

How To Get Your Kansas Driver's License Back

Start By Going To

www.racialprofilingwichitaks.com/drive-again-legally



**RACIAL PROFILING ADVISORY BOARD
OF WICHITA**



SB500 MAKES IT EASIER TO RECEIVE A RESTRICTED LICENSE



- ▶ If your license has been suspended or revoked for non-payment of a traffic ticket, the 2024 Kansas Legislature passed Senate Bill 500 so you may qualify for a Restricted License to legally drive on a Restricted license.
- ▶ ***But it is up to you to take action!!***
- ▶ **No one else is going to do it for you.** You must be determined enough to follow the instructions and download the forms on this webpage if you ever hope to have your driver's license reinstated.

WHO QUALIFIES FOR A RESTRICTED LICENSE



► Current law allows a driver with a Suspended License for failure to pay or appear to receive a Restricted License. But SB500 now prohibits the Courts or DMV from considering *convictions of failure to comply older than five years* or Revoked status for drivers with three or fewer convictions for driving on a suspended license and still have unpaid traffic fines and fees when issuing a Restricted License.

DMV TO MAIL NOTICE OF RESTRICTED LICENSE ELIGIBILITY



- ▶ SB500 further states that "(2) After the expiration of five years from the date of conviction, the division shall notify by mail any persons whose driving privileges were suspended or restricted and have not since been restored. The division shall notify the person that the person may be eligible for driving privileges as a result of the expiration of the five years from the conviction for the failure to comply."

WHO IS ELIGIBLE



- ▶ Also, illegal parking, standing or stopping convictions may not be used to deny your application. However, these SB500 amendments do not go into effect until January 1, 2025 and the changes do not apply to drivers whose license has been suspended due to a DUI or vehicular homicide.

NEW TICKETS AUTOMATICALLY QUALIFY FOR A RESTRICTED LICENSE



- ▶ After January 1, 2025, any driver who fails to pay a new traffic ticket within 30 days will be mailed a notice by the DMV that their license has been automatically Restricted instead of Suspended. The driver then has 60 days to set up a payment plan with the Court. If they fail to do so, the DMV will be notified and their license suspended which means that each time they are stopped again, they will receive fines up to \$1,500 plus 90 days in jail.

NEVER IGNORE A TRAFFIC TICKET!!



- ▶ You **MUST** comply by making reasonable monthly payments agreed to with the Traffic Judge or their Clerk. But, if you are unable to pay the total owed within 24 months, then file a Manifest Hardship Motion to ask the Court to reduce or totally eliminate your fines, court costs and \$100 reinstatement fee.
- ▶ After your payments are in “*Substantial Compliance*” or your *Manifest Hardship Motion has been granted*, the Court may order the DMV to reinstate your Regular driver’s license without restrictions.

WHAT TO DO FIRST



- ▶ Open <https://www.kdor.ks.gov/Apps/DLStatus/login.aspx> to check the status of your license. This Department of Motor Vehicle (DMV) website shows which fines you still owe and in what jurisdictions plus whether they have been turned over to a collection agency. You may also call [\(785\)296-3671](tel:7852963671) between the hours of 8am and 4pm to make sure that the information is current and complete.
- ▶ Then open <https://www.ksrevenue.gov/pdf/dc1020.pdf> to download the Restricted License Application. After you complete the form, then print and mail it to:

**Division of Vehicles
Drivers Solutions
PO Box 12021
Topeka KS 66612-2021**

IF YOU QUALIFY FOR A RESTRICTED LICENSE

- ▶ If you qualify, the DMV will mail you a Restricted License to drive legally while you pay your fines and fees. If they deny your application, they are required to mail you the reason why.
- ▶ The Kansas Department of Revenue also has an APP called *iKan* which you can download and install on your cellphone or other electronic devices. You can make payments using this APP and update your mailing address.
- ▶ Go to <https://ikan.ks.gov/> for more information about how to install and use this online service. It could save you lots of time rather than having to wait on the phone or having to take off from work to go talk to a Court Clerk!!





DO NOT DRIVE ON A SUSPENDED LICENSE

- ▶ Once you receive a Restricted License in the mail from the KDOR, you are allowed to drive again legally while paying your fines and court costs.
- ▶ However, while you are waiting to receive it, do NOT drive on a suspended license. Doing so could cost you another \$1,500 fine plus 90 days in jail and having the vehicle you were driving impounded.



