

# Drivers License Suspensions for Non-Payment of Costs

Traffic

Criminal

Presented by Amanda Hughes  
Administrative Office of the Courts  
Fall 2021 Clerks of Court Conference

# DL Suspensions for Non-Payment of Traffic Costs

*TCA 55-50-502 (j)*

✓ Robinson Suit Filed Sept 2017 - Halted  
Suspensions

✓ Effective: 7/1/2019

✓ Implemented: 7/1/2021

## DL Suspensions for Non-Payment of Traffic Costs Requirement...

**Requires payment plan on any that do not pay in full.**

The court shall require every licensee who is convicted of a driving offense and who does not pay the assessed fines and costs in full on the date of disposition to make payments pursuant to an installment payment plan.

## DL Suspensions for Non-Payment of Traffic Costs Requirement...

**Amount of payment must be what the defendant can pay.**

The clerk of any court that handles traffic citations shall offer a payment plan, which must be reasonable and based on a person's income and ability to pay, to any person convicted of a driving offense.

## DL Suspensions for Non-Payment of Traffic Costs Requirements...

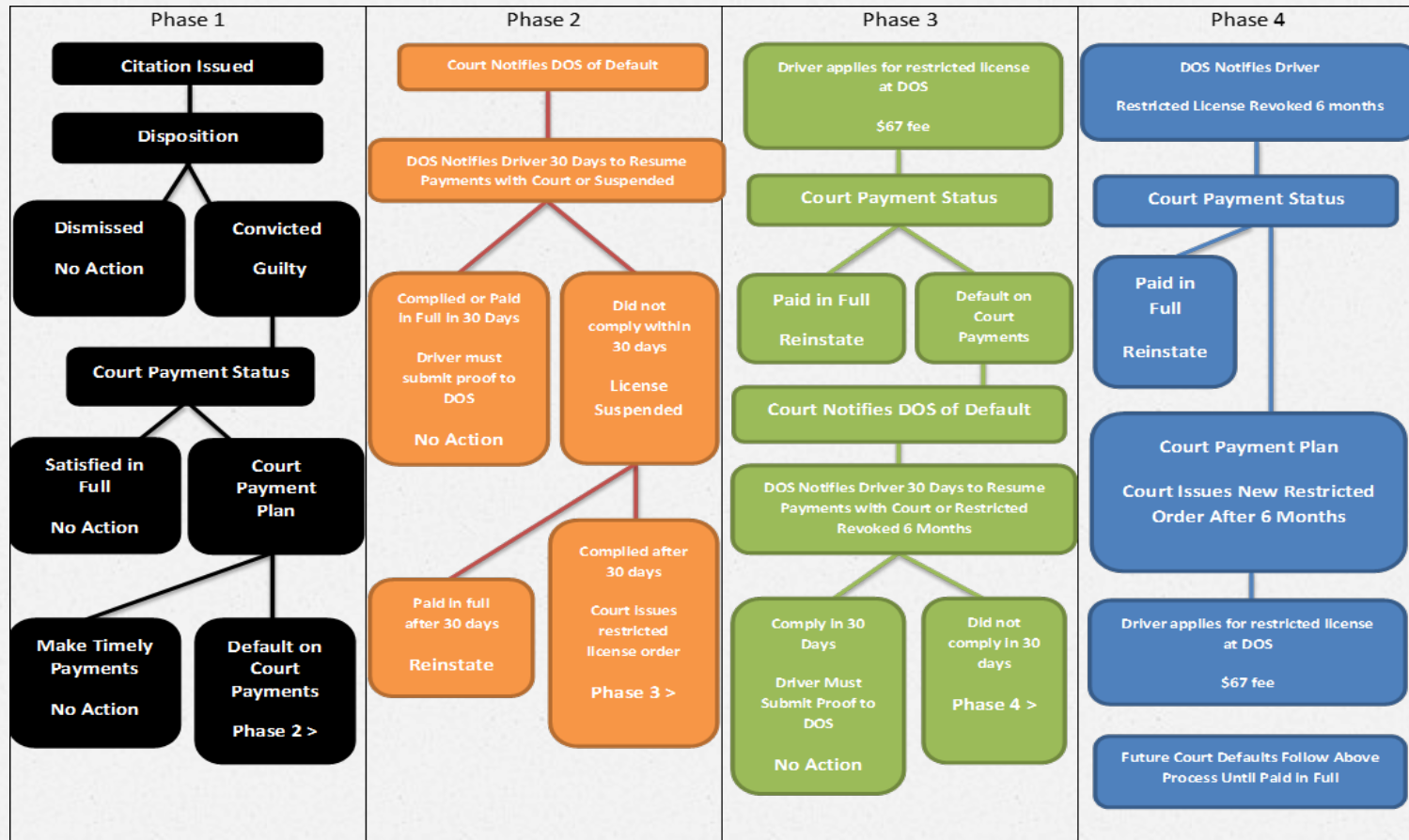
**If the defendant requests a lower payment amount, the clerk must reset the amount due.**

A person may request, and the court clerk shall grant, modifications to a payment plan upon a change in the person's financial circumstances or upon good cause shown.

