

Get your license back: Suspensions for unpaid non-criminal traffic fines

Author

Northwest Justice Project

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Since 2023, your license can't be suspended only for failing to pay non-criminal traffic fines. If your license was suspended prior to 2023 because of failing to pay non-criminal traffic fines, you can now ask the court for a payment plan to pay the old fines. Learn how to get your license back if it was suspended for unpaid fines from non-criminal traffic tickets, also sometimes called "civil traffic infractions."

1. Ticket types

How do I know if my ticket was criminal or non-criminal?

If you think your license is suspended due to an unpaid ticket, it's important to know what type of ticket you got. It could have been a **non-criminal** traffic ticket or a **criminal** traffic ticket. Different rules apply to each type of ticket.

1. **Non-Criminal traffic tickets.** These are also called "traffic infractions" or "civil" traffic violations. These are tickets for things like speeding, faulty equipment, not having insurance, and parking tickets.

Usually, a **non-criminal infraction** notice will have a fine amount listed on the ticket itself.

If you have unpaid fines related to a non-criminal traffic ticket, you can ask for a payment plan or community service to pay the fine.

You also might be able to get your license back.

2. **Criminal traffic tickets** are traffic violations that are handled in criminal court. These are often also called criminal traffic “convictions.” Some types of criminal traffic violations are driving while under the influence (DUI), hit and run, driving with a suspended license and reckless driving.

You have a right to a free public defense lawyer when you appear in court to respond to a criminal traffic offense.

If there’s no fine amount listed and the notice says that a court appearance is required, then it is a criminal traffic ticket.

If you have unpaid fines related to a **criminal** traffic ticket, you can ask for a hearing to reduce your legal financial obligations related to the ticket.

I have new non-criminal traffic tickets I haven’t paid. Will they suspend my license?

If you can’t pay your fine in full at one time, you can ask the court for a payment plan or to do community service instead to **avoid license** suspension if it hasn’t happened yet. There are specific timelines and steps to follow. Even though your license can’t be suspended for not paying the fines, it **can still be suspended** for other things like if you don’t go to the court hearing for your ticket.

I have old non-criminal traffic tickets I haven’t paid. Will they suspend my license?

As of 2023, DOL can no longer suspend licenses based only on unpaid non-criminal traffic fines. If your license was suspended because you didn’t pay fines, you can ask for a payment plan **even if the tickets were old**.

What type of traffic tickets can’t cause a license suspension?

Certain tickets can’t cause license suspension. If your license is suspended for one of these reasons, you can ask the DOL to lift the suspension. Your license **can’t be** suspended for:

- Traffic tickets for a moving traffic violation, like speeding, or for a non-moving violation, such as parking tickets or faulty equipment violations. But, **if you don't respond to the ticket or don't go to your court hearing** when ordered to, your license **can be suspended**.
- Missing a payment or not being able to pay your traffic tickets for moving traffic violations, such as speeding. But, **if you don't respond to the ticket or don't go to your court hearing** when ordered to, your license **can be suspended**.
- **Traffic tickets issued before July 1, 2005**. It doesn't matter if they are still unpaid.

If you don't pay them, they can still be sent to collection agencies, cause your wages or bank account to be garnished, and lower your credit rating. **Don't ignore the fines.**

2. Check your license status

How do I check the status of my license?

If you're not sure about the status of your license, **do not drive**. Check the status of your license online by running a search at the Department of Licensing (https://fortress.wa.gov/dol/extdriveses/ESP/NoLogon/_/) (DOL) or call 360-902-3900.

If you call, be patient. Listen to the entire pre-recorded message and follow instructions. You will get through to a person eventually. For either option, you will need your Washington driver's license number and your date of birth.

This information is free to access. You won't need account or login information.

Update your address with DOL to make sure DOL always has the address where you get your mail. You don't want to miss important information about the status of your license.

To confirm that DOL suspended your license because of unpaid **non-criminal** traffic fines, register online for a License eXpress (<http://www.dol.wa.gov/licenseexpress.html>) account with the DOL.

Don't try to get this information from a collection agency. Different courts use different agencies. A collection agency only has information about tickets assigned to it.

Out of state suspension: If your driver's license from another state is suspended, Washington also suspends your license. This is true even if Washington DOL has issued you a license that looks valid. You must contact that state's driver license agency to find out how to fix your suspension.

3. Suspended licenses

My license is suspended, but I need to drive now. What can I do?