WHERE YOU ARE ALLOWED TO DRIVE

► After your Restricted License arrives in the mail, SB500 ONLY allows you to drive under the following circumstances:

- (a) In going to or returning from your place of employment or schooling;
- (b) in the course of your employment;
- (c) in going to or returning from an appointment with a healthcare provider or during a medical emergency;
- (d) in going to and returning from probation or parole meetings, drug or alcohol counseling or any place you are required to go by a court;
- (e) in going to or returning from dropping off or picking up one or more of your children from school or child care;
- (f) in going to or returning from purchasing groceries or fuel for your vehicle; and
- (g) in going to or returning from any religious worship service held by a religious organization

AGREE TO A PAYMENT PLAN



▶ If the amount you owe is more than you can pay in 30 days, call the Court Clerk where you got the traffic ticket and set up a payment plan. You may pay what you owe in installment payments and/or by doing Community Service. If the Court allows you to do community service, ask the judge to credit each hour worked at \$15 and only agree to monthly payments which you know you can make.

▶ SB500 allows you to drive on a Restricted License as long as you keep making your payments. The Court is required to let you know what constitutes “substantial compliance” with making those payments and/or community service. If you do, the judge is allowed to reissue your Regular License while you finish paying the balance owed.

MANIFEST HARDSHIP MOTION



- ▶ If the accumulated total due is more than you can possibly pay in a year or two--as well as your other monthly bills like rent, food, medical expenses, child support and fuel to drive to and from work--then file a Manifest Hardship Motion with each Court where you have an unpaid traffic ticket.
- ▶ SB500 requires each Court Clerk to provide you with the correct form. You don't need to hire an attorney to fill it out. List your income and expenses then ask the Court to reduce and/or cancel your remaining fines, court costs plus the \$100 license reinstatement fee.
- ▶ This written Motion is to ask the Judge to reduce the total back to the amount you would have owed for the original traffic ticket you received instead of the accumulated driving-on-suspended fines and fees which have been added since then. The Court also has the authority to rule that all of your remaining fines and fees are no longer owed.

AFTER YOU FILE YOUR MOTION



▶ Once you deliver your written Motion to the Court Clerk where your ticket was issued, they will either schedule a hearing date or the Judge will rule based on the information in your Motion.

▶ **IF A HEARING IS SCHEDULED, MAKE SURE THAT YOU APPEAR ON THAT DATE!! IF YOU DON'T COME, IT IS UNLIKELY THAT YOU WILL BE GIVEN A SECOND CHANCE.**

▶ If the Judge grants your Motion, keep making the reduced payments and/or Community Service which the Court orders. Once you show that you are in “**Substantial Compliance**”, **SB500** **allows the Court to reissue your regular license before you complete paying the remaining balance.**

WICHITA & SEDGWICK COUNTY COURT PROCEDURES



▶ On the <https://racialprofilingwichitaks.com/drive-again-legally> webpage, you will find the website links and forms for you to download and file if you owe traffic fines in Wichita Municipal Court and/or Sedgwick County District Court. This information has been verified with these two Courts and will save you time and frustration.

▶ If you owe fines in other jurisdictions--in Kansas or other states--make sure that you contact each court and follow their instructions. You must clear all of your unpaid traffic fines before the DMV will reissue your Regular Kansas Driver's license.



Driver's License Renewal Fact Sheet

- ▶ This [Driver's License Renewal Fact Sheet](#) is a one page downloadable PDF on the Racial Profiling Advisory Board website. It provides links to key documents you may need--depending on whether your traffic ticket was issued by a Wichita Police Officer or a Sedgwick County Deputy Sheriff.
- ▶ Feel free to print as many copies as you want. However, please take time to read and follow the instructions below and on the racialprofilingwichitaks.com/drive-again-legally webpage so you know which forms you are required to file with the Court to get your driver's license back ASAP.

DMV and Collections Contact Information



- ▶ This PDF document also contains information which has been provided by the Kansas Department of Revenue, Department of Motor Vehicles in Topeka. Including, phone numbers, mailing and office addresses, their FAX number, website links and where to pay traffic fines and fees if they have been turned over to Butler & Associates to collect. This is hard to find information, so download and make as many copies as you need.

Sedgwick County District Court Instructions and Forms



- ▶ The Sedgwick County Traffic Division Court Clerk can be reached at (316)660-5670.
- ▶ Download the [Manifest Hardship Motion](#) and [Community Service](#) PDF documents from this webpage if you received a traffic ticket from a Sedgwick County Sheriff's Deputy and have had your driver's license suspended for non-payment of your County traffic fine(s).

FAILURE TO APPEAR WARRANT



▶ To find out if you have an outstanding "*Failure to Appear*" warrant for your arrest, go to:

▶ <https://ssc.sedgwickcounty.org/warrantsearch/>.

▶ If you do, you may ask the Traffic Court Judge to *withdraw your arrest warrant* by appearing on the *Walk-In Docket*.

