



THE LAW OFFICES OF  
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*Arizona DUI*

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*Driver's License Suspension*  
*Guide*  
*[2017 Edition]*

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# Arizona DUI

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## Drivers' License Suspension Guide [2017 Edition]

The following is a guide on what to expect when facing a DUI related license suspension and tips on how to get your license back in good standing. Please review this guide BEFORE you contact our offices with questions.

Dealing with your license suspension and Interlock is generally a 6 step process (7 for out of state license holders).

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## 1) Notice of Administrative Suspension.

Whenever you are accused of driving with a BAC of .08 or greater, having a drug in your system or refusing to consent to a chemical test, you will receive a notice of suspension. The suspension notice is automatic but the suspension itself is not, as you have the right to challenge it.

There are two ways you can receive notice of a license suspension. Either through an Admin Per Se/Implied Consent Affidavit or through a Corrective Action notice. The difference is really in HOW you get notified. There is no difference in the penalty or length of suspension you will receive.

When you receive either the Admin Per Se/Implied Consent Affidavit or Corrective Action Notice, it starts the clock on the 15-day deadline to request a hearing or summary review of your suspension. Failure to timely request a hearing means you waive your right to contest your suspension. **If you want to request a hearing make sure you let us know as soon as possible so you don't miss the deadline.**

**Please note:** There is no way to speed up the notice process. 15 days after you are served with the Admin Per Se/Implied Consent Affidavit or the Corrective Action notice is the soonest you can start the suspension.

### a. Admin Per se/Implied Consent Affidavit.

If your BAC was determined via an intoxilyzer breath test (not the handheld portable breath test) or if you refused your blood draw or breath test; you most likely received an "Admin Per se/Implied Consent Affidavit." While the information contained therein will be different for each case, the Admin Per se/Implied Consent Affidavit document should look like this:

\* FILE ONLY \*

**ADMIN PER SE/IMPLIED CONSENT AFFIDAVIT**

Mail Drop 507M  
Executive Hearing Office  
Arizona Department of Transportation  
PO Box 2100  
Phoenix AZ 85001-2100  
40-8897 R10111 www.azdot.gov

LE or DR Case Number [REDACTED]  
Complaint Numbers Issued [REDACTED]

Charges:  ARS 28-1381  28-1382  28-1383  4-244.34  13-1201  Yes  No While transporting hazardous material? (ARS 28-101)  
 13-1204  Other Title 13, Chapter 11 charge:  Yes  No While operating a commercial motor vehicle?

Driver Name (first, middle, last initial) [REDACTED] Date of Birth [REDACTED] Driver License Number [REDACTED] Class State  
[REDACTED] [REDACTED] [REDACTED] [REDACTED] D AZ

Address [REDACTED] City [REDACTED] State Zip [REDACTED]

On (date) [REDACTED] at (time) [REDACTED] at (location) [REDACTED]

I had probable cause to believe that the person named caused or was cited for an accident resulting in death or serious physical injury while driving a motor vehicle. (State the probable cause on the lines below.)  
 I had reasonable grounds to believe the person named was driving or in actual physical control of a motor vehicle while under the influence of intoxicating liquor and/or drugs, and I placed the named person under arrest therefore.  
Among the facts leading to that belief were: RED LIGHT VIOLATION

The admonitions on the back of the original copy were read to the person. Officer Initials: \_\_\_\_\_  
 The admonitions were not read because the person was either unconscious or incapable of refusal.  
 The person submitted to  breath  blood tests. 0.069 @ 0406  
Test results:  Indicated alcohol concentration of: 0.069  Indicated positive for \_\_\_\_\_ (drug)  Results not available  
 The person refused to take or did not complete the tests in the following manner: \_\_\_\_\_

Yes  No Did the person cause serious physical injury or death as defined in ARS 13-105 during this incident?

**OFFICER CERTIFICATION** I certify that the above is true and correct. I request that any hearing be held in MAHAROPA County.

