



Louisiana Department of Public Safety

Office of Motor Vehicles

2-1.00 Affidavits

Revised Date: 9-9-2025

Purpose

This policy describes requirements for [in lieu of affidavits](#), [written promise affidavits](#), [out-of-state affidavits](#), [Department of Transportation and Development affidavits](#), and [Louisiana State Police Motor Carrier affidavits](#).

Definitions

- **["In Lieu Of" Affidavit](#)** - Represents an individual depositing his license in lieu of posting bond and then fails to appear in court on the appropriate court date.
- **[Out-of-State Affidavit](#)** - An order of suspension from another state issued to a Louisiana resident who failed to satisfy the ticket prior to the court date.
- **Notice of Suspension** - Unpaid citations issued by the Louisiana State Police Motor Carrier Safety Section for failure to pay civil penalties in a timely manner in accordance with the Motor Carrier Safety Standards. If a hearing is not requested in 45 days after the issuance of the failure to pay, the conviction will be added to the driving record.
- **[Written Promise](#)** – When the individual signs the traffic ticket issued by a law enforcement officer, giving the individual's written promise to appear in court at the date and time specified on the ticket in lieu of posting a bond or surrendering their driver's license.
- **[Written Promise Affidavit AKA Failure to Appear \(FTA\)](#)** – Issued by the reporting court stating the individual failed to pay the traffic ticket by the appointed court date or failed to appear in court on the appointed court date.

Affidavit Types

Type	Notes
In Lieu of Affidavits	<p>Authority: R.S. 32:411; R.S. 32:414(Q); CCRP 885.1</p> <p>Compliance:</p> <ul style="list-style-type: none"> The affidavit must be received by the Office of Motor Vehicles within two years of the violation date, unless the violator is a CDL licensee. Proof of payment or final disposition of the affidavit, or a continuance, from the court that issued the order of suspension for failure to appear. If a continuance is granted and the person fails to satisfy the traffic citation on the rescheduled court date, then the court will need to submit a court ordered suspension for failure to pay criminal fines as pursuant to 32:414(Q) and CCRP 885.1. <p>Fees: \$60.00 reinstatement fee in addition to any fee owed for other statutory requirements.</p> <p>Notes:</p> <ul style="list-style-type: none"> Due to federal requirements, a failure to appear by a licensed commercial driver shall be accepted and processed regardless of the date the affidavit was received. Courts are required to submit CDL and CMV violations to the Office of Motor Vehicles within ten (10) days of the driver's failure to appear.
Written Promise	<p>Authority: R.S. 32:57.1; R.S. 32:391 ; R.S. 32:414(Q); CCRP 885.1</p> <p>Compliance:</p> <ul style="list-style-type: none"> One of the following is required from the court that issued the written promise affidavit: <ul style="list-style-type: none"> Proof of payment of the fine or proof that the individual has entered into an installment plan with the court to pay the fine Final disposition of the traffic ticket Court documents showing a continuance or new court date <p>Fees: If compliance is received 180 days after the first official notice, a \$100 reinstatement fee is owed per traffic ticket, in addition to fee(s) owed for other statutory requirements.</p> <p>Suspension:</p> <p>Notes:</p> <ul style="list-style-type: none"> The court may immediately submit the failure to appear to the Office of Motor Vehicles (OMV). However, the failure to appear must be received by OMV: <ul style="list-style-type: none"> Operator (Class E) or Chauffer's License (Class D) – Must be received within two (2) years of the violation date Commercial Driver's License (Classes A, B, or C) – Must be received within ten (10) days of the missed court date. A written promise affidavit that was issued to a licensed commercial driver shall be accepted and processed, regardless of the date the affidavit was received. If a continuance or new court date is granted and the individual fails to appear on the new/rescheduled court date, the failure to appear does not qualify for a suspension under R.S. 32:57.1. If the individual fails to pay the fine after the entry of a plea or after a trial, the court will need to submit a court ordered suspension for failure to pay criminal fines as pursuant to R.S. 32:414(Q) and CCRP 885.1.