Depending on why your license was suspended, you can apply to DOL for an Occupational/Restricted License or an Interlock Driver License (<https://www.dol.wa.gov/driverslicense/restricted.html>). You must meet the eligibility requirements. Financial help is available if you have a low income.

How do I reinstate my license that was suspended for something other than fines?

DOL can still suspend licenses for reasons other than unpaid non-criminal traffic fines. Your license can be suspended if either of these are true:

- you didn't respond to your infraction
- you didn't go to your court hearing when it was required

You can try to ask the court to set aside the judgment if you had "good cause" for not responding to the ticket or appearing in court. "Good cause" means a reasonable excuse.

These are some **examples of good cause**:

- you were in the hospital
- you never received the ticket
- you had a death in your family or another emergency

To do this, you can write a letter to the court. Be sure to write the letter to the **correct court** for the original ticket or case. Usually, it will be a District or Municipal court. The letter should include any case information or citation information you have for the original traffic ticket. In the letter you can request a hearing or ruling to establish good cause to set aside the suspension and judgment. You should say that you are asking for this judgment to be set aside under Rule IRLJ3.2(b)
(https://www.courts.wa.gov/court_rules/pdf/IRLJ/CLJ_IRLJ_03_02_00.pdf).

Can I reinstate my license that was suspended for a non-criminal traffic ticket?

Yes, you can ask the court for a chance to set up a payment plan for the unpaid fines. Or ask for a chance to do community service relief instead of your fines.

You can only ask for a payment plan or community service relief if both of these are true:

- Your license was suspended **solely** because of your inability to pay the fines.
- You haven't asked for a payment plan for **that fine** before. If you have asked for a payment plan before and failed to follow your plan, you can try to ask for a chance to explain yourself in a hearing.

If you need to ask a court for a payment plan or community service relief, you can use our [instructions](#) and [forms](#).

My license was suspended solely because I couldn't pay the fines on my non-criminal traffic ticket. What can I do?

A new law stopped those kinds of suspensions. Those kinds of suspensions shouldn't have happened since 2023. There are some **important things to know** about this new law:

- It stops suspensions that are based on the inability to pay non-criminal (or "civil") traffic fines.
- You can ask for a payment plan **at any time**, even if the tickets were old.
- You can only ask for a payment plan **one time** for each fine. You can use the same forms to explain your situation if you failed to follow a payment plan that you were **already given** for a fine.
- Courts have discretion about **whether** they will pull the fines out of collection or garnishment.
- You can ask for community service instead of paying a fine if you can't afford a payment plan. However, some courts might not grant your request if the court doesn't have a community restitution program.
- If you fail to complete a payment plan or community service agreement, the fine could be sent to collections.
- If you fail to keep up with a payment plan, you might have to go back to court and prove your inability to pay the fine. Use the same forms to do that.

If you want to try to get relief from old traffic fine that resulted in a suspension, you can ask for relief at the District Court where the ticket came from. You can file a petition that asks the court to grant you relief from the traffic fine. Use our instructions and forms.

4. Step-by-Step Form Instructions

1. Get your Petition forms ready

Complete the Petition forms according to your specific situation and which kind of relief you are seeking.

You can ask the Court to do the following:

- Review jurisdiction because more than 10 years have passed since the ticket

- Waive all unpaid interest on the traffic infraction fines
- Waive or reduce any discretionary fines
- Grant you additional time to pay the fines (this is called being granted a “payment plan”)
- Remove your fine from collections and waive collection fees (if possible)
- “Convert” the unpaid traffic infraction fines to community service hours through a community restitution program
- To modify an existing payment plan or community service agreement

2. Complete the Declaration

Complete the Declaration section of the Petition based on your situation. Give details about your financial situation and your inability to pay. Be specific.

You can use the declaration sections to:

- Ask the court to consider any circumstances that impacted your ability to complete a payment plan or community service agreement **that you already failed**
- Ask the court to **modify an existing payment plan** or community service agreement
- Tell the court about any garnishment or collections resulting from the fines
- Tell the court **why** you couldn't or can't complete community service (like if you become or are disabled or because you were incarcerated)

3. Decide whether you want to ask for a hearing

The end of the Petition includes a check box where you can tell the court whether you want a hearing or not. Some courts **might require you** to have hearing no matter what you request.

You might want to request a hearing if you need to:

- Explain why you need a payment plan
- Ask for community service relief instead of paying your fines
- Explain why you failed to complete a payment plan **that was already given** to you
- Explain why you are unable to complete community service that you agreed to do

- Ask the court for help with garnishment or collections

Once you have decided, don't forget to check the box to tell the court whether you want a hearing or not.