Law Enforcement Officer Name <u>K. MARSLAND</u>	Badge Number <u>00575</u>	Law Enforcement Officer Signature <u>K. MARSLAND</u>
Law Enforcement Agency <u>TEMPE PD</u>	ORI Number <u>8729</u>	Law Enforcement Office Station <u>ADACIG</u>
Agency Address <u>100 E. 92 ST.</u>	City <u>TEMPE</u>	State Zip <u>AZ 85281</u>
Test Operator Name <u>K. MARSLAND</u>	Badge Number <u>00575</u>	Test Operator Signature <u>K. MARSLAND</u>

**SURRENDER OF ARIZONA DRIVER LICENSE**

Pursuant to ARS 28-1321 and 28-1395, the law enforcement officer must require the surrender of all Arizona driver licenses or permits in the person's possession, if no license or permit is attached, state reason:  Lost  Destroyed  Nonresident  Other \_\_\_\_\_

**ORDER OF SUSPENSION** One box must be checked.

<input type="checkbox"/> Pursuant to ARS 28-1321, your Arizona driving privilege is suspended effective 15 days from Date Served. This suspension is for 12 months, or 2 years if there is a prior implied consent refusal, within the last 84 months on your record. This order is final unless a hearing is requested online or in writing and received within 15 days from Date Served. This <del>order</del> is a result of your failure to successfully complete or refusal to submit to tests to determine alcohol concentration or drug content. This suspension will not end until all reinstatement requirements are met including completion of alcohol or drug screening.	Date Served	Time Served	Please see reverse side to request a Summary Review or Hearing.
<input checked="" type="checkbox"/> Pursuant to ARS 28-1395, your Arizona driving privilege is suspended for not less than 90 consecutive days effective 15 days from Date Served. If a review of your driver record indicates that you have completed alcohol or drug screening and are eligible for a 90-day restricted driving permit, one will automatically be mailed to your address of record within 45 days from Date Served. This order is final unless a summary review or hearing is requested online or in writing and received within 15 days from Date Served. This suspension is a result of tests to which you submitted. This suspension will not end until all reinstatement requirements are met including completion of alcohol or drug screening.			

**TEMPORARY DRIVER PERMIT** This entire form will serve as a temporary driver permit that will expire 15 days from the Date Served. However, if you request a summary review or hearing, then this permit will remain valid until the summary review or hearing decision has been made. If your Arizona driver license/permit is currently suspended or revoked, this permit does not authorize you to operate a motor vehicle.

Sex	Weight	Height	Eyes	Hair	Class	Restrictions
Permit Not Issued Because						Licensee Signature

Original - Motor Vehicle Division    Pink and Yellow - Licensee    Blue - Law Enforcement Agency

If you received the Admin Per Se/Implied Consent Affidavit then your suspension start date should be listed on the document. As would have been determined at your initial consultation, we will either



**license or failure to timely request a hearing.** So to ensure that you receive your notice in a timely manner you must check to see if your address on file with the MVD is correct by going to [www.servicearizona.com](http://www.servicearizona.com).

*c. Stay Letter.*

You will receive a Notice of Stay in the mail if an MVD hearing is requested within the allotted 15 days after service of either the Admin Per Se or Corrective Action Notice. This letter will typically arrive within 5-7 days of the hearing being requested. A “Stay” simply means that the license suspension is on hold until the MVD hearing is held or you otherwise stipulate to the suspension. When you receive this letter staple a copy of it to your Admin Per Se or Notice of Corrective Action so you can show it to any police officer that may pull you over to verify you are OK to be driving.

While the information contained therein will be different for each case, the Automatic Stay Letter should look like this:

**ADOT** Mail Drop 607M  
Enforcement and Compliance Executive Hearing Office  
4030102013 www.azdot.gov PO Box 2100  
Phoenix AZ 85001-2100

**STAY LETTER**

Notice Date [redacted]  
Case Number [redacted]  
Customer Number [redacted]  
Date of Birth [redacted]  
Statutory Authority  
ARS 28-336B  
ARS 28-1385

Dear [redacted]

Your request was received in the Executive Hearing Office on [redacted] for Case number [redacted]. Accordingly, that hearing request was timely and a stay has been placed on your record until the outcome of your hearing.