## DL Suspensions for Non-Payment of Traffic Costs Requirement...

**Defendant can be re-reported over and over again.**

# Public Chapter 438 Timeline 111<sup>th</sup> Legislative Session



# Request for Traffic Cost Withdrawal Form for DOS

Clerk Name  
Court Title  
Court Address  
Court Phone

## Request for Traffic Cost Withdrawal

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Request Pursuant to Traffic Cost Suspension Only  
T.C.A. 55-50-502(j)

Defendant's Name \_\_\_\_\_

Driver's License Number \_\_\_\_\_

Violation Date (must match violation date reported on suspension request) \_\_\_\_\_

Disposition Date (must match disposition date reported on suspension request) \_\_\_\_\_

Court Satisfied Date \_\_\_\_\_

3 Digit Reason Code \_\_\_\_\_  
004 - Payment Plan Established with the Court  
006 - Court Satisfied in Full

Reported Case Number (must match case number reported on suspension request) \_\_\_\_\_

**\*\*Please Note:** If this is a converted case, please report the converted reference number, which will be the number reported to DOS.

Courts 5-digit Court Code \_\_\_\_\_

Comments (Optional):

I certify the above to be true and accurate. \_\_\_\_\_

Clerk/Deputy Clerk



# DL Suspensions for Non-Payment of Criminal Costs

*TCA 40-24-105(b)*

- ✓ Thomas Suit Filed Jan 2017 - Halted Suspensions
- ✓ Effective: 7/1/2019
- ✓ Lawsuit Dismissal: 9/30/2019
- ✓ Implemented: October 2020

## DL Suspensions for Non-Payment of Criminal Costs Requirement...

**Requires payment plan on any that do not pay in full.**

Any person who is issued a license under title 55 and who has not paid all litigation taxes, court costs, and fines assessed as a result of disposition of any offense under the criminal laws of this state within one (1) year of the date of the completion of the sentence shall enter into an installment payment plan with the clerk of the court ordering disposition of the offense to make payments on the taxes, costs, and fines owed.

## DL Suspensions for Non-Payment of Criminal Costs Requirement...

**DL cannot be suspended until 1 year after he/she has completed their sentence.**

## DL Suspensions for Non-Payment of Criminal Costs Requirement...

### DOS to send a 30 day notice

Once reported for non-payment, DOS will send notifications to the defendant and the defendant **MUST** comply **within 30 days of letter being sent**, by making a payment to the court and submitting withdrawal documentation to DOS.

## DL Suspensions for Non-Payment of Criminal Costs Requirement...


**Defendant may apply to the court and get an order for restricted license.**

## DL Suspensions for Non-Payment of Criminal Costs Requirement...

### **Law also provides for indigently affidavit being filed**

Court to determine if taxes, fines and cost should be suspended. After reevaluation, if the court finds the person cannot pay, cost can be waived by the court.

# Request for Criminal Cost Withdrawal Form for DOS

Clerk Name Court Title Court Address Court Phone	<b>Request for Criminal Cost Withdrawal</b> Page 1 of 1	
Request Pursuant to Criminal Cost Suspension Only T.C.A. 40-24-105 (b)(1)		

Defendant's Name \_\_\_\_\_

Driver's License Number \_\_\_\_\_

Violation Date (must match violation date reported on suspension request) \_\_\_\_\_

Disposition Date (must match disposition date reported on suspension request) \_\_\_\_\_

Court Satisfied Date \_\_\_\_\_

3 Digit Reason Code \_\_\_\_\_

004 – Payment Plan Established with the Court

006 – Court Satisfied in Full

Reported Case Number (must match case number reported on suspension request) \_\_\_\_\_

**\*\*Please Note:** If this is a converted case, please report the converted reference number, which will be the number reported to DOS.

Courts 5-digit Court Code \_\_\_\_\_

Comments (Optional):

I certify the above to be true and accurate \_\_\_\_\_

Clerk/Deputy Clerk

# Questions? Feedback

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Court Clerk Liaison

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