SEDGWICK COUNTY WALK-IN DOCKET

You are eligible for the Walk-In Docket if:

- You missed your court date and know or fear you may have an arrest warrant.
- You want to change an upcoming court date, provide proof of community service work, or otherwise take action on your case(s).
- You do not have an attorney but want to speak with a prosecutor or the judge regarding your court case.

▶ The Walk-In Docket is held Monday through Friday on the 1st Floor of the Sedgwick County Court House at 525 N. Main starting at 8:30am until 10am each week day (except Legal Holidays). An afternoon walk-in docket is also available Monday through Wednesday from 1:30 pm to 3:00 pm. Sign-up for this docket is on a first-come, first-served basis.



COUNTY MANIFEST HARDSHIP MOTION

▶ Before you file your Manifest Hardship Motion and attend the Court hearing, download the PDF with the list of approved Community Agencies so you can tell the Traffic Court District Attorney to which locations you can find a ride to or connect with public transportation. Make sure to tell the DA why you need to work off your fines and fees at \$15 per hour served rather than pay the full amount owed with income you do not have.

▶ Complete your “*Manifest Hardship Motion*” to ask the Traffic Judge to reduce your fines and fees for County tickets back to the Original unpaid ticket--before your license was suspended. It is a two-page document. Only write on the first page. *Leave the second page blank.*





WHAT TO INCLUDE IN YOUR MOTION

- ▶ In your Motion, write down what your monthly income and expenses are, plus the traffic fine payments you have already made and/or the Community Service hours you able to work. Also, request in your written Motion and during your hearing a realistic amount which allows you to pay ALL of the fines, court costs plus the \$100 reinstatement fee you owe within 24 months after you receive your Restricted License. But, if you have NO income, put that in your Motion. SB500 allows the Judge to eliminate ALL of your traffic fines and fees then reissue your license.
- ▶ Paying a realistic monthly amount is important!! If the Judge's agreed amount is not paid by then, SB500 allows the Court to rule that you are in "Substantial Compliance" and may order the DMV to reinstate your Regular License. So, make sure that you ask the municipal and/or district Traffic Judge wherever else you have unpaid tickets to also lower your fines so you are in compliance on ALL of your traffic fines in Kansas and any other state.



WHERE TO FILE YOUR HARDSHIP MOTION

- ▶ Then, until August 2024, take your Motion to the 7th floor or mail both pages to the Sedgwick County Traffic Court Clerk, 525 N. Main, Rm. 714, Wichita, KS 67202. Or, once remodeling is done, you may turn it into the Traffic Court Clerk at their new Pay Window on the 1st floor.
- ▶ They will set a Friday Court date and let you know when you are to appear while you are in the Clerk's office or by return mail. The Judge will hear your Motion approximately four weeks later on a Friday docket which starts at 10am.
- ▶ While you are in the Clerk's office or when you mail your Motion, make sure that you also pay at least \$20 toward the amount you owe. This will show the Judge that you are serious about complying with paying the final amount he or she approves.

INSTALLMENT PAYMENT PLAN



- ▶ If the judge decides to lower the total of your fines, court costs and the \$100 reinstatement fee to an amount which you can realistically pay in 24 monthly installments, go to the Court Clerk's Pay Station Window on the South side of the 1st Floor of the Sedgwick County Courthouse at 525 N. Main to set up an installment Payment Plan to pay every month on the reduced amount the Court has ordered.
- ▶ Before you agree to the payment plan, make sure that you and the Pay Window Clerk divide the full reduced amount the Judge has ordered by 24 months. If there is no possible way that you can pay that amount by cash and/or Community Service, then go back to the Judge and ask for a further reduction.
- ▶ If you decide that you can realistically pay the total amount in 24 months, then sign your Payment Agreement and make at least a \$20 payment on what you owe while you are at the Traffic Court Pay Window on the 1st floor of the Courthouse.

Wichita Municipal Court Instructions and Forms



- ▶ The Wichita Municipal Court Clerk's phone # is: (316)268-4611. They are on the 2nd floor of the Wichita City Hall at 455 N. Main.
- ▶ Their website address where you may:
 - Review details on your existing court cases
 - Enter Guilty or No Contest pleas
 - Make payments
 - Request payment extensions is:

<https://www.wichita.gov/319/Municipal-Court>

WICHITA FAILURE TO APPEAR WARRANT



- ▶ To find out if you have an outstanding "Failure to Appear" warrant for your arrest, go to:
- ▶ <https://webcourts.wichita.gov/CaseLists.aspx?queryid=4663>
- ▶ You may ask a Judge to withdraw your arrest warrant by appearing on the Walk-In Docket. Please check in at the Municipal Court Clerk's Office on the 2nd floor of City Hall, between 7:00am and 7:30am.