THIS ONLY APPLIES TO MVD ACTION/DOCKET NUMBER [redacted] YOU MAY HAVE ADDITIONAL ACTIONS PENDING ON YOUR RECORD. IF YOU HAVE QUESTIONS ABOUT YOUR RECORD, CONTACT THE MOTOR VEHICLE DIVISION AT 602-255-0072.

You will be receiving a Notice of Hearing from the Executive Hearing Office within thirty (30) to sixty (60) days. If you have questions about your case at the Executive Hearing Office, please call 602-712-7737.

Sincerely,  
Executive Hearing Office  
Enforcement and Compliance Division  
Arizona Department of Transportation

PHILIP K. GHOLI PLLC

Your attorney does NOT receive a copy of the Stay Letter and it can take up to 60 days before a notice of the MVD hearing gets mailed. As a result, IF you do not receive your copy of the Stay letter BEFORE your suspension is scheduled to start YOU MUST VERIFY YOUR DRIVING STATUS BEFORE DRIVING. To do so you can call the MVD at (602) 255-0072 or the Executive Hearing Office at (602) 712-7737 and they can confirm your driving status. If for any reason a hearing request was not processed and you are not able to drive, contact your attorney immediately so we can resolve the error for you.

**2) The Suspension and Restricted License**

Any driver accused of DUI will be facing a mandatory 90-day license suspension; any driver accused of refusing a chemical test will be facing a mandatory 1-year license suspension; and any driver accused of a second DUI will be facing a 90-day license suspension and a 1-year license revocation.

After you receive your notice of suspension (by Admin Per Ser or Corrective Action) we will either request a hearing to delay/contest the suspension or we allow the suspension to go into effect, whichever you prefer. If you choose to request a hearing the MVD will set a hearing date. Once the hearing date is set you can then request your suspension start any day you want up to 45 days after the hearing date.

**Everyone's situation is different, so if you have questions about whether you should contest or accept the suspension please call or email us so we can discuss.**

*a. 90-day license suspension.*

If this is your first DUI *and* you voluntarily agreed to the chemical test then, if and when your license suspension goes into effect, the suspension is for 90 days no driving.

However, you can receive a Restricted License for the last 60 days of your suspension if you: 1) *timely* complete alcohol screening (i.e. before the 30<sup>th</sup> day of your suspension); 2) a completion certificate is uploaded to the MVD; 3) you have an Arizona license; and 4) there are no other pending suspensions on your license.

If you qualify, then after the MVD receives a certificate of completion of the alcohol screening, it will mail you a restricted driving permit after the first 30 days of your suspension are completed. If you have any questions about the status of your restricted license you must direct them to the MVD by going to your local MVD office or calling 602-255-0072.

A Restricted License allows you to drive to and from the following: "place of residence and the person's secondary or postsecondary school, according to the person's employment or educational schedule, to travel between the person's place of residence and the office of the person's probation officer for scheduled appointments or to travel between the person's place of residence and a screening, education or treatment facility for scheduled appointments." No other driving is permitted.

*b. 1 Year License Revocation for Second DUI/Reckless Driving or Agg DUI.*

In addition to the 90 day suspension discussed above, if you are ultimately convicted of: 1) a second DUI offense within 84 months; 2) a second Reckless driving within 24 months; 3) a combination of DUI and Reckless driving within 24 months; or 4) an aggravated ("Kid in the Car") DUI, then your license will be revoked for one year. However, in some cases, you can apply to receive a Restricted License with a Special Ignition Interlock Device (SIID) after 45 days. To obtain a Restricted License with a SIID you must:

- Contact the MVD to verify eligibility (or wait until you received a notice of eligibility from the MVD);
- No other outstanding withdrawal actions pending on your driving record;
- Installed an ignition interlock on your vehicle and provided the MVD with a "Verification of Installation" form;
- Complied with mandatory alcohol treatment programs (screening and all recommended hours of classes) and submitted proof of completion;
- Submitted proof of future financial responsibility to MVD (e.g., certificate of automobile liability insurance known as an SR22); and
- Pay all applicable fees.

