

## **BMV “Cheat Sheet” for Habitual Traffic Violators**

1. **5 year license suspension = 10 judgments in 10 years** (9-30-10-4(c) and 9-30-10-5(b)(4))
  - a. Judgments must not arise from the same incident;
  - b. Must be for traffic violations (not equipment or parking);
  - c. At least one judgment must be after March 31, 1984; **and**
  - d. At least one of the 10 judgments must be from 9-30-10-4(a) or (b).
2. **10 year license suspension = 2 judgments in 10 years** (9-30-10-4(a)) and 9-30-10-5(b)(1))
  - a. Judgments must not arise from the same incident;
  - b. At least one must have occurred after March 1, 1984;
  - c. Only one of the two judgments may be from iv through vii below; **and**
  - d. Must be from the following list:
    - i. Reckless homicide resulting from operation of a motor vehicle
    - ii. Voluntary or involuntary manslaughter resulting from operation of a motor vehicle
    - iii. Failure of the driver of a motor vehicle involved in an accident resulting in death or injury to any person to stop at the scene of the accident and give required information and assistance
    - iv. Operating a vehicle while intoxicated resulting in death
    - v. Operating a vehicle with at least .10% of alcohol in the blood (before 7/1/1997) resulting in death
    - vi. Operating a vehicle with at least .10 gram of alcohol per 100 ml of blood or 210 liters of breath (after 6/30/1997 and before 7/1/2001) resulting in death
    - vii. Operating a vehicle with .08 gram of alcohol per 100 ml of blood or 210 liters of breath (after 6/30/2001) resulting in death
3. **10 year license suspension = 3 judgments in 10 years** (9-30-10-4(b) and 9-30-10-5(b)(3))
  - a. Judgments must not arise from the same incident;
  - b. At least one judgment must be after March 1, 1984; **and**
  - c. Must be from the following list:
    - i. Operating a vehicle while intoxicated
    - ii. Operating a vehicle with at least .10% of alcohol in the blood (before 7/1/1997)
    - iii. Operating a vehicle with at least .10 gram of alcohol per 100 ml of blood or 210 liters of breath (after 6/30/1997 and before 7/1/2001)
    - iv. Operating a vehicle with .08 gram of alcohol per 100 ml of blood or 210 liters of breath (after 6/30/2001)

- v. Operating a vehicle while license is suspended or revoked resulting from a conviction of an offense under 9-24-19-3 or 9-24-19-5 (or 9-1-4-52 before its repeal on 7/1/1991 or 9-24-18-5(b) before its repeal on 7/1/2000).
  - 1. A person is convicted for a criminal offense (as defined under IC 35-41-1-19) and receives a license suspension.
  - 2. While suspended for that offense, the person is caught driving and convicted of driving while suspended under 9-24-19-3.
  - 3. While suspended for DWS under 9-24-19-3 or 5, the person is caught driving and convicted of DWS again. This conviction for driving while suspended is the only type counted here.
- vi. Operating a vehicle without ever receiving a license
- vii. Reckless driving
- viii. Criminal recklessness involving the operation of a motor vehicle
- ix. Drag racing or engaging in a speed contest
  - x. Violation of driver's duties if involved in an accident resulting in injury or death under 9-26-1-1(1),(2), or (4).
  - xi. Violation of driver's duties if involved in an accident resulting in damage to a driven or attended vehicle under 9-26-1-2(1) or (2).
  - xii. Violation of driver's duties after colliding with an unattended vehicle under 9-26-1-3
  - xiii. Violation of driver's duties after causing damage to property other than a vehicle under 9-26-1-4
  - xiv. Any felony under an Indiana motor vehicle statute, or any felony involving the use of a motor vehicle
  - xv. Any judgment listed under 9-30-10-4(a) above
- 4. **Lifetime forfeiture or suspension for a set period = Operating While HTV** (9-30-10-16)
  - a. If entered as a D felony, Court orders a lifetime forfeiture.
  - b. If entered as an A misdemeanor, the court may impose suspension time in addition to any pre-existing suspension time.
- 5. **Lifetime forfeiture = 2 judgments in 10 years** (9-30-10-4(a)(4) through(7)); 9-30-10-5(b)(2)
  - a. Judgments must not arise from the same incident;
  - b. At least one judgment must be after March 1, 1984; **and**
  - c. Must be from the following list:
    - i. Operating a vehicle while intoxicated resulting in death
    - ii. Operating a vehicle with at least .10% of alcohol in the blood (before 7/1/1997) resulting in death

- iii. Operating a vehicle with at least .10 gram of alcohol per 100 ml of blood or 210 liters of breath (after 6/30/1997 and before 7/1/2001) resulting in death
- iv. Operating a vehicle with .08 gram of alcohol per 100 ml of blood or 210 liters of breath (after 6/30/2001) resulting in death