WICHITA WALK-IN DOCKET



You are eligible for the Walk-In Docket if:

- You missed your court date and have an arrest warrant for failure to appear.
 - You want to change your court date.
 - You need to speak with a judge or city attorney regarding your court case.
- ▶ The Walk-In Docket is held Monday through Friday at 8:00am (except on the first Friday of the month and Legal Holidays). Sign-up for this docket is on a first-come, first-served basis. Only the first ten (10) people to sign up are allowed to attend on that day.
- ▶ If your court date has been set, it can only be changed by a judge. Court dates cannot be changed over the phone. If you need to change your court date, you may appear on the Walk-In Docket.

WICHITA MANIFEST HARDSHIP MOTION



- ▶ If your license has been suspended because you still have one or more unpaid WPD traffic ticket, download and complete the PDF from the Drive-Again-Legally webpage of the [MANIFEST HARDSHIP MOTION](#) in English or Spanish. It will take some time to find all of the information they are requesting.
- ▶ However, the Municipal Court will NOT consider your Motion if (1) your license is Revoked, (2) you are asking to reduce the amount owed on a new traffic ticket or (3) you have already paid the ticket.
- ▶ In your Motion, write down what your monthly income is, the payments you have already made on your traffic fines, the amount you pay for housing, food and utilities, the number of dependents you have and/or the number of Community Service hours you are able to work.



WHAT TO INCLUDE IN YOUR MOTION

- ▶ It is important to request in your written Motion and during your hearing a realistic TOTAL amount of monthly installments and/or Community Service which will allow you to pay the remaining balance of what the Judge orders within 24 months after you receive your Restricted License.
- ▶ This will allow the Judge to lower your fines so if you are consistent in making your monthly payments and/or community service, the Judge will see that you are in "Substantial Compliance" on paying all of your traffic fines within 24 months. Then, under Section 2(D) of SB 500, the Judge may order the DMV in Topeka to remove the Suspension and reissue your Regular drivers license plus forgive your remaining fines, court costs and the \$100 reinstatement fee if you have filed a Manifest Hardship Motion.

HOW TO FILE YOUR MOTION



- ▶ Once you have filled in the information requested, hand deliver your Manifest Hardship Motion to the Municipal Court Traffic Clerk on the 2nd floor of City Hall to file it if you want to personally have a hearing on your Motion. If you do, ask the Clerk to set a court date for you to stand before a Wichita Municipal Court judge to ask them to reduce your fines and fees to an amount which you can realistically pay within 24 months or less.
- ▶ OR, you may mail your written Motion to the Court and let a judge make their decision about reducing the total amount you owe based on the information you provided on the form which you download below without coming back to Court. Their mailing address is:

Wichita Municipal Court
City Hall
455 N Main, 2nd Floor
Wichita, KS 67202



WHAT TO INCLUDE IN YOUR MOTION

- ▶ When you file your Manifest Hardship Motion, pay at least \$20 or more on your traffic tickets to show the Judge that you are serious about complying with what you owe. In your written Motion and during your hearing, make sure that you tell the Judge about the payments you have already made on your fines plus the Community Service hours you are able to work.
- ▶ The Court will make a ruling on your Motion to reduce or eliminate what you owe during your hearing or mail their decision to you if you choose not to attend. So make sure that you provide the Court Clerk with an accurate mailing address, phone number and email address if you have one.

SET UP A PAYMENT PLAN



- ▶ After the Judge has ruled on your Motion to reduce your fines and fees and you know the total amount you owe, download the Payment Plan PDF below. Read it carefully.
- ▶ Take this installment payment contract to the 2nd floor in the Wichita City Hall. While you are there, sign the Contract agreeing to make installment payments on your traffic fines and fees online, by mail or in person.
- ▶ The City has a webpage at: <https://www.wichita.gov/442/Payment-Options> with various payment options. Write down and keep track of the amount of each payment you make and which day you made it!!

CONCLUSIONS



- ▶ There is much more information and downloadable PDF files for you to use on the webpage to help you get your drivers license reinstated. So, please take time to read and follow the instructions.
- ▶ Remember, YOU must take ACTION. Be patient and persistent!! You will save thousands of dollars in attorney fees and traffic fines plus speed up the process of getting your life back if you do!!
- ▶ For your benefit, both SB500 and SB127 are on the RESTRICTED LICENSE BILLS page for you to read to see exactly what the legislature has passed so you are allowed to:

DRIVE-AGAIN-LEGALLY!!

QUESTIONS??