A Restricted License with a Special Ignition Interlock Device will allow you to drive as follows:

- Place of employment and residence during specified periods of time while at employment;
- Place of residence, the person's place of employment and the person's secondary or postsecondary school according to the person's employment or educational schedule;
- Place of residence and a treatment or screening facility for scheduled appointments;
- Place of residence and the office of the person's probation officer for scheduled appointments;
- Place of residence and the office of a physician or other health care professional; and
- Place of residence and a certified ignition interlock device service facility.

Please also be aware that the time you have the SIID installed on your vehicle will NOT be credited towards any additional time you must have an Ignition Interlock Device installed as a result of your second conviction.

It should also be noted that the one-year licenses revocation is IN ADDITION TO the standard 90 days suspension (see above for how to reduce the 90 days). While the suspension and revocation can run concurrently (i.e. at the same time); time served under the 90-day suspension will NOT be credited towards the one year. Therefore, it is very important that you work with your attorney so that we can schedule both to run at the same time (if possible).

Finally, the issuance of restricted licenses is discretionary so there is no guarantee you will receive one. Moreover, if you have any felonies on your record, have a reckless driving conviction within the last 2 years or if you were convicted of an aggravated DUI due to driving on suspended license or 3 or more DUIs you are ineligible for a restricted license or SIID.

*c. 1 Year License Suspension for Refusal.*

Unfortunately, if you were placed under arrest and refused to take an intoxilyzer breath test or submit to a blood draw then, if and when your license suspension goes into effect, the suspension is for one year no driving. However, you can receive a Restricted License with a Special Ignition Interlock Device after 90 days. To obtain a Restricted License with a SIID you must:

- Contact the MVD to verify eligibility (or wait until you received a notice of eligibility from the MVD);
- No other outstanding withdrawal actions pending on your driving record;
- Installed an ignition interlock on your vehicle and provided us the MVD with a "Verification of Installation" form;
- Complied with mandatory alcohol treatment programs (screening and all recommended hours of classes) and submitted proof of completion;
- Submitted proof of future financial responsibility to MVD (e.g., certificate of automobile liability insurance known as an SR22); and
- Pay all applicable fees.

A Restricted License with a Special Ignition Interlock Device will allow you to drive as follows:

- Place of employment and residence during specified periods of time while at employment;
- Place of residence, the person's place of employment and the person's secondary or postsecondary school according to the person's employment or educational schedule;
- Place of residence and a treatment or screening facility for scheduled appointments;

- Place of residence and the office of the person's probation officer for scheduled appointments;
- Place of residence and the office of a physician or other health care professional; and
- Place of residence and a certified ignition interlock device service facility.

If, however, this is your second refusal in an 84 month period to take an intoxilyzer breath test or submit to a blood draw then, if and when your license suspension goes into effect, the suspension is for two years no driving with no ability to shorten your suspension or request a SIID. Your only option to avoid a two-year suspension would be to request a hearing and successfully contest your refusal.

It should also be noted that the time you have the SIID installed on your vehicle will NOT be credited towards any additional time you must have an Ignition Interlock Device installed. In other words, if you are convicted of DUI the special ignition interlock will be in addition to the six to eighteen months of interlock that you will receive as a result of your conviction. Moreover, because this particular suspension is a result of refusing the chemical test it will NOT be reduced or vacated if you are later found to be not guilty of the underlying DUI charge.

