

BMV “Cheat Sheet” for Habitual Traffic Violators

1. 5 year driving privilege 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 driving privilege 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 9-24-19-2, 9-24-19-3, or 9-24-19-4 (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 9-24-19-2 (if offense date on or after July 1, 2012) or 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) or (2).
- 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