

DO-IT-YOURSELF DRIVER'S LICENSE REINSTATEMENT

IN WEST VIRGINIA

COURTESY
OF



Was your WV Driver's License suspended because you didn't pay WV court fines, fees, and costs?

You may be eligible for a payment plan with the courts where you have an outstanding debt.

In 2020, a new law went into effect in West Virginia that allows you to set up a payment plan to pay unpaid court fines & fees so you can get your driver's license back. In 2022, another law passed revising this process.

This booklet will help you through the process to reinstate your WV driver's license.

Some Things to Know about the WV Driver's License Reinstatement Process:

- Most suspensions that are older than 2016 will be automatically lifted once you contact the WV DMV for more information regarding your license status.
- For any new tickets you receive, your WV driver's license cannot be suspended for unpaid fines, fees, or court costs. However, your license will be suspended if you do not respond to and/or appear on your court date for any new ticket you receive.
- If your license is suspended due to failure to appear/respond, you may not be eligible for a payment plan and will not be able to reinstate your license until you pay all fines and fees in full to the court.
- **For these reasons, it is vital to respond to and appear in court on any new ticket you receive.**
- A suspension in another state will likely affect your ability to get your license reinstated in West Virginia. If that applies to you, you will need to contact the DMVs in those other states and work with them to resolve any suspension. This booklet applies to WV only.

Q: What happens if I don't make the payments once I set up the payment plans?

A: If you do not make the payments as agreed under the payment plans, the Court may turn the matter over to a collection agency or file a judgement lien on property you own. You will not lose your license again for defaulting on the payment plan.

Q: I don't have the money to pay all the fees required by the DMV directly. Do they offer payment plans?

A: The DMV does not offer payment plans for any fees owed to their administrative offices. However, if you owe multiple reinstatement fees, you can pay each fee one at a time.

Q: I don't understand how to do this. Is there anyone who can help me with the paperwork and process?

A: Yes. You can apply for Legal Aid at 1-866-255-4370, or online at www.legalaidwv.org

Steps to Reinstate Your WV Driver's License

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FORMS AT THE END OF THIS BOOKLET

1. Financial Affidavit: Payment Plan Application
2. Motion to Dismiss Traffic Citation (Magistrate)
3. Motion to Dismiss Traffic Citation (Municipal)
4. Request for Driving Record

STEP 1:
REQUEST SUSPENSION INFORMATION FROM THE DMV

Email the DMV at dmvcitations@wv.gov or send a letter to:

WV Division of Motor Vehicles
Driving Records
P.O. Box 17020
Charleston, WV 25317

Hello,

I am writing to request information about suspensions on my driver's license. My full legal name is [insert your first, middle, and last name]. My date of birth is [insert your date of birth]. My license number is [insert your license number]. Can you please send me the information for all of my outstanding citations that need to be paid before I can get my license reinstated (including counties/courts, case numbers, and court phone number)? Can you please tell me if I need to contact any other department in the DMV regarding other suspensions? Finally, can you tell me if I need to retest to obtain a valid license?

Please send the information to [insert your email address or mailing address].

Thank you for you time,
[insert your name]

You will typically receive a response within two weeks.

STEP 2: CONTACT COURTS

Call the clerk's office of each court from the list you received from the DMV.

"Hi, I have an old citation that I would like to take care of. My name is [name] and my birthday is [birthdate]. I have the case number(s) as well."

Ask the following questions and fill in the boxes provided:

"Do I need to appear in court regarding this citation?"

"Is there any possibility I could have this dismissed?"

"Will I be eligible for a payment plan for this citation?"

"Do I have any other citations that I need to take care of?"

