**My Driver’s License Is Suspended: What If I Need to Drive?**

Under state law, Indiana courts can order the Bureau of Motor Vehicles (BMV) to suspend a person’s driving privileges (driver’s license) for certain reasons. Also, state law requires the BMV to suspend a person’s driver’s license for certain violations. However, Indiana law says that some people under specific circumstances can be granted “specialized driving privileges.”

**What are Specialized Driving Privileges (SDP)?**

Specialized driving privileges (SDP) allow you to drive for specific purposes while your Indiana driver’s license is suspended by an Indiana court or the Indiana Bureau of Motor Vehicles (BMV). If you want permission to drive while your license is suspended, you can ask the court for SDP to drive for a specific purpose, such as to work, doctor appointments, or day care.

**Am I Eligible to Request Specialized Driving Privileges (SDP)?**

You are *eligible* to request SDP if you held an Indiana operator, public passenger/chauffeur's license at the time of the violation/offense.

You are *not* eligible for SDP if you:

* Have never had a valid Indiana driver's license or have held only an Indiana learner’s permit
* Have a conviction for an offense of operating a motor vehicle offense that involved causing a person’s death
* Have been granted SDP and have more than 1 conviction for violating the conditions of the SDP.

**If I Am Eligible to Request Specialized Driving Privileges (SDP), Am I Guaranteed SDP?**

No. The courts grant or deny SDP on an individual basis so there is no guarantee.

**How Do I Get Specialized Driving Privileges (SDP)?**

If your driving privileges have been suspended by an Indiana court or the BMV, you may petition for SDP. Go to myBMV.gov to access your driving record and see what is required before filing, such as:

* You likely owe reinstatement fees to the BMV. However, if you are otherwise eligible for SDP, you can ask the court to waive your BMV reinstatement fees. Depending on the county you live in, you may have to file the request with a different court than where you file your SDP petition and you may have to show proof of SR50 insurance coverage (state-required minimum liability amount) when you file for waiver of BMV reinstatement fees.
* If you owe any traffic tickets or fines, you should pay for them before filing for SDP. Courts usually will *not* waive or forgive traffic tickets or fines.
* You will likely have to buy and show proof of SR22 insurance coverage (liability amount of $100,000/$300,000/ $50,000) for an advanced period of about six (6) months.

**What Should Be in the Petition Requesting Specialized Driving Privileges (SDP)?**

Your petition must

1. Be verified by you, which means you must sign it swearing everything in the petition is true;
2. State the your age, date of birth, driver’s license number, and address;
3. State the grounds for relief and the relief sought, which means you explain that you want specialized driving privileges and why you want them;
4. Be filed in a circuit or superior court in the county in which live; and
5. Be served, that is a copy shared, such as by mail, on the BMV, the local prosecutor and the Office of the Attorney General.

**If I Receive Specialized Driving Privileges (SDP), for How Long Do I Have Them?**

If the court grants your petition for SDP, the privileges last for a minimum of 180 days, or a longer time period that the court sets. If your suspension period ends during the SDP time period, you must still follow all SDP requirements until the SDP time period ends.

**What Do I Do if the Court Grants Me Specialized Driving Privileges (SDP)?**

If the court gives you Specialized Driving Privileges (SDP) you must

* Keep proof of required insurance in your car/with you during the period of your SDP,
* Keep a copy of the court order granting SDP in your car/with you
* Show a copy of the order granting SDP to a law enforcement officer upon request.
* Follow any other conditions (requirements) set by the court. In some counties, this means attending a mandatory review hearing every six (6) months.

You should also keep your address updated with the BMV to make sure you receive important notices.

**What requirements should I expect with SDP?**

The court grants SDP on an individual basis. Your SPD may include requirements that:

* Allow you to operate a motor vehicle *only* between specific locations during certain hours
* You follow all traffic laws and not committing any crimes
* Require you to use an ignition interlock devices (a breathalyzer-like device installed in the car that prevents it being started by anyone under the influence).

**What Happens If I Violate a Condition of My Specialized Driving Privileges (SDP)?**

A person who knowingly or intentionally violates a condition imposed by a court commits a Class C misdemeanor. If convicted of a Class C misdemeanor, the court may modify or revoke your SDP and order the BMV to re-suspend your driver’s license.

**Where Can I Ask for Help with Getting Specialized Driving Privileges (SDP)?**

You can contact a local legal services agency or a private attorney in your area to ask for legal help. For more information, visit [www.indianalegalservices.org](http://www.indianalegalservices.org) or [www.in.gov/judiciary/probono/2333.htm](http://www.in.gov/judiciary/probono/2333.htm).

******Note: This is general information and is not meant to be a substitute for a lawyer’s legal advice or representation. While we try to keep this information as current as possible, please understand that laws can and do change.**

 Last revised October, 2015/Indiana Legal Services, Inc.