

Fact Sheet: Driver's License Restorations

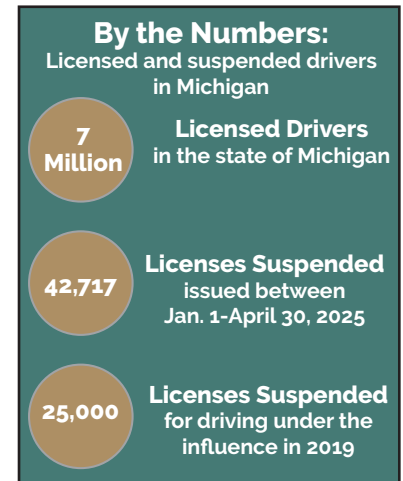
Safe & Just Michigan

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An extensive, confusing problem for many Michiganders:

Most Michiganders must drive to complete tasks of daily living. Losing driving privileges can result in lost jobs, income, and other opportunities. Policies regarding driver's license suspension, revocation, and restoration should reflect this reality. Instead, it is a confusing and expensive process.

- Michigan has approximately **7 million licensed drivers**.
- A 2019 report from the Michigan Joint Task Force on Jail and Pretrial Detention found that **358,000 licenses were suspended for failure to appear or unpaid fines** in 2018 alone. In 2022, **25,000 driver's licenses suspended for driving under the influence**.
- Fees associated with driver's license restoration can run up to **hundreds of dollars**, while courts can **add extra requirements**, such as attending substance use disorder support groups.



Did you know?

License suspensions can be for a specific period of time, but **most are indefinite**. Indefinite suspensions continue until the driver addresses the underlying reason for suspension.



Drivers must navigate a **maze of fines and fees** before their licenses are restored. These include paying traffic tickets, a \$45 per offense Clearance Fee and a \$125 Driver's License Restoration Fee.



The Secretary of State may **demand additional requirements** before a license can be restored, such as participating in a 12-step program.



Suggestions to improve driver's license restorations:

We propose **one statutory change**, which will need to be made through legislation; **one change to court rules**; and **two changes to administrative rules** governing the restoration process. The changes to court rules and administrative rules could be made through legislation or through rulemaking by the Michigan Supreme Court and the Secretary of State's office respectively:

- A law requiring **"ability to pay" assessments** before the suspending a driver's license for failure to pay criminal justice debt.
- A court rule directing courts **apply the "manifest hardship" standard consistently** and in the full range cases where it applies.
- **Removal or modification of the "habitual offender" presumption** and a legal recognition for years of sobriety.
- **Limiting a hearing officer's authority** to add extra requirements for restoration, such as ongoing participation in a 12-step program.

Read the full report, "Driving on a Suspended Livelihood: An analysis of Michigan's license restoration process," at bit.ly/SJM-DL.

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