4. Sign the Petition

Complete the Petition. Then sign and date it. Make 3 copies of your signed forms.

5. File the forms

File the forms at the **District** Court where the fines came from. File them with the civil clerk. Keep a copy for yourself and ask the clerk to stamp the top page of your copy.

Ask the clerk:

- What day and time can I schedule a hearing on my request to vacate?
- Which docket or calendar will the hearing be on?
- What courtroom will the hearing be in? (This may be assigned on the day of the hearing.)
- Is there an option to appear remotely? (Phone or video.)
- Do you have a local form I have to use to schedule a hearing?

6. Go to the hearing

If you asked for a hearing or the Judge requires one, you will have to attend a hearing. If there will be a hearing, you can make notes that you can read from when you have to talk to the judge.

If you have children, try to find someone to watch them while you go to court. The judge probably won't let them sit in the courtroom.

Don't bring a weapon, or something that could be mistaken for a weapon (like a pocketknife), to the courthouse.

Try to be in the courtroom at least 15 minutes before you were told to be there. Give yourself time to find parking, or the right transit stop, or to wait in line to get into the courthouse.

The judge may ask you questions. If so, answer them to the best of your ability.

Practice what you'll say from your outline **before** you go to court. It's okay to read from your notes when you speak to the judge.

5. Collections and garnishment

The fines already went to collections. Should I try to work something out with the collection agency?

Even if the fines are in collection, **you can still ask the court to take them out** of collections so you can enter a payment plan. To ask the court to pull the fines out of collections, use our [instructions](#) and [forms](#).

If the court won't pull it from the collection agency because the judge already made a ruling about it, you might have limited options. You could try to [find legal help](#).

You can also try to deal with the collection agencies directly. Here are some tips for dealing with collection agencies:

- **Keep records.** Keep records of all your phone calls, letters and interactions with collection agencies.
- **Offer a Payoff.** Collection agencies will often take less than the full amount owed if you offer to pay a lower amount in full immediately. "Full amount" means the original fine amount, collection fees, and interest. Half the full amount is usually a good first offer. If the first person you talk to doesn't offer a payoff amount you can afford, ask for a supervisor. They will often offer

something better.

- **Offer a Monthly Payment Plan.** If you set up a payment plan, you will probably end up paying more than you would through a “payoff.” With a payment plan, you must pay off the full fine amount. This includes fees and interest. On the upside, the agency will release your license as soon as you make the first payment.
- When setting up a payment plan, you may have to make a down payment of about 10% of the total owed and show proof you can make future payments.

Try to limit giving any specific account identifiers to collection agencies (like bank account or debit card numbers). Try to show proof of your ability to pay without providing actual account numbers themselves. *There is a risk of being overcharged by a collection agency if they have your account information*

- **Don’t agree to pay more than you can afford.** If you miss a payment, your license will be re-suspended. The collection agency might not want to work out a new agreement.
- **Avoid Garnishment.** Collection agencies can “garnish” your wages and bank accounts to pay your unpaid fines. Keep this from happening by making payments.
- **Don’t** give a collection agency unnecessary information about your job, bank accounts, or other sources of income. Try to avoid specific account numbers or identifiers. You don’t have to tell debt collectors where you work or how much you make.
- **Don’t** pay by check or with a debit card. *There is a risk of being overcharged by a collection agency if they have your account or debit card information. It may be difficult to prove any unauthorized charges if a collection agency charges you more or more often than you authorized.*
- Make payments by credit card or money order if you can. This can prevent overcharging by the collection agency.

My tickets are in garnishment or “judgment.”

Once a court has issued a writ of garnishment, a collection agency can directly take money from your wages, bank accounts, or certain other sources of income. Some of your income might be protected from garnishment depending on how much you earn. Garnishment and exceptions to garnishment **can be complicated**. Try to get legal help if you have a low income and your wages are being

garnished.

Even if the fines are in garnishment, **you can still try to ask the court to pull them out** of collections so you can enter a payment plan. Use our [instructions](#) and [forms](#).

If your wages or bank account are garnished, the court might not be able to pull that ticket from collections even if you ask them to. It will depend on if they can do it all and whether the judge can grant the order.

6. Forms

Form attached:

Petition re: Traffic Infraction Payment Plan (NJP License 400)

Form attached:

[Proposed] Order re: Traffic Infraction Payment Plan (NJP License 401)

Tips for filling out the Petition re: Traffic Infraction Payment Plan (NJP License 400)

Fill out the **Petition** form to explain what you want the judge to do and why they should do it.