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Out-of-State	<p>Authority: R.S. 32:1441</p> <p>Compliance: Final disposition from the court issuing the citation.</p> <p>Fees: A \$60 reinstatement fee in addition to any fee owed for other statutory requirements.</p> <p>Notes:</p> <ul style="list-style-type: none">Members of the Non-Resident Violator’s Compact: <table><tr><td>Alabama</td><td>Florida</td><td>Kansas</td><td>Minnesota</td><td>New Mexico</td><td>Pennsylvania</td><td>Utah</td></tr><tr><td>Arizona</td><td>Georgia</td><td>Kentucky</td><td>Mississippi</td><td>New York</td><td>Rhode Island</td><td>Vermont</td></tr><tr><td>Arkansas</td><td>Idaho</td><td>Louisiana</td><td>Missouri</td><td>North Carolina</td><td>South Carolina</td><td>Washington</td></tr><tr><td>Colorado</td><td>Illinois</td><td>Maine</td><td>Nebraska</td><td>North Dakota</td><td>South Dakota</td><td>Washington, DC</td></tr><tr><td>Connecticut</td><td>Indiana</td><td>Maryland</td><td>Nevada</td><td>Ohio</td><td>Tennessee</td><td>West Virginia</td></tr><tr><td>Delaware</td><td>Iowa</td><td>Massachusetts</td><td>New Jersey</td><td>Oklahoma</td><td>Texas</td><td>Wyoming</td></tr></table> <ul style="list-style-type: none">Type of Citation Accepted - All traffic related violations will be accepted as out of state violations.	Alabama	Florida	Kansas	Minnesota	New Mexico	Pennsylvania	Utah	Arizona	Georgia	Kentucky	Mississippi	New York	Rhode Island	Vermont	Arkansas	Idaho	Louisiana	Missouri	North Carolina	South Carolina	Washington	Colorado	Illinois	Maine	Nebraska	North Dakota	South Dakota	Washington, DC	Connecticut	Indiana	Maryland	Nevada	Ohio	Tennessee	West Virginia	Delaware	Iowa	Massachusetts	New Jersey	Oklahoma	Texas	Wyoming
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Department of Transportation and Development	<p>Authority: R.S. 32:388-389; R.S. 47:501</p> <p>Compliance: Final disposition from DOTD and acceptable evidence that the proper plate has been secured, if applicable, must be submitted.</p> <p>Fees: \$50 reinstatement fee in addition to any fee owed for other statutory requirements.</p> <p>Suspension: Unpaid citations for driver violations issued by the Department of Transportation and Development, Weights and Standards Enforcement Section are forwarded to the Office of Motor Vehicles for suspension. The suspension will remain on the driver's record until the violation has been properly satisfied.</p>																																										
Court Ordered Temporary Driving Permit for Payment of Criminal or Traffic Fines	<p>Authority: R.S. 32:411H; CCRP ART#885.1</p> <p>Compliance: The violator must provide final disposition from the court and must then pay a \$60.00 reinstatement fee.</p> <p>Notes:</p> <ul style="list-style-type: none">This type of permit is a temporary driving permit issued at the discretion of the court when a fine has been levied and an extension granted to allow an individual to make installment payments for any criminal offense or violation of the Louisiana Highway Regulatory Act or any municipal or parish ordinance regulating traffic. The court may order the surrender of the operator's license and issuance of the temporary driving permit for a period not to exceed 180 days or for a period of time as set forth by the judge having jurisdiction.The temporary driving permit books are furnished free of charge to any court.Inquiries on how to obtain these permits should be directed to the Court/Agency Ordered Withdrawal Unit.																																										
Louisiana State Police Motor Carrier Affidavit and Convictions	<p>Authority: R.S. 32:389</p> <p>Compliance:</p> <ul style="list-style-type: none">Final disposition from the State Police Motor Carrier Safety Section\$50 reinstatement feeMultiple fees are collected on Motor Carrier affidavits according to the court date; however, only one fee can be charged for these affidavits received with the same conviction date. <p>Notes:</p> <ul style="list-style-type: none">These affidavits are unpaid citations issued by the Louisiana State Police Motor Carrier Safety Section for failure to pay civil penalties in a timely manner in accordance with the Motor Carrier Safety Standards. If a hearing is not requested in 45 days after the issuance of the failure to pay, the conviction will be added to the driving record.																																										