



THE TITLE OF THIS BOOK SHOULD HAVE BEEN <u>CONFESSIONS OF</u> <u>A SUSPENDED TRAFFIC TICKET LAWYER'S LICENSE</u>. THE TRUTH IS, I DO HAVE A CONFESSION ... I HAVE HAD MY FLORIDA DRIVERS LICENSE SUSPENDED. THE YEAR WAS 1996 AND I WAS A NEW LAWYER WITH A NEW LAW LICENSE. WHAT HAPPENED TO ME HAS HAPPENED TO COUNTLESS PEOPLE. I NOW KNOW THAT I DID NOT DO ANYTHING WRONG. I WAS A VICTIM OF CIRCUMSTANCE AND ALMOST GOT CAUGHT UP INTO A NIGHTMARE THAT THOUSANDS OF FLORIDANS ARE ENSNARED IN EACH YEAR. I KNOW BECAUSE I NOW REPRESENT THOUSANDS OF THEM. HERE'S WHAT HAPPENED.



I HAD SWITCHED CAR INSURANCE COMPANIES. MY OLD COMPANY TOLD THE FLORIDA DEPARTMENT OF MOTOR VEHICLES THAT THEY NO LONGER INSURED ME. THE PROBLEM WAS THAT MY NEW COMPANY NEVER TOLD THE DMV THAT THEY WERE INSURING ME NOW. I ALSO MOVED AND HAD NOT UPDATED MY ADDRESS WITH THE DMV OR ON MY LICENSE. AS A RESULT, I NEVER GOT THE NOTICE OF PENDING SUSPENSION FROM THE DMV BECAUSE THEY THOUGHT I DID NOT HAVE CAR INSURANCE. I ONLY FOUND OUT THAT MY LICENSE WAS SUSPENDED WHEN I GOT PULLED OVER FOR SPEEDING AND THE OFFICER INFORMED ME. I FIXED THE PROBLEM AND NOBODY WENT TO JAIL, BUT I COULD HAVE. IN FACT, EVERY DAY FLORIDIANS ARE ARRESTED FOR DRIVING ON A SUSPENDED LICENSE AND GO TO JAIL. THERE ARE LOTS OF WAYS TO GET YOUR LICENSE SUSPENDED. THERE ARE ALSO WAYS TO FIX IT. WE WILL DISCUSS THESE AND OTHER TOPICS SO THAT YOU DON'T FIND YOURSELF ON THE SIDE OF THE ROAD IN HANDCUFFS. ENJOY THIS FREE E-BOOK AND FEEL FREE TO CALL ANYTIME (954) 967-9888 FOR A FREE CONSULTATION.

Jason Diamond, Esq.



# LETS START WITH THE BASICS: IS YOUR DRIVERS LIENSE SUSPENDED?

CLICK HERE TO FIND OUT.

If the answer is NO, GREAT! Keep this link handy though and check it every few months. If the answer is yes, or you want to learn a lot more, keep reading.



The first thing one must understand about Driving on a Suspended License is that there are many ways to get your license suspended. But before we get into that, you need to understand the two types of suspensions. One is Civil (no jail) and the other is Criminal (go to jail).





CIVIL DRIVING ON A
SUPSENDED LICENSE A/K/A
DRIVING ON A SUSPENDED
LICENSE WITHOUT KNOWLEDGE.



DRIVING ON A SUSPENDED
LICENSE WITHOUT KNOWLEDGE
MEANS THAT YOUR LICENSE IS
SUSPENDED AND YOU GOT CAUGHT
DRIVING, BUT YOU DID NOT KNOW
THAT YOUR LICENSE WAS
SUSPENDED.

IF YOU GET PULLED OVER FOR SPEEDING AND THE COP RUNS YOUR LICENSE, HE IS GOING TO SEE THAT IT IS SUSPENDED.



WHEN HE COMES BACK TO THE CAR, HE IS GOING TO TRY AND TRICK YOU INTO SAYING THAT YOU KNEW IT WAS SUSPENDED. HE MIGHT SAY "HOW LONG HAVE YOU KNOW THAT YOUR LICENSE IS SUSPENDED". HOW YOU ANSWER THAT QUESTION WILL DETERMINE WHERE YOU SLEEP THAT NIGHT, IF YOU REALLY DID NOT KNOW IT WAS SUSPENDED, YOU WILL SAY "OMG, WHAT ARE



YOU TALKING ABOUT, MY LICENSE IS NOT SUSPENDED!" YOU WILL DENY KNOWING AND IF HE BELIEVES YOU, YOU WILL GET A TICKET A CIVIL TICKET FOR D.W.L.S. WITHOUT KNOWLEDGE. IT IS LIKE A SPEEDING TICKET IN TERMS OF WHAT HAPPENS NEXT. HOWEVER, IF YOU ANSWER WRONG, YOU WILL HAVE SOME BIG PROBLEMS.