Attach to your Petition any documents you gathered that prove you meet the requirements.

Tips for filling out the Proposed Order re: Traffic Infraction Payment Plan (NJP License 401)

Fill out the **order** form the way you want the judge to sign it. This is a **proposed order** you'll ask the judge to sign at the hearing. If you're not sure about something in the order, leave it blank for the judge to complete.

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[Get your license back: Suspensions for unpaid non-criminal traffic fines](#)

District Court of Washington, County of _____

Plaintiff:

State of Washington

And Defendant:

DOB

No. _____

Petition re: Traffic Infraction Payment Plan

Clerk's action required: 6

Petition re: Traffic Infraction Payment Plan

Use this form to request that your traffic infraction fines be waived, reduced, pulled from collections, converted to community restitution hours, or to modify an existing payment plan. Please complete one petition for each citation number.

My name is _____. I am the defendant. I ask the court for an order granting the following relief. (*Check all that apply.*)

1. Review jurisdiction if it has been over 10 years

- ☐ More than 10 years have passed since I committed this traffic infraction. I ask the court to review whether it has jurisdiction to collect the remaining fines, fees and interest. (RCW 46.63.110; RCW 6.17.020.)

2. Waive interest

- ☐ Waive all unpaid interest on my traffic infraction fines.

3. Relief from fines (*check all that apply*)

- ☐ **Remission or Reduction.** Waive or reduce all unpaid discretionary traffic infraction fines. (RCW 46.63.110, RCW 46.63.120.)
- ☐ **Additional Time.** Grant me additional time to pay my unpaid traffic infraction fines under a payment plan. (RCW 46.63.190.)
- ☐ **Collection.** Remove my unpaid traffic fines from the collection and waive all collection fees. (RCW 19.16.500(1)(b).)

- ☐ **Community Restitution.** Convert any unpaid traffic infraction fines to community service hours through a community restitution program. (RCW 46.63.120, RCW 46.63.110(8)(a).)

4. No ability to pay

I declare: I am the defendant in this case and (*check all that apply*):

- ☐ I receive the following type/s of needs-based, means-tested public assistance (See GR 34(a)(3)(A):

- ☐ food stamps or food assistance transferred electronically
- ☐ supplemental security income (SSI)
- ☐ temporary assistance for needy families (TANF)
- ☐ aged, blind, or disabled assistance benefits (ABD)
- ☐ pregnant women assistance benefits,
- ☐ poverty-related veterans' benefits,
- ☐ refugee resettlement benefits,
- ☐ Medicaid (example: Apple Health) or medical care services under RCW 74.09.035

- ☐ I do not have the ability to pay because (*check one*):

- ☐ My annual income, after taxes, is at or below 125% of the current federally established poverty level. (GR 34(a)(3)(B).)
- ☐ My annual income, after taxes, is more than 125% of the federally established poverty level, but I have recurring basic living expenses making me unable to pay the fines imposed. (GR 34(a)(3)(C).) (*Give details of your income and expenses*):

- ☐ There are other compelling circumstances that demonstrate my inability to pay fees and/or charges. (GR 34(a)(3)(D).) (*Check all that apply*.)

- ☐ I am homeless or have housing instability:
- ☐ I am facing eviction
- ☐ I live in an emergency shelter
- ☐ I am temporarily living with family/friends
- ☐ I live outdoors in a tent, or vehicle
- ☐ Other (*explain*):

- ☐ I am represented by a Qualified Legal Services Provider (QLSP) as defined by the Washington State Bar Association in APR 1(e)(8). (Examples: Northwest Justice Project, county volunteer lawyer programs.) (GR 34(a)(4).)

5. Previous payment plan or community restitution

- ☐ None.
- ☐ I was not able to make my payments on my traffic infraction debt or complete my community restitution hours (if any) because:

6. Garnishment

- ☐ My wages and/or bank account is currently being garnished to pay my traffic infraction debt because:

7. Hearing request, or request for decision without a hearing

I ask the court to (*check one*):

- ☐ Make a decision on this petition **without** a court hearing. (See WDIR 3.5(a))
- ☐ Schedule a hearing on this petition. (See WDIR 3.5(b).) I want to appear by:
- ☐ telephone
 - ☐ video conference
 - ☐ in-person

Defendant fills out below:

I declare under penalty of perjury under the laws of the state of Washington that the facts I have provided on this form are true.

