

# PROBATIONARY LICENSE

## FACT SHEET

### Q: What is a Probationary License?

**A:** A Probationary License (PL) is a Class C (Non-Commercial) driver's license issued once in a lifetime to an individual whose Pennsylvania driving privilege has been suspended or revoked for five or more years. This license authorizes driving a non-commercial vehicle between 6:00 a.m. and 7:00 p.m. The Department may consider additional hours upon request. Please attach a letter justifying request for modified hours to your probationary license petition (DL-20). A PL cannot be used to drive a commercial vehicle, motorcycle or moped.

### Q: How is it determined if I am eligible for a Probationary License?

**A:** Review the following information to assist with eligibility. Some offenses and violations may make you ineligible (disqualified) to receive a probationary license for varying amounts of time. The below charts list violations/offenses that may make you disqualified permanently, for a 7 year period, or for a 3-6 year period. Follow the below steps to assist in probationary license eligibility.

1. Review the Permanently Disqualifying PL Offenses Chart (chart 1) below. If any of these offenses don't apply to your specific situation skip to step 2. If you have received any of the offenses listed in chart 1, you may still be eligible once the matter is satisfied.

#### Permanent Disqualifying PL Offenses (Chart 1)

PA Code	Description	Disqualified Period
3732	Conviction related to homicide by vehicle	Permanently Disqualified
3735	Conviction related to homicide by vehicle while DUI	Permanently Disqualified
N/A	Issued a Probationary License previously	Permanently Disqualified
N/A	Accumulated Suspension or revocations that total less than 5 years	Permanently disqualified until your suspensions total 5 or more years
N/A	Your driving privileges are suspended/cancelled in any other state	Permanent until your driving privilege is restored in all other states
1533, 6146, Etc.	Indefinite Suspensions (Including Cancellations, Special Examinations, and Unsatisfied Judgements)	No longer a disqualifier once resolved/released

This chart lists violations or situations that make you permanently ineligible for a probationary license. Some exceptions exist and are listed in the Disqualified Period column.

2. Review the following Seven-year PL Disqualifying Offenses Chart (chart 2). If any of the violations on this chart don't apply to your specific situation you may skip to step 3. This chart lists violations that make you eligible to receive a probationary license 7 years after the listed conviction date. You may still be eligible provided the additional criteria outlined on this sheet is met. Eligibility is determined by adding 7-years onto the conviction date (violation date if 1547-Chemical Test refusal). This date will be your first reference date. Follow the remaining steps, using this first reference date later in the process.

### Seven-year PL Disqualifying Offenses (Chart 2)

PA Code	Description	Disqualified Period
1543(b)	Driving while under DUI related suspension	7 years after the conviction date
1547	Refusal to Submit to Chemical Testing	7 years after the violation date
3731	Driving Under the Influence (DUI)	7 years after the conviction date
3742.1	Accidents involving death/injury	7 years after the conviction date
3735.1	Aggravated assault by vehicle while DUI	7 years after the conviction date
3802	Driving Under the Influence (DUI)	7 years after the conviction date

3. Review the Subtracted Offenses Chart (chart 3) and count the number of term suspensions you have, skipping over indefinite suspensions (such as unsatisfied Judgments, Unpaid tickets, cancellations, special examinations), and the offenses shown on the Subtracted Offenses Chart (chart 3). You may also count all the term suspensions on your record and subtract the violations listed on the below chart. If you are unsure of the offenses on your driving record you may request a copy of your driving history (see the Question and Answers section below). If you have been restored previously, be sure to skip all the violations listed prior to your previous restoration as they do not count in this step. With the number of active term suspension in mind; proceed to step 4.

### Subtracted Offenses (Chart 3)

THESE OFFENSES DO NOT GET COUNTED TOWARDS YOUR TOTAL NUMBER OF ACTIVE TERM SUSPENSIONS.

PA Code	Description
1512    1571    3102    3111.1 3112(a)(3)    3114(a)(1)    3302    3303 3304    3305    3306(a)(1)    3306(a)(2) 3306(a)(3)    3307    3310    3321 3322    3323(b)    3323(c)    3324 3341(a)    3341(b)    3342(b)    3342(e) 3344    3345a    3361    3362 3365(b)    3365(c)    3542(a)    3547(a) 3549(a)    3702    3714(a)    3745	Add-on points violations that result in a 5 day suspension for each point. This occurs when you are already under suspension and receive what would otherwise add points – refer to point chart for a description of the vehicle code.
1786f	Failure to provide FR
3802*	Driving Under the Influence (DUI)

4. Review the Active Term Suspension Time Chart (chart 4). Based on the number of active term suspensions reviewed in step 3; review the amount of years of suspension time that must be served.

