 6 years suspension</p>	<p>NO SDP for 2 years, then SDP</p>	<p>Specify SDP after mandatory 2 year suspension</p>

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<b>CONVICTED OF FELONY</b> causing serious bodily injury with prior OWI w/in 5 years	365 days to 6 years	SDP eligible	Specify suspension and SDP into your plea Agreement as part of Court's sentencing order
<b>CONVICTED OF FELONY</b> causing death with an aggravator such as a. prior OWI w/in 10 years; b. suspended license for OWI at time of accident; c. license suspended as habitual traffic violator; d. with alcohol score of .15 or greater	2years - 12 years	SDP eligible after 2 years	Specify suspension and SDP into your plea Agreement as part of Court's sentencing order
<b>HABITUAL TRAFFIC VIOLATOR - 5 YEAR</b> - 10 or more moving violations in a 10 year period coupled with a major offense such as an OWI or leaving scene	5 year suspension	SDP eligible	File SDP petition for BMV imposed status license suspension in county in which you reside
<b>HABITUAL TRAFFIC VIOLATOR - 10 YEAR</b> - 3 or more major violations such as OWI - reckless driving - leaving the scene etc. within a 10 year period	10 year suspension	SDP eligible	File SDP petition for BMV imposed status license suspension in county in which you reside
<b>HABITUAL TRAFFIC VIOLATOR FOR LIFE</b>	Lifetime suspension	SDP eligible; rescission eligible	File SDP petition for BMV imposed status license suspension in county in which you reside - you may also seek rescission in the county in which you reside
<b>LEAVING SCENE ACCIDENT</b> misdemeanor	0-180 days	SDP eligible	Specify suspension and SDP into your plea Agreement as part of Court's sentencing order

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<b>LEAVING SCENE ACCIDENT</b> - felony	1-2.5 years	SDP eligible	Specify suspension and SDP into your plea Agreement as part of Court's sentencing order
<b>CDL 1<sup>st</sup> OWI, 1<sup>st</sup> pre-conviction suspension</b>	1 year CDL disqualification	No CDL SDP, but you may have your ordinary license SDP	NO CDL relief; ordinary license relief only
<b>CDL 2<sup>ND</sup> or subsequent OWI</b>	lifetime disqualification	No CDL SDP, but you may have your ordinary license SDP	NO CDL relief; ordinary license relief only
<b>BOATING W/ INTOX pre-conviction chemical test fail</b>	180 days	SDP eligible	file notice of SDP and verified petition for pre-conviction driving privilege
<b>CONVICTED OF BOATING W/ INTOX.</b>	0-60 DAYS	SDP eligible	Specify suspension and SDP into your plea Agreement as part of Court's sentencing order