## "WRONG ANSWER, GO TO JAIL"



CRIMINAL DRIVING ON A
SUPSENDED LICENSE A/K/A
DRIVING ON A SUSPENDED
LICENSE WITH KNOWLEDGE.



IF YOU MADE THE MISTAKE OF ADMITTING YOU WERE AWARE YOUR LICENSE WAS SUSPENDED, YOU ARE GOING TO JAIL, YOU WILL GET OUT IN A LITTLE WHILE, BUT IT COULD HAVE BEEN AVOIDED. THE COP, AND ULTIMATELY, THE JUDGE HAS TO BELIEVE THAT YOU KNEW YOUR LICENSE WAS SUSPENDED, YET YOU CHOSE TO DRIVE.

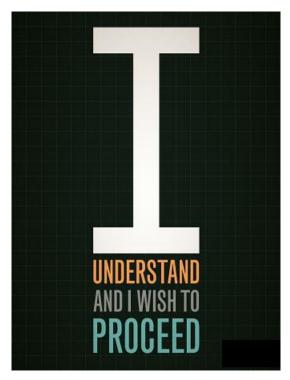


THAT'S WHY YOU SHOULD NEVER ADMIT YOU KNEW YOUR LICENSE WAS SUSPENDED IF YOU GET PULLED OVER. MAYBE YOU NEVER GOT THE NOTICE IN THE MAIL. MAYBE YOU MOVED. THERE ARE ONLY TWO WAYS THEY CAN PROVE YOU KNEW. FIRST, YOU ADMIT IT. WE ALREADY WENT OVER THAT. SECOND, YOU HAVE ALREADY GOTTEN A TICKET FOR D.W.L.S. AND YOUR LICENSE IS STILL



SUSPENDED. IF THEY CAN PROVE THAT YOU ALREADY GOT A TICKET FOR D.W.L.S., IT'S GOING TO BE HARD TO PROVE YOU DID NOT KNOW. THE BURDEN OF PROOF WILL QUICKLY SHIFT TO YOU TO PROVE YOU DID NOT KNOW. THUS, IF YOU GET A TICKET FOR D.W.L.S., CALL US ASAP TO TAKE CARE OF IT. WE CAN USUALLY GET YOUR LICENSE REINSTATED AS WELL.





# OKAY, SO NOW YOU UNDERSTAND THE DIFFERENT KIND OF D.W.L.S. NOW WE WILL EXPLORE WHAT WILL GET

YOUR LICENSE SUSPENDED IN THE
FIRST PLACE.



THE FOLLOWING ARE IN NO PARTICULAR ORDER, BUT THEY ALL WILL GET YOUR LICENSE SUSPENDED. SOME YOU PROBABLY ARE AWARE OF, OTHERS I'M SURE YOU ARE NOT.

### **DEADBEAT DAD/MOM**

IF YOU ARE COURT ORDERED TO PAY CHILD SUPPORT AND YOU HAVE NOT, YOU WILL HAVE YOUR LICENSE SUSPENDED. THERE IS GOOD NEWS THOUGH. ONCE YOU ARE CURRENT, YOU CAN GET IT BACK. TO GET YOUR LICENSE BACK:

- 1. YOU MUST BECOME CURRENT ON YOUR SUPPORT AND GET AFFIDAVIT FORM # DHSMV 73986 FROM THE CLERK OF THE COURT, CHILD SUPPORT AGENCY, OR DEPOSITORY, AND
- 2. BRING SAME AND A \$60 FEE IN TO YOUR COUNTY CLERK'S OFFICE

### **NOT PAYING OR COMPLYING WITH A TICKET/FINE**

THIS IS PERHAPS THE MOST COMMON REASON FOR GETTING A D.W.L.S. IF THE TICKET IS NOT TOO OLD, WE CAN STILL FIGHT IT AND KEEP POINTS OFF YOUR RECORD. IF WE CAN'T FIGHT IT BECAUSE OF ITS AGE, YOU WILL NEED TO PAY THE FINE AND BRING THE D6 CLEARANCE (PROOF THAT IT'S PAID) TO THE DRIVER'S LICENSE OFFICE. AGAIN, WE CAN USUALLY DO THIS FOR YOU IF YOU LIKE.