*d. 90 day Suspension for Drug DUI .*

Thanks to a change in the law, as of January 1, 2017, if you are convicted of an Illegal Drug based DUI (marijuana, cocaine, prescription pills etc) you are facing the same 90 day suspension as an Alcohol based DUI. If however, your DUI occurred before January 1, 2017 and you are convicted of driving while impaired by a drug and/or driving with an illegal metabolite in your system, the suspension is for one year no driving with no ability to shorten your suspension or request a restricted license.

The one benefit to receiving a Drug DUI over an alcohol-based DUI is that the requirement to install an ignition interlock device is no longer mandatory; rather it is at the discretion of the Judge.

### 3) Alcohol Screening.

The Alcohol Screening class is a 15-30 minute one on one interview with an alcohol counselor who will ask you questions about your drinking habits and then recommend a level 1 or level 2 treatment plan which you are NOT obligated to follow unless you are convicted of DUI. Level 1 is for 16 hours and is for first time offenders; Level 2 is 36-72 hours and is for multiple, extreme, super extreme or aggravated DUIs.

It would be a good idea to complete/schedule your MVD required alcohol screening **as soon as possible**. This is because the cost is relatively low (\$20-50), and if your Blood or Breath test shows a BAC above .08 is very difficult to beat a license suspension and as we explained during your consultation, undesirable unless we are confident you will also beat the criminal charges or you are facing a 1 year suspension/revocation. **Neither you or this Firm should file the certificate of completion to the MVD, this will be done by your Alcohol Screening Provider.**

The other benefit of completing the Alcohol Screening early is that if you are ultimately convicted of DUI the Court will almost certainly sentence you to Alcohol Screening in exchange for less jail time. If you already completed the screening and/or any follow-up classes you will get credit for doing so.

The following is a list of some commonly used Alcohol Screening Providers. This is by no means an exclusive list and you are free to use anyone you want. Just make sure whoever you use is certified by the State of Arizona and knows how to file the appropriate paperwork with your specific Court and the MVD. A complete list of approved providers can be found here: <http://www.azdot.gov/mvd/driver-services/driver-improvement/screening-and-counseling-resources> **Stone Wall Institute may provide you a discount if you mention that you were referred to them by our Firm. If you want to take your**



**classes remotely, *Scottsdale Treatment Institute* and *Stone Wall Institute* are the only providers that we are currently aware of that will allow you to take your screening classes via phone/webcam:**

**Stone Wall Institute.**  
4020 N. 20th St., Suite 302  
Phoenix, Arizona 85016  
602.535.6468  
<http://stonewallinstitute.com/>

**East Valley Substance Abuse Center, Inc.**  
1550 E. University Drive, Suite F1  
Mesa, AZ. 85203  
(480) 833-8122  
<http://duiprograms.com/>

**CHC**  
7447 E Earll Drive  
Scottsdale, AZ 85251  
Phone: 480-949-8871  
<http://justiceservices.com/>

**Rio Salado Behavioral Health Systems, Inc.**  
1308 West Camelback Road  
Phoenix, Arizona 85013-2107  
Ph 602-252-9048  
<http://riosaladobhs.org/>

**Scottsdale Treatment Institute**  
3200 N. Hayden Road, Suite 170  
Scottsdale, AZ 85251  
480-429-9044.  
<http://www.scottsdaletreatment.com/>

**Aztec Counseling Services Inc**  
6054 North Oracle Road  
Tucson, Arizona 85704 United States  
(520) 297-1923

#### **4) Reinstatement.**

An important but often overlooked step is license reinstatement. After you complete your suspension, you must have your license reinstated. Reinstating a suspension is a very simple process and can be accomplished by going to any local MVD office or by going online to [www.servicearizona.com](http://www.servicearizona.com) filling out the appropriate form and paying the reinstatement fee.

If your license was revoked (due to second or third DUI conviction) then the process is a bit more complicated as the MVD must conduct an investigation of your driving record. To get the process started go to your local MVD office or call them at 602-255-0072 and request a reinstatement “investigation packet.”