### Active Term Suspension Time (Chart 4)

Number of Active Term Suspensions	Suspension Time that must be Served
1 - 7	3 Years before being eligible
8 - 14	4 Years before being eligible
15 - 21	5 Years before being eligible
22+	6 Years before being eligible

You must have served and consecutively earned credit toward a portion of your suspension/revocation period and your driving record must be free of driving offences to demonstrate that you have not driven during the minimum period of suspension/revocation. This minimum period (from 3-6 years) is determined by the number of violations that caused the current

suspensions/revocations on your driving record. In addition, any outstanding citations, judgments, examinations or hearings must first be satisfied.

**Note:** The violations being skipped over in step 3 do not count towards the number of active term suspensions on chart 4.

5. Review all the violations on your record and use the most recent violation date to add to the number of years obtained in step four. The date obtained in this step is your second reference date and will be used in the last step.
6. Review the first reference date at the end of step 2 and second reference date at the end of step 5. Out of these 2 dates, the older date should be the day you were/will be eligible for a Probationary License. Additional factors exist and are outlined in the following Questions and answers. Final Probationary License eligibility is determined by the Pennsylvania Department of Transportation, these steps serve as a guide on how eligibility is determined.

**Q: If I have served my minimum 3, 4, 5, 6, or 7 years of my suspension/revocation, does that clear the way for me to apply for the Probationary License?**

**A:** Yes, but the application is only the first step in the overall eligibility process.

**Q: How do I apply?**

**A:** To apply for a PL, you must complete a Probationary License Petition (form DL-20). To prevent a delay or rejection, all requested information must be completed, and all appropriate fees and documents must be attached. All restoration requirements must be met before a PL can be issued.

**Q: What is the cost?**

**A:** The cost is listed on the PL Petition (DL-20). A portion of the fee is non-refundable and the PL must be renewed for annually, which is listed on the DL-143PL for PL renewal. If your request for a PL is not approved you will be refunded the processing fee, license fee, and photo fee: the petition fee will not be refunded.

**Q: After I submit my application, what happens next?**

**A:** Upon receipt of your DL-20 form, the Department will review your petition and driving history to determine your eligibility for a PL. You will be advised of our determination within 30 days. If we determine that you meet the initial criteria for a PL, you will be scheduled for a Departmental Review session. Following the review and the completion of any required testing, the Department will make a recommendation regarding issuance of your PL.

**Q: If I have an Ignition Interlock requirement listed on my driving record, would I be required to have this device installed in my vehicle for the PL?**

**A:** Yes, only for the first year that you hold a PL.

**Q: How long is the Probationary License issued for?**

**A:** A PL is issued for a 1 year period from the date the license is actually issued.

**Q: What happens next year?**

**A:** If you have complied with the provisions of the PL, you will be invited to renew your PL approximately 60 days before it expires.

**Q: If my request is denied, or my PL is subsequently cancelled or recalled, what can I do?**

**A:** You may appeal the denial, recall or cancellation by filing a petition with the Department requesting an Administrative Hearing. The cost for this Administrative Hearing is \$100 and is non-refundable. Additional information regarding this filing process will be provided upon request. However, a hearing will only be held to determine if the Department erred in its action. Extenuating circumstances will not be considered.

**Q: What happens if I commit a violation?**

**A:** If you are convicted of an offense for which the penalty is suspension, cancellation, disqualification, or revocation of your driving privilege, your PL will be cancelled. If you are convicted of a "point" violation, your PL will be recalled for 30 days for each point accumulated. In any case, you must surrender your PL to the Department.

**Q: Can I get a Probationary License for the duration of my suspension/revocation period?**

**A:** You may renew your PL for up to 6 years. Upon completion of the 6th year, you will become eligible to apply for a regular driver's license.

**Q: This seems like awfully tough criteria to meet?**

**A:** It is, however, please recognize that the Probationary License is available to only those individuals who have earned it by demonstrating a minimum period of compliance to their suspension/revocation. In many cases, this license will enable you to rejoin the mainstream of social and employment opportunities and reap the benefits from this "second chance."