### **ACCIDENT WITH DEATH**

THIS IS WHEN YOU ARE INVOLVED IN AN ACCIDENT RESULTING IN DEATH OR SERIOUS INJURY. ASSUMING IT'S NOT A DUI ALSO, YOU WILL LOSE YOUR LICENSE FOR A YEAR AND HAVE TO TAKE AN ADVANCED DRIVING CLASS.

#### **POINTS**

GETTING TOO MANY POINTS WILL GET YOUR LICENSE SUSPENDED. THIS IS CALLED A POINT SUSPENSION. THE WAY IT WORKS IS AS FOLLOWS:

- 1. 12 points in 12 months: 30 day suspension.
- 2. 18 points in 18 months: 3 month suspension.
- 3. 24 points in 36 months: 12 month suspension.

THIS HAPPENS TO NEW DRIVERS MORE OFTEN. THEY PILE UP A FEW TICKETS AND PAY THEM BECAUSE THEY DON'T KNOW THAT THEY SHOULD FIGHT THEM. ONLY WHEN IT'S TOO LATE DO THEY CALL. TOLL VIOLATIONS ALSO ADD POINTS AND YOU MIGHT NOT EVEN KNOW IT.





### FEW MISCELANIOUS WAYS TO GET A SUSPENSION

- FAILING TO STOP FOR A SCHOOL BUS
- USING TOBACCO IF YOU ARE UNDER 18
- SHOPLIFTING CONVICTION
- DRUG CONVICTION
- NOT HAVING THE MINIMUM INSURANCE
- REFUSING TO TAKE A BREATHALYZER WHEN ASKED BY THE POLICE
- BLOWING OVER A .08 INTO A BREATHALYZER



FOR A TON OF GREAT INFORMATION ON GETTING YOUR LICENSE BACK AND CLEARING UP PROBLEMS, CHECK OUT THE FLORIDA DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES WEB SITE BY CLICKING



# D. W.L.S. FAQ

### WHAT HAPPENS IF I GET 3 TICKETS FOR D.W.L.S?

Nothing good. If you receive three tickets for D.W.L.S. you can become what's called a Habitual Traffic Offender. This is very bad. You need to have three convictions, not just tickets. If you get three convictions, you will lose your privilege to drive for 5 years. So NEVER pay a D.W.L.S.



### CAN I GET A LICENSE IF FLORIDA IF I HAVE A D.W.L.S. IN ANOTHER STATE?

No. This is because of something called the Drivers License Compact. It means that each state that is a member of the pact (45 are) tell each other about their drivers. So if you get a speeding ticket in N.Y., they will tell the Florida DMV and you will get points on your Florida license. Same thing happens with D.W.L.S. In case you are curious, the 5 non-members are Georgia, Nevada, Massachusetts, Michigan and Tennessee.





### CAN I GET A HARDSHIP LICENSE IF I AM SUSPENDED?

Maybe. A hardship license is given to people with suspended license for limited purposes. For example, you can drive to and from Work, School and Church if you get a hardship license. You must first prove that not driving will be a hardship, like you will lose your job and you need to support the family. Hardship licenses have very particular rules depending on why your license is suspended in the first place. Call us and we can walk you through the process.



### WHAT ARE THE PENALTIES FOR DWLS WITH KNOWLEDGE?

Under Florida law, the first offense maximum penalty is 60 days in jail and \$500 fine. A second offense has a maximum penalty of 365 days in jail and a \$1,000 fine. A third offense may be a felony with a 5 year jail maximum penalty and \$5,000.





### WHAT IS THE NECESSITY DEFENSE?

The Necessity Defense can be used for a DWLS with knowledge charge. Basically, it means that you had no choice but to drive because of an emergency that is imminent and you have no other options. For example, you are with your wife and she has a heart attack and you have no phone and need to drive her to the hospital.





## **Getting Help**

A lawyer can seem like an expensive or unattainable resource, and you may think that it's not worth the expense, that you should just pay the fine and move on—and that's your choice to make—but a traffic ticket lawyer knows all the ins and outs of how to make a ticket go away. A lawyer can take the burden off of your shoulders. Many, like us, offer a money-back guarantee if they fail to help, so there is NO ADDED FINANCIAL RISK on your part. You don't have to bear the weight on your own.



### **You Have Rights Fight for Them**

Getting a ticket is a frustrating and frightening thing.

Nobody is a perfect driver all of the time, and tickets happen. Of course avoiding a ticket by obeying the laws is the best course of action, but if you do get a ticket, just remember that you can fight it. Whether you take a stand by yourself or with the help of a lawyer, it is your right to defend yourself and FIGHT BACK.