Court _____ Phone Number _____
Citation: _____ <input type="checkbox"/> Need to Appear <input type="checkbox"/> Dismiss <input type="checkbox"/> Payment Plan Notes: _____
Citation: _____ <input type="checkbox"/> Need to Appear <input type="checkbox"/> Dismiss <input type="checkbox"/> Payment Plan Notes: _____
Citation: _____ <input type="checkbox"/> Need to Appear <input type="checkbox"/> Dismiss <input type="checkbox"/> Payment Plan Notes: _____

Court _____ Phone Number _____

Citation: _____

Need to Appear Dismiss Payment Plan

Notes: _____

Citation: _____

Need to Appear Dismiss Payment Plan

Notes: _____

Citation: _____

Need to Appear Dismiss Payment Plan

Notes: _____

Court _____ Phone Number _____

Citation: _____

Need to Appear Dismiss Payment Plan

Notes: _____

Citation: _____

Need to Appear Dismiss Payment Plan

Notes: _____

Citation: _____

Need to Appear Dismiss Payment Plan

Notes: _____

STEP 3: VISIT COURTS AND RESOLVE OLD CITATIONS

Your options to resolve old citations and lift suspensions from your driver's license will vary from court to court and citation to citation.

*If you failed to respond in a timely manner to a citation with a Magistrate Court or did not show up to a court date at a Magistrate Court, you may be required to pay fines and fees in full before the suspension will be lifted.

*Magistrate Courts may opt to allow you to establish a payment plan at their discretion.

*If you failed to respond in a timely manner to a citation with a Municipal Court or did not show up to a court date at a Municipal Court, you should be permitted to establish a payment plan once you respond to the citation and/or appear in court. Once you set up a payment plan, the court should notify the DMV to lift the suspension.

*Courts may not withhold payment options for current citations on your driving record due to old citations not on your driving record.

Establishing a Payment Plan Requires:

1. \$25 application fee (can be paid in five \$5 payments)
2. Completed and notarized Financial Affidavit: Payment Plan Application (this can be notarized at the court clerk's office)
3. Photo ID and proof on income, if any

Requesting your citation be dismissed requires submission of a "Motion to Dismiss Traffic Citation" form.

Use this table to keep track of your payment plans.

Date Set-up	Court	Payment Amount	Due Date	Number of Payments	Payment Type Accepted

Tips for filling out applications:

- If there are multiple courts where you have unpaid fees, you can leave the top line with the court blank, fill out the rest of the Application, make copies, and then fill in the top line with the name of each court.
- A digital version of this form can be found at:
<http://www.courts.wv.gov/lower-courts/magistrate-forms/FinancialAffidavitPaymentPlanApplication.pdf>

STEP 4:
RESOLVE ANY OTHER OUTSTANDING DMV ISSUES

The e-mail you receive from the DMV will tell you if you have more issues you need to resolve before your license can be reinstated. Other issues may include:

- DUIs
- Lack of insurance
- Reinstatement fees

Call the DMV to see what you need to do to resolve these issues if they do not tell you what you need to do in the email they sent you.

Reinstatement fees can be paid over the phone or online at:

<https://apps.wv.gov/DMV/SelfService/DriverReinstatement/RequestReinstatement>

**OTHER ISSUES THAT NEED
RESOLVED**

CHECK WHEN COMPLETED

_____	<input type="checkbox"/>
_____	<input type="checkbox"/>
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_____	<input type="checkbox"/>
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_____	<input type="checkbox"/>
_____	<input type="checkbox"/>

STEP 5: VISIT THE DMV TO GET A NEW LICENSE, IF NEEDED

If your license is not expired, and you still have a physical copy of your license, you do not need to visit your local DMV. Your license will become valid once you complete Steps 1-4.

You can check if your license is valid, expired, or suspended here:

<https://apps.wv.gov/DMV/SelfService/DrivingRecord>

If you need a new license, once you have completed Steps 1-4, go to the DMV. (Make sure you know if your local DMV requires you to make an appointment ahead of time.)

Make sure to take all your necessary documents with you. You can find a list of what you need here:

<https://transportation.wv.gov/DMV/Drivers/Pages/Drivers-Licenses.aspx>

If you need to re-take your driving test, this guide will help you study:

https://transportation.wv.gov/DMV/DMVFormSearch/Drivers_Licensing_Handbook_web.pdf

**FINANCIAL AFFIDAVIT:
PAYMENT PLAN APPLICATION**

WV Code § 50-3-2a & §62-4-17

A. Information for the Applicant:

In order to enter into a payment plan agreement with this court, to pay in full all outstanding balances you may owe, you must enroll in the clerk's office payment plan and pay an administrative fee of \$25.00. Additionally:

1. You must complete the affidavit for the court to determine the amount and number of your monthly payments as mandated by W.Va. Code § 50-3-2a & §62-4-17a.
2. You will be required to provide proof of income such as the most current W2, current pay stubs and the most current income tax return.
3. The information you give in this form will be confidential.
4. Except for signatures, all information must be clearly printed.