Signed at (*city and state*): _____ Date: _____



Defendant signs here

Print name

☐ Email: _____

☐ Phone: _____

District Court of Washington, County of _____

Plaintiff:

State of Washington

And Defendant:

DOB

No. _____

[Proposed] Order re: Traffic Infraction
Payment Plan

Clerk's action required: 3

[Proposed] Order re: Traffic Infraction Payment Plan

1. Basis

The defendant filed a Petition re: Traffic Infraction Payment Plan. The court has considered the defendant's petition for and proposed order granting relief from traffic infraction fines pursuant to RCW 46.63.190, the defendant's declaration, and any testimony, and has reviewed the relevant court records.

2. Findings

- ☐ **Jurisdiction:** Ten years have passed since the defendant committed the traffic infraction in this case and the judgment has not been renewed.
- ☐ **No ability to pay:** The defendant does not have the ability to pay the infraction fines in full because:
 - ☐ The defendant is receiving one of the following types of needs-based, means-tested public assistance: food stamps (or food assistance transferred electronically), supplemental security income (SSI), temporary assistance for needy families (TANF), aged, blind, or disabled assistance benefits (ABD), pregnant women assistance benefits, poverty-related veterans' benefits, refugee resettlement benefits, Medicaid (example, Apple Health), or medical care services under RCW 74.09.035. (See GR 34(a)(3)(A)).
 - ☐ The defendant's annual income, after taxes, is at or below 125% of the current federally established poverty level. (GR 34(a)(3)(B)).

- ☐ The defendant's annual income, after taxes, is more than 125% of the federally established poverty level, but the defendant has recurring basic living expenses that make them unable to pay the monetary obligation in full. (GR 34(a)(3)(C)).
- ☐ Other compelling circumstances exist that demonstrate the defendant's inability to pay fees and/or charges. (GR 34(a)(3)(D)).

- ☐ The defendant is represented by a Qualified Legal Services Provider as defined by the Washington State Bar Association in APR 1(e)(8). GR 34(a)(4).
- ☐ **Community restitution:** The defendant ☐ has ☐ has not requested the opportunity for community restitution.
- ☐ **No previous payment plan:** Because the defendant has not previously been granted a payment plan for the same monetary obligation, and the court has not authorized its collections agency to take civil legal enforcement action, the court shall grant the request for a payment plan or other relief. RCW 46.63.190.
- ☐ **Default on previous payment plan:** The defendant defaulted on a previous payment plan and/or community restitution. There ☐ is ☐ is not good cause to grant another payment plan and/or community restitution. RCW 46.63.190.

- ☐ **Garnishment:** The defendant's wages and/or bank account is subject to a garnishment action. There ☐ is ☐ is not good cause to remove the debt from collections and to grant another payment plan/community restitution.

- ☐ **Other:**

3. Order

- ☐ **Expiration of Jurisdiction.** The Court is no longer authorized to collect all fines, court costs and interest.
- ☐ **Interest.** All interest that has accrued on the unpaid traffic debt is waived.
- ☐ **Remission.** All discretionary traffic infraction fines, including all costs or fees attendant to private debt collection efforts are waived. RCW 46.63.110(1)(b). These include fees incurred pursuant to a civil legal enforcement action. The following mandatory fines shall remain:

☐ **Reduction.** All discretionary traffic infractions are reduced as follows:

☐ **Community Restitution.** All traffic infraction fines are converted to community restitution hours through a community restitution program at the rate of \$_____ per hour for each hour of community restitution. RCW 46.63.110(8)(a).

☐ **Additional Time.** All remaining traffic infraction may be paid according to the following payment plan schedule that is reasonable based on the financial ability of the defendant: RCW 46.63.110(6); RCW 46.63.190(9). The defendant may voluntarily pay an amount at any time in addition to the payments permitted under this payment plan.

- Next payment due date: _____
- Minimum monthly payment: _____
- Payments shall be made to: _____

☐ **Collection.** The traffic infractions fines are removed from a third-party collection agency and payments shall now be made to the court or an account receivable company.

☐ **Adjudicate FTA/FTR.** The Court hereby adjudicates any failure to respond or failure to appear in this case. The court clerk shall notify the Department of Licensing this unresolved traffic citation (UTC) has been resolved. RCW 46.20.270; RCW 46.20.289.

☐ Other:

Ordered.

Date



Judge or Commissioner

Presented by:



Defendant signs here

Print name

Approved by:



Prosecuting Attorney signs here, WSBA #

Print name