The investigation by the MVD will include a review of department records and other sufficient evidence to determine that you; have not committed any traffic violations during the period of revocation; and all other statutory requirements are satisfied. You will also need to provide MVD with a current evaluation from a licensed physician, psychologist or certified substance abuse counselor regarding your ability to safely operate a motor vehicle; and you will be required to file an SR-22 certificate with MVD. After completing a successful investigation, you will then receive a “Permission to Apply” notice.

It should be noted that failure to follow up and reinstate your license will mean that you are still technically prohibited from driving. **If you are found driving on a suspended or revoked license it may result in additional fines, suspension time, interlock time and/or jail time. Moreover, if you receive a DUI while on a restricted or revoked license you may be charged with a felony which carries a presumptive sentence of 2 ½ years in prison.**

## 5) Ignition Interlock Device.

An ignition interlock device (IID) is the machine that prevents you from starting a car with alcohol in your system by requiring you to blow into it before the car will start. The difference between an IID and a “Special” IID is that there are no restrictions on where or when you can drive with an IID.

A common misconception is that the MVD license suspension will automatically result in you being ordered to install an IID. This is not the case. The MVD will only issue the order to install an IID after you serve your license suspension and after you are convicted of DUI. Therefore, so long as you beat the DUI charges you will not have to install the IID.

If convicted of DUI you must install the IID for:

- 12 months for a first time regular (.01-.149) OR Extreme (.15-.199) DUI which can be reduced to 6 months if: 1) you are NOT agreeing to install the interlock for 1 year or longer as part of a plea or reduced jail sentence; 2) you complete your alcohol screening and classes; 3) there are no more than two attempts to start vehicle with BAC of .08 or higher; and 4) you did not cause a car accident while DUI;
- 12 months for a second regular or extreme DUI in 7 years;
- 18 months for a super extreme DUI (over .20); and
- 24 months for aggravated (Felony) DUI or second super extreme DUI.
- 0 months for a Drug based DUI (unless specifically ordered to install one by the Judge, and in such cases, for no more than 12 months).

(\*PLEASE NOTE\* that if you install IID for the purpose of reduced jail time or obtaining a special restricted license, that time does NOT count towards the MVD time calculations above)

While the order is in place, you may not operate a vehicle if it does not have an IID until the restriction is over. This applies even if you drive or live out of state (see Section 6), drive an employer’s vehicle for work or drive a rental/friends car. Moreover, the time of the restriction does not start until you install the IID. So if you do not have a vehicle to install an IID on, the restriction will stay on your license until you do and complete your 6-12 months. There are currently no IID’s available for motorcycles.

If you fail too many breath tests or don’t upload your results you may face an extension of IID use time or license suspension. If you receive a notice of failure from the MVD you have 15 days to request a hearing to contest it.

**Our Law Offices recommend LifeSafer for interlock installation 800-634-3077.** Feel free to call them and they can answer your technical and installation questions. They have 10 locations throughout the Valley and we can often obtain discounts for you if you are a client of the Law Offices.

**If you will be residing or traveling out of state** during the time you must use an IID, make sure you use a provider that is certified by the Arizona MVD and has out of state service centers. If you fail to do so, you may literally be forced to drive back to Arizona for your monthly servicing. Life Safer has service centers in most states. You can check if your State is covered on their website [LifeSafer.com](http://LifeSafer.com).

If you prefer or need an alternate provider, a complete list of approved IID vendors for the state of Arizona can be found on the MVD website <http://www.azdot.gov/mvd/driver-services/ignition-interlock/interlock-manufacturers-and-installers>

## 6) Traffic Survival School.

Arizona MVD uses a points system to determine if your license must be suspended. As part of your DUI, you may also be charged with additional civil traffic related charges often referred to as “backup” charges. Please be aware that each of these charges including the DUI itself carries different points for each offense. Simple moving violations typically carry 2 points, speeding 3 points and DUI/Reckless Driving 8 points. If you accumulate 8 or more points in any 12-month period, you may be required to attend Traffic Survival School (TSS), or your driving privilege may be suspended up to 6 months. Therefore, a guilty verdict of plea to DUI will make you eligible for TSS.