APPLICATION INFORMATION

Applicant Information:

Applicant(s) Name <i>(First/Middle/Last)</i>	Social Security No. _____ - _____ - _____
Street Address	Date of Birth: ____ / ____ / ____
City, State, Zip Code	Phone Number: (____) _____ - _____
	Drivers License # _____

1. What is the total number of dependents, including yourself? _____
(Include only those persons listed on your U.S. Income tax return.)
2. Are you married? Yes No Does your Spouse work? Yes No
Spouse's Yearly Income : _____

NET INCOME:

3. Current **monthly** net (take-home) income from **all** sources:

(Net income is your total income including salary, wages, bonuses, commissions, allowances, overtime, tips and similar payments, minus deductions required by law and other court-ordered payments such as child support.)

Employer:	\$	Second Job:	\$	Self-Employment:	\$
Public Assistance:	\$	Food Stamps:	\$	Unemployment:	\$
Benefits:	\$	Disability Benefits:	\$	Social Security/SSI:	\$
Alimony:	\$	Pensions:	\$	Rental Income:	\$
Interest:	\$	Dividends:	\$	Annuities:	\$
Odd Jobs:	\$	Other:	\$	(specify):	
TOTAL:	\$				

EXPENSES:

4. Regular monthly household debt-payment and other expenses:

Mortgage/Rent:	\$	Car Payment:	\$	Loan Payments:	\$
Credit Card Payments:	\$	Other Debt Payments:	\$	Utilities:	\$
Cell Phone:	\$	Food:	\$	Child Care:	\$
Child Support:	\$	Alimony:	\$	Medical Bills:	\$
Other Expenses:	\$	(specify):			

What is the total amount of these monthly expenses? \$ _____

ASSETS:

5. List the value of any individually or jointly owned assets.

Cash:	\$	Savings Account:	\$	Boats/ATVs	\$
Bank Accounts:	\$	Stocks/Bonds:	\$	Tax Refund Due:	\$
Certificate of Deposits	\$	Real Estate::	\$	Money Owed you:	\$
Money Market Accts.	\$	Vehicle/s:	\$	Medical Bills:	\$
Other Assets::	\$	(specify):			

What is the total amount of these assets? \$ _____

5a. List the name of each bank/institution in which you have cash, checking/savings accounts, CD's, stocks/bonds, or money market accounts' :

5b. List all cars, trucks, motorcycles, or recreational vehicles (all-terrain vehicles, motor homes, snowmobiles, boats), including their make, model, and year, that you own, individually or jointly:

5c. List the county and address of all real estate (houses, lots, land, rental property, other commercial property) that you, individually or jointly, own.

By signing my name on this form, I swear to or affirm the completeness and truthfulness, to the best of my ability and knowledge, of the information I have provided.

Signature of Applicant: _____ Date: _____

Taken, subscribed, and sworn or affirmed before me, by the person whose signature appears above, on this _____ day of _____, 20_____, in _____ County, West Virginia.

Signature of Notary (Clerk): _____

IN THE MAGISTRATE COURT OF _____ COUNTY, WEST VIRGINIA

State of West Virginia
v.

Defendant

Case No. _____

Citation No.: _____

Date Issued: _____

Issuing Officer: _____

Nature of Violation(s): _____

MOTION: To Dismiss Traffic Citation

As the defendant in the above-styled case, I hereby move or request that the court dismiss the above-referenced citation involving a minor traffic or Chapter 20 offense based upon the following grounds:

Date

Signature of Defendant

NOTICE: Intent to Consider Motion to Dismiss

TO: Prosecuting Attorney of _____ County, West Virginia

Please take notice that a motion to dismiss a traffic citation has been filed with this court pursuant to Rule 7(d) of the Rules of Criminal Procedure for Magistrate Courts. Unless objection is made within 10 days of delivery of this notice, the Court will consider the motion and dismiss the citation if, under the circumstances, it is the most just disposition of the matter.

If timely objection is made, the Court will take no further action on the motion to dismiss and the case will proceed to hearing or trial.

