



Louisiana Department of Public Safety
Office of Motor Vehicles
Policy 30.00 Hardship License Requirements

Section: 2. Driver's License Laws

Effective Date: 07/11/1996

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Authority:

[R.S. 9:315.45](#)

[R.S. 32:378.2](#)

[R.S. 32:414](#)

[R.S. 32:415.1](#)

[R.S. 32:430](#)

[R.S. 32:431](#)

[R.S. 32:667-668](#)

To view Louisiana Statutes: <http://www.legis.state.la.us/>

Definitions:

- **Hardship License** – A restricted license issued administratively in accordance with statutes or by order of the court to an applicant whose driving privileges are under suspension. This license allows the applicant to drive during the period of suspension to earn a livelihood or to maintain the necessities of life. In many instances, the installation of an ignition Interlock device is required.
- **Ignition Interlock Device** – An in-car breath alcohol screening device that is connected to the vehicle's engine ignition system and prevents the vehicle from starting if the device detects a blood alcohol level at or above a preset limit.
- **Lease and Installation Agreement** – Documented proof that the ignition interlock device has been properly leased and installed in a vehicle.
- **Livelihood** - A means of securing the necessities of life.
 - **Example** - The job or other source of income that provides the money to buy the things of need.
- **Necessity of Life** – The activities necessary to sustain life.
 - **Example** – An individual drives to the grocery store. He is stopped by law enforcement. The officer has the discretion to determine if the reason for the individual driving constitutes "necessity".
- **SR-22 Filing** – A certificate of liability insurance from an insurance company authorized to do business in Louisiana. If a vehicle is not owned by the applicant, a non-ownership policy may be issued. A SR-22 binder with the binder clause and number can be accepted in lieu of the original SR-22 filing for ninety (90) days only. A SR-22 filing may be required on a Refusal of a chemical test or Driving While Intoxicated conviction before issuance of a hardship license.

Eligibility:

- **Violations Eligible for Issuance of a Hardship License**

- A court order or ignition interlock installation is **not** required for the following violations:
 - School Bus Violation 1st
 - Unlawful Use 1st
 - Child Support Enforcement, if recommended by Department of Social Services
 - Driving under Suspension Non-alcohol related - Record must have been suspended as a result of the following violations:
 - Out of State Affidavit
 - Written promise
 - In Lieu of
 - TESS Affidavit
 - DOTD Affidavits
 - Nonpayment of Income Taxes
 - School Rule Infraction
- An ignition interlock installation **is** required for the following violations:
 - Submit to the breath alcohol content test
 - Refusal of a chemical test for intoxication
 - Driving while intoxicated
 - Vehicular negligent injury
 - Driving under suspension, alcohol related – Applicant was under suspension for an alcohol offense on the date of violation
 - **Note:** Only the vehicle equipped with an approved interlock device can be driven by the applicant.

- **Court Ordered Hardship License**

- An economic or medical hardship license can be issued only if the applicant has petitioned the district court in the parish in which he/she resides and the court has ordered the Department to issue the license.
- Any change in the restrictions on a court order during the hardship period would require the applicant to petition the court granting approval for the change. Upon receipt of an amended judgment approving the change in restrictions, the hardship will be updated accordingly. The applicant must visit the local field office to have the restriction updated on the application.

Requirements:

- **Documentation that may be required of issuance of a hardship license:**

- SR-22 Filing
- Ignition Interlock Lease and Installation Agreement
- Recommendation letter from Support Services
- Court Order/Judgment
- If the applicant drives his/her employer's vehicle in the scope of his/her employment, the court may allow the applicant to operate the company vehicle without the interlock device. The applicant must provide documentation from the court and the employer must provide a written statement that he/she (the employer) is aware that the employee is otherwise restricted to driving his/her personal vehicle that is equipped with the interlock device. The statement allows the applicant to drive a company vehicle that does not have the interlock installed. However, if the applicant owns the company and drives the company vehicle, the interlock must be installed in that vehicle.
- Applicable fees

- **Issuance of a Duplicate Hardship License** - A copy of the judgment and/or Application for Hardship License will be required.

- **Expiration of a Hardship License** - The applicant is required to visit the local field office for renewal of the expiring hardship license. If the office is closed on the date of expiration, the license may be renewed on the last business day before expiration.
- **Violation of Hardship Restrictions** - There are penalties for violating a hardship restriction. See Section 2, Policy 31.00, [Violation of Hardship Restrictions](#) for more information.
- **Approved Interlock Manufacturers and Installers** - Please visit [http://dpsweb.dps.louisiana.gov/OMVInterlock.nsf/\\$web](http://dpsweb.dps.louisiana.gov/OMVInterlock.nsf/$web) for a list of approved interlock manufacturers and installers.

Exceptions:

- A hardship license can only be issued to a Class D or E license holder. A hardship license cannot be issued to an applicant to operate a Commercial Motor Vehicle (Class A, B or C). The applicant may downgrade to a Class D or E license and be issued a hardship license, if eligible.
- If an applicant is licensed, but suspended in another state and subsequently becomes a Louisiana resident, he/she is not eligible for the issuance of a hardship license. The applicant must comply with the requirements of the issuing state before he/she is eligible for a license in Louisiana.
- If a Louisiana resident holds a license from another state, but is suspended in Louisiana (i.e. under a pseudo number), he/she can be issued a hardship license, provided he/she is eligible and meets the requirements to obtain a Louisiana license.

Guidelines:

- Hardship licenses are issued in the OMV field offices throughout the state. Hardship licenses are issued in accordance with many statutes and the requirements may vary. Therefore, applicants should contact the Office of Motor Vehicles at (225) 925-6146 to determine their eligibility and requirements prior to visiting a field office.

Related Policies:

- Section 2, Policy 8.00 [DWI - UDUJ](#)
- Section 2, Policy 11.00 [Submit - Refusal](#)
- Section 2, Policy 11.09 [Ignition Interlock As A Condition Of Reinstatement](#)
- Section 2, Policy 11.10 [Violation Of Interlock Requirements - Condition Of Reinstatement](#)
- Section 2, Policy 13.00 [By Order Of The Department Recommended By The Court](#)
- Section 2, Policy 13.04 [Purchase Or Possession Of Alcohol](#)
- Section 2, Policy 24.01 [Vehicular Negligent Injury](#)
- Section 2, Policy 26.01 [Unlawful Use Of A Driver's License, Court Conviction](#)
- Section 2, Policy 31.00 [Violation Of Hardship Restrictions](#)
- Section 2, Policy 33.00 [Driving While Suspended - Departmental Act](#)
- Section 2, Policy 40.00 [Failure To Stop For School Bus Loading & Unloading Children](#)
- Section 2, Policy 41.00 [Nonpayment Of Child Support](#)
- Section 2, Policy 49.00 [Denial Of Driving Privileges](#)
- Section 2, Policy 49.01 [Denial Of Driving Privileges Of The Young](#)
- Section 2, Policy 54.00 [School Rule Infractions - Driving Is A Privilege](#)