It has been our experience that those convicted of DUI will receive a notice from the MVD to complete TSS regardless of how many additional points are on their license. Therefore, if you receive this notice you must successfully complete TSS or it will result in the suspension of your driving privileges for 6 months or until you complete classes.

**DO NOT CONFUSE TRAFFIC SURVIVAL SCHOOL WITH DEFENSIVE DRIVING SCHOOL.**

They are two separate classes and taking one does not cover the other. A complete list of TSS providers and online registration can be found here. <https://www.azstatetss.org/index.php>

## 7) Notes for Out of State Drivers.

**Special Note to holders of out of state licenses.** Only the state that issued your license can suspend, revoke or add points to your license. To get around this, upon being accused of DUI the Arizona MVD will issue you an Arizona driver license number. Once your “Arizona license” is issued the MVD will then proceed to enforce its penalties against said drivers’ license. A quirk of this process is that the restrictions on your “Arizona license” and the order to install an IID technically only apply when you are driving in the State of Arizona.

While this might sound like good news, it will most likely result in a greater burden on you. This is because Arizona will also inform your home state of the actions it has taken against you. Your home state will most likely either honor Arizona’s penalties or, as is often the case, it will enforce its own penalties and requirements against you. **Therefore, you will now have two states with two different sets of penalties and requirements you need to comply with.**

When faced with this, some people choose only to comply with their home state requirements to reinstate their license and ignore Arizona under the assumption that they will just refrain from driving in Arizona. While this may sound reasonable please be aware that your home state, or other states you may be passing through, might consider having any suspended or revoked license (even if it’s limited to Arizona) to nonetheless be driving on a suspended or revoked license under their respective laws. Your home State may also refuse to renew or issue a new license if there is an outstanding suspension in Arizona. In short, not resolving your Arizona license may still cause problems even if you have a valid out of state license. **We, therefore, recommend you take all actions necessary to reinstate your license in both your home state and Arizona.**

**Furthermore, reducing the Arizona 90 day suspension to 30 days no driving and 60 days restricted is generally not available to out of state license holders.** This means that you may very well have to do a full 90-day license suspension. This may be particularly problematic if you reside in Arizona.

Aside from contesting and prevailing on your suspension hearing and criminal DUI; **your only real option to avoid a double burden is to cancel your out of state license and obtain an Arizona license as quickly as possible.** But keep in mind, **there is no guarantee that this will work** or can be done quickly enough to work. Moreover, if you don’t reside in Arizona this would not be a practical option.

This Firm is only licensed to practice law in Arizona, so if you need assistance understanding or complying with your home state's requirements you will need to contact a DUI attorney licensed to practice in your home state.

Traffic Survival School for Out of State Residents.

Please note that unlike Defensive Driving, we are unaware of any TSS classes that can be taken online. Therefore, if you live out of state you will need to find an in-person class in your home state that is 8 hours long. A class of 4 -6 hours in length may be acceptable if that is that is your local state's requirements for a driver improvement courses.

After taking your defensive driving class you will need to submit your certificate of completion to **Arizona Chapter National Safety Council (ACNSC)** by mail, email or fax to:

1606 W. Indian School Rd.  
Phoenix, AZ 85015  
Fax: 602-277-5485  
Email: [Box20@acnsc.org](mailto:Box20@acnsc.org)

An administrative fee of \$40.70 must be submitted with your certificate of completion. Pay this over the phone by credit card or a mailed Money Order paid to ACNSC. This fee must be paid or your certificate of completion will not be processed. This fee is separate from any reinstatement fees you may owe the Arizona MVD. If you have further questions, please call ACNSC at 602-222-3381 or 800-840-7563.

