

**License Revocation for Nonpayment of Costs**

Amends 40-24-105 to provide that a license to drive shall be revoked by the commissioner of safety if the licensee has not paid all litigation taxes, court costs, and fines assessed as a result of disposition of any offense under the criminal laws of this state within one (1) year of the date of disposition of the offense. Provides that the license shall remain revoked until such time as the person whose license has been revoked provides proof to the commissioner of safety that all litigation taxes, court costs, and fines have been paid.

Provides that the clerk of the court ordering disposition of an offense shall notify the commissioner of safety when an offender has litigation taxes, court costs, and fines that remain unpaid after one (1) year from the disposition of the offense. Such notification shall take place within thirty (30) days of the expiration of the one-year period or as soon as practicable. Provides that the commissioner of safety shall not refuse to revoke a license on the grounds that notification was not received within such thirty-day period.

Provides that a person who is unable to pay any portion of assessed litigation taxes, court costs, and fines may apply one (1) time to the court having original jurisdiction over the offense for an order staying the revocation of the license. An order to stay the revocation of the license shall be granted if the court finds that the person would experience extreme hardship from the revocation of the license and that no other means of transportation are reasonably available to the person. Provides that the grounds for finding extreme hardship are limited to travel necessary for: (1) employment; or (2) serious illness of the person or an immediate family member.

Provides that the offender seeking a hardship exception shall make application to the court in the form of a sworn affidavit stating with particularity the grounds and circumstances of hardship. The court may enter a one-time stay for no longer than one hundred and eighty (180) days. Provides that the court clerk shall promptly notify the commissioner of safety of the issuance or termination of any stay of revocation. Provides that the commissioner of safety shall not revoke any license while such stay is in effect.

Provides that a person who is unable to pay all of the assessed litigation taxes, court costs, and fines but is able to pay some portion on a monthly or weekly basis may apply to the court having original jurisdiction over the offense for an order setting up a payment plan for such taxes, costs and fines. If the person and court agree to such a weekly or monthly payment plan, the court shall so order and such order shall have the effect of staying the revocation of the license. The order staying the revocation of the license shall remain in effect for as long as the person is current and in compliance with the payment plan. If the person fails to make payments according to the plan for three (3) consecutive months without good cause, the court may revoke the order and notify the clerk. The court clerk shall promptly notify the commissioner of safety of the issuance or termination of any stay of revocation. The commissioner of safety shall not revoke any license while such stay is in effect.

Effective July 1, 2011 (applies to offenses committed on or after July 2, 2011).