

HB 443 -- LIMITED DRIVING PRIVILEGES

SPONSOR: English

This bill specifies that any individual whose driver's license is suspended due to child support arrearage may apply to the Department of Revenue in writing for limited driving privileges. The Director of the Department of Revenue may grant limited driving privileges in certain specified circumstances. The operator must submit to the department director a fee of \$2,000 which must be applied towards the operator's child support arrearage. Failure to pay the fee within 10 days of granting of the limited driving privileges must result in the immediate revocation of all driving privileges.

The department director's grant of the limited driving privilege must indicate the termination date of the privilege, which must be no later than the end of the period of suspension. The director must give a copy of the limited driving privilege to the applicant and the applicant must carry a copy of the limited driving privilege while operating a motor vehicle. A conviction which results in the assessment of points, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege must not be terminated. Failure of the driver to maintain proof of financial responsibility will terminate the privilege. The director must notify by ordinary mail the driver whose privilege is so terminated.

Any individual who possesses a commercial driver's license is not eligible to receive a limited driving privilege issued for the purpose of operating a commercial motor vehicle if the person's driving privilege is suspended for child support arrearage.

Any individual who receives notice of denial of a request of limited driving privilege by the director of revenue may make a request for a review of the director's determination in circuit court within 30 days of the date of mailing of the notice of denial. The review must be based upon the records of the Department of Revenue and other competent evidence and be limited to a review of whether the applicant was statutorily entitled to the limited driving privilege.