Date

Magistrate

IN THE _____ MUNICIPAL COURT OF _____ COUNTY, WEST VIRGINIA

Municipality
V.

Defendant

Citation No.: _____
Date Issued: _____
Citation No.: _____
Date Issued: _____
Violation(s): _____

MOTION TO DISMISS TRAFFIC CITATION

As the defendant in the above-styled case, I hereby move or request that the court dismiss the above-referenced citation involving a minor traffic or Chapter 20 offense based upon the following grounds:

Date

Defendant Signature

NOTICE: Intent to Consider Motion to Dismiss

TO: _____ Municipal Court Clerk

Please take notice that a motion to dismiss a traffic citation has been filed with this court. Unless objection is made within ten (10) days of delivery of this notice, the Court will consider the motion dismiss the citation if, under the circumstance, it is a just disposition of the matter.

If timely objection is made, the Court will take no further action on the motion to dismiss.

MOTION

GRANTED

DENIED

Date

Clerk Signature

Division of Motor Vehicles

Request for Driving Record



Call: (304) 926-3952 Fax: (304) 957-7584

Email: DMVDrivingRecordFax@wv.gov

NOTE: In addition to this form, please complete form DMV-101-PS2 (Driving Record Release Authorization) if you are requesting your driving record be released to anyone other than yourself. These forms must be submitted to the DMV Driving Records Section in the Kanawha City DMV Headquarters and cannot be processed in any DMV Regional Office.

This form may be used for multiple requests and a fee of **\$7.50 per name** must accompany each request. You may duplicate this form or contact the Division of Motor Vehicles for additional forms or any questions by telephoning 1-800-642-9066. Driver's license number and last name must be provided. If you do not have the driver's license number, you must provide the Social Security number and/or date of birth with an additional \$1.00 fee. *All fees are non-refundable.*

Driving Record Requesting: Five Year Lifetime (for CDL, State Bar or Law Enforcement Background) Certified (State Seal)

Driver's License Number	Name	Social Security Number	Date of Birth

Please return requested records to the following address:

PLEASE PRINT COMPANY NAME, IF APPLICABLE	TELEPHONE NUMBER
MAILING ADDRESS	CITY
	STATE
	ZIP

Any person may request their own driving record at any DMV regional office. You must provide your state government issued ID or driver's license for proof of identification.

All other requests must be sent to the address provided below. You may not obtain information about others without their signed written consent (attach form DMV-101-PS-2) unless the request is made by a company/business on letterhead and provides a legitimate and detailed reason for the request as defined in the Uniform Motor Vehicles Records Disclosure Act (§17-A-2A-1 et seq.). **Each request form submitted must include a copy of the requestor's valid state government issued ID or driver's license.** If you do not meet these requirements, your reasons will be reviewed, and, if accepted, you will receive a driving record that excludes all personal information from the record.

Any person who knowingly or willfully obtains information under false pretenses will be in violation of state and federal law, and, if convicted, will be fined not more than \$1,000 and/or imprisoned not more than one year. I hereby certify that the information obtained from the Division of Motor Vehicles will be used for the sole purposes stated above.

(X) _____
SIGNATURE OF REQUESTOR

OFFICE USE ONLY
ID VERIFIED BY: _____

If you do not qualify for the information requested, you may submit a Message Forwarding Form. On this form you may write a message and the Division of Motor Vehicles will forward the form with all information you provide to the licensee at their current address in our records. This service has a non-refundable fee of \$5.00. The DMV does not guarantee a delivery or response.

Any request for a driving record other than the individual's own, must be submitted to the WV-DMV at the address listed below. DMV Regional offices are prohibited from dispensing driving records to anyone requesting another individual's records.

Before mailing, be sure you've included a completed DMV-101-PS1 form, applicable fees, a copy of driver's license or photo ID, and, if applicable, a completed DMV-101-PS2 form. For employers and attorneys, a letterhead explanation must also be included.

Please mail your request to:

<p>WV Division of Motor Vehicles Driving Records PO Box 17020 Charleston, WV 25317</p>	<p>Fax (304) 957-7584 Email DMVDrivingRecordFax@wv.gov Call (304) 926-3952</p>
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