



Louisiana Department of Public Safety
Office of Motor Vehicles
Policy 6.04 Article 892.1 Code of Criminal Procedure

Section: 2. Driver's License Laws

Effective Date: 09/07/1990

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Authority:

C.Cr.P. Art 892.1

[R.S. 32:414.2. A.1\(B\)](#)

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

Definition:

- Article 892.1 of the Code of Criminal Procedure allows the courts to set aside a conviction for a misdemeanor traffic violation under Title 32 upon completion of a court approved driver education, driver training, or driver improvement program. A Charge dismissed under this Article shall not become a part of the person's official driving record.

Requirements:

- The court may apply Article 892.1 upon completion of the driver's course; however, the conviction must indicate the date the driving school was completed. The driving course violation code "237", will be displayed on the Department's Official Driving Record, (ODR). Article 892.1 can be granted once within a two-year period. Multiple violations arising out of the same incident/violation date are to be considered one offense.

Exceptions:

- Article 892.1 cannot be applied to convictions under Title 14 of the Louisiana Revised Statutes. This includes convictions of DWI (14:98), UDUI (R.S. 14:98.1), Crime of Refusal (R.S. 14:98.2), Reckless Operation (R.S. 14:99), and Hit and Run (R.S. 14:100). These convictions are added to the driving record as guilty convictions.
- Article 892.1 cannot be applied to any conviction that would result in a disqualification or in a subsequent disqualification. This includes 'Serious Offenses,' 'Railroad Offenses,' 'Out-of-Service Offenses,' and 'Major Offenses' as specified in Section II, 3.0. These convictions are added to the driving record as guilty convictions.
- Article 892.1 cannot be applied to a conviction for speeding twenty-five miles per hour or more over the posted speed limit.