



Louisiana Department of Public Safety
 Office of Motor Vehicles
**Policy 29.00 Eligibility for Hearings and Hardship by
 Statutes and Driver's License Class**

Section: 2. Driver's License Laws

Effective Date: 10/18/1993

Revised Date: 06/21/2021

Authority:

Louisiana Revised Statutes as listed in chart below.
 To view Louisiana Statutes: <http://www.legis.state.la.us/>

Eligibility:

- Administrative hearing and/or hardship licenses are allowed by statute only on certain violations.

Requirements:

- The following chart should be used to determine basic eligibility for administrative hearings, departmental hardships, court ordered hardships, and interlock device hardships.

Statute	Violation	Admin. Hearing	Dept. Hardship	Court Hardship	Interlock Hardship
32:414A(1)	DWI 1st Offense	No	No	Yes	Yes
32:414B(2)	DWI 2nd Offense	No	No	Yes	Yes
32:414D(1)	DWI 3rd or Subsequent Offense	No	No	Yes	Yes
32:414(A)(1)(C)	DWI 1st, Bac .20+	No	Yes, after 1st year of suspension.	Yes	Yes
32:415.1	Violation of Hardship License DWI/DUS	No	No	Yes	Yes
32:414(A)(1)(C)	DWI 2nd, Bac .20+	No	Yes, after 3 years of suspension.	Yes	Yes
32:414A(1)	Veh. Neg. Injury 1st Offense	No	Yes	Yes	Yes
32:414B(2)	Veh. Neg. Injury 2nd Offense	No	No	Yes	Yes
32:414D(1)	Veh. Neg. Injury 3rd + Offense	No	No	Yes	Yes
32:415	Violation of Revocation (DUS) suspended as a result of unpaid traffic violations	No	Yes	Yes	No

Statute	Violation	Admin. Hearing	Dept. Hardship	Court Hardship	Interlock Hardship
32:415	Violation of Revocation (DUS) Alcohol Related	No	No	Yes	Yes
32:414B(1)	Manslaughter	No	No	Yes	No
32:414B(3)	Felony	No	No	Yes	No
32:414B(1)	Negligent Homicide	No	No	Yes	No
32:414B(4)	Failure to Stop Render Aid	No	No	Yes	No
32:414A(2)	Failure Stop School Bus 1st	No	Yes	Yes	No
32:414A(2)	Failure Stop School Bus 2nd +	No	No	Yes	No
32:414C & 414.1	Unlawful Use Driver's License	No	Yes	Yes	No
32:414C & 414.1	Unlawful Use Driver's License 2nd +	No	No	Yes	No
32:414	By Order of Department	No	No	Yes	No
32:414B(5)	3 Charges of Reckless Driving	No	No	Yes	No
32:414E(2)	Negligent Injury	No	No	Yes	No
32:414B(1)	Vehicular Homicide	No	No	Yes	No
32:393 Chapter 1	Written Promise	No	No	No	No
32:1441 Chapter 1	OOS Affidavits	Yes	No	No	No
32:414E(8)	Medical Reason	No	No	Yes	No
32:424	Fail Standards/ Safe Driver	No	No	No	No
32:430	Denial Driving Privileges Youth	No	No	Yes	No
32:430	Denial Driving Privileges Over 18 Yrs	No	No	Yes	No
32:407	Cancel Request by Parents	No	No	No	No
32:668	Refusal 1st Offense	Yes	Yes	Yes	Yes
32:668	Refusal 2nd Offense	Yes	No	Yes	Yes
32:668	Refusal 3rd +	Yes	No	Yes	Yes
32:668	Refusal Fatal/ Serious Injury	Yes	No	No	No
32:668	Submit 1st	Yes	Yes	Yes	Yes
32:668	Submit 2nd +	Yes	No	Yes	Yes
32:668	Submit 3rd +	Yes	No	Yes	Yes
32:667(B)(1)(c)	Submit 1st, Bac .20+	Yes	No	No	Yes
32:668	Violation of Hardship License Sub/Ref	No	No	Yes	No

Statute	Violation	Admin. Hearing	Dept. Hardship	Court Hardship	Interlock Hardship
32:667(B)(1)(c)	Submit 2nd, Bac .20+	Yes	No	No	Yes
32:414M(1)	Improper CDL 1st	No	No	Yes	No
32:414M(1)	Improper CDL 2nd	No	No	Yes	No
32:414M(1)	Improper CDL 3rd	No	No	Yes	No
32:861	Cancellation of Insurance	Yes	No	No	No
32:863.1	Notice of Violation	Yes	No	No	No
32:414	Failure to Pay Income Tax Suspension	No	Yes	Yes	No
32:871	Accidents	Yes	No	No	No
32:415.3	Ex-Offender/ Provisional License	No	Yes	Yes	No

Commercial Vehicles					
Statute	Violation	Admin. Hearing	Dept. Hardship	Court Ordered Hardship	Interlock Hardship
32:414.2	Submit 04+	Yes	No	No	No
32:414.2	Refusal	Yes	No	No	No
32:414.2A (4)	DWI	No	No	No	No
32:414.2S (3)	DWI Hazardous Materials	No	No	No	No
32:414.2A (4)	Leaving the Scene	No	No	No	No
32:414.2(3)	Felony	No	No	No	No
32:414(3)	Leaving Scene/Haz. Material	No	No	No	No
32:414.2(3)	Felony/Haz. Material	No	No	No	No
32:414.2A (5)	Felony/Dist. of Control Subst.	No	No	No	No
32:414.2A (5)	Serious Viol. 2 W/I 3 Yrs.	No	No	No	No
32:414.2A (5)	Serious Viol. 3 W/I 3 Yrs.	No	No	No	No
32:414.2b (2a,b)	Out of Service Viol 1st	No	No	No	No
32:414.2b (2a, b)	Out of Service Viol 2nd	No	No	No	No
32:414.2b (2a, b)	Out of Service Viol 3rd +	No	No	No	No