



Louisiana Department of Public Safety  
Office of Motor Vehicles  
**Policy 11.00 Submit / Refusal**

**Section:** 2. Driver's License Laws

**Effective Date:** 07/01/1986

**Revised Date:** 08/25/2021

**Authority:**

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

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

[R.S. 32:661 et al](#)

[R.S. 32:414.2 \(C\)\(2\)](#)

[R.S. 32:407](#)

49 CFR Part 383.51

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

**Definition:**

- **Refusal** - When a law enforcement officer places a person under arrest for operating a motor vehicle while intoxicated and the person refuses to submit to an approved chemical test for intoxication.
- **Submit** - When a law enforcement officer places a person under arrest for operating a motor vehicle while intoxicated and the person submits to an approved chemical test for intoxication and such test results show a blood alcohol content over the legal limits.

**Requirements:**

- If a Refusal/Submit occurs out-of-state on an individual with a Louisiana driver's license (Class D or E) while operating a private vehicle, it will not be processed.
- **Disqualification Period** - If a Refusal/Submit is received and a Commercial Motor Vehicle (CMV) was being operated **or** the violator holds a class A, B, or C driver's license while operating a private vehicle, the driver must also serve a disqualification period. Refer to Section 2, Policy 3.00, [Commercial Motor Vehicle \(CMV\) Enforcement](#).

<b>Suspension Period</b>			
<b>Law</b>	<b>Violation Description</b>	<b>BAC</b>	<b>Suspension Period</b>
R.S. 32:667B(2)	1st Refusal (any age) / 1st Refusal/Out of State Driver License prior to 09/01/09	n/a	180 days (6 months)
R.S. 32:667B(2)	2nd Refusal (any age) / 2nd Refusal/Out of State Driver License prior to 09/01/09	n/a	1 1/2 year (545 days)
R.S. 32:667B(2)	3rd Refusal (any age) / 3rd Refusal/Out of State Driver License prior to 09/01/09	n/a	1 1/2 year (545 days)
R.S. 32:667B(2)	1st Refusal (any age) / 1st Refusal/Out of State Driver License on or after 09/01/09	n/a	365 days (1 year)
R.S. 32:667B(2)	2nd Refusal (any age) / 2nd Refusal/Out of State Driver License on or after 09/01/09	n/a	730 days (2 years)
R.S. 32:667B(2)	3rd Refusal (any age) / 3rd Refusal/Out of State Driver License on or after 09/01/09	n/a	730 days (2 years)
R.S. 32:667B(4)	1st Refusal Fatality/Serious Injury (any age) prior to 09/01/09	n/a	1 1/2 year (545 days)
R.S. 32:667B(4)	1st Refusal Fatality/Serious Injury (any age) on or after 09/01/09	n/a	365 days (1 year)
R.S. 32:667B(4)	2nd Refusal Fatality/Serious Injury (any age) on or after 09/01/09	n/a	730 days (2 years)
R.S. 32:414.2(A(1)(b)(i))	Disq. Refusal 894	n/a	n/a
R.S. 32:667B(1)(a)(b)	1st Submit (21 & over) / 1st Submit/Out of State Driver License	.08 -.19	90 days (3 months)
R.S. 32:667B(1)(c)	1st Submit (any age) / 1st Submit/Out of State Driver License	.20 or above	2 years (730 days)
R.S. 32:667B(1)(a)(b)	Submit Underage (under 21)	.02 -.19	180 days (6 months)
R.S. 32:667B(1)(a)(b)	2nd Submit (21 & over) / 2nd Submit/Out of State Driver License	.08 -.19	1 year (365 days)
R.S. 32:667B(1)(c)	2nd Submit (any age) / 2nd Submit/Out of State Driver License	.20 or above	4 years (1460 days)
R.S.32:667B(1)(a)(b)	3rd Submit (21 and over) / 3rd Submit/Out of State Driver License	.08 and above	1 year (365 days)

## Method of Compliance

- **Refusal**

1. Serve mandatory suspension and/or disqualification period of the driving privileges.
2. File proof of financial responsibility (SR-22) for three (3) years from date of arrest.
3. Pay \$50.00 reinstatement fee, in addition to any fee owed for other statutory requirements.
4. Ignition interlock device installed in the vehicle may be required if certain criteria is met. Refer to Section 2, Policy 11.09, [Ignition Interlock as a Condition of Reinstatement](#) for more information.

- **Submit**

1. Serve mandatory suspension and/or disqualification period of the driving privileges.
2. Pay \$50.00 reinstatement fee, in addition to any fee owed for other statutory requirements.
3. Ignition interlock device installed in the vehicle may be required if certain criteria is met. Refer to Section 2, Policy 11.09, [Ignition Interlock as a Condition of Reinstatement](#), for more information.

- **Refusal/Submit for Out-of-State Driver's License**

1. Serve mandatory suspension of the driving privileges.
2. Pay \$50.00 reinstatement fee, in addition to any fee owed for other statutory requirements.

**Additional Compliance for Intermediate License** - Louisiana [R.S. 32:407](#), amended in 2008, requires proof of completion of a 30-hour classroom driver education course or a 6-hour pre-licensing course at the time of reinstatement for these violations for any driver who has an intermediate license, sixteen (16) years of age with a "61" restriction.

- The course completion date must be after the date of violation.
- The 8-hour behind the wheel training is not required.
- Once the driver turns 17, the course is no longer required for reinstatement. Act 605 does not waive this requirement.

## Related Policies

Section 2, Policy 3.00 [Commercial Motor Vehicle \(CMV\) Enforcement](#)

Section 2, Policy 4.00 [Suspension and/or Disqualification Dates](#)

Section 2, Policy 6.01 [Act 605](#)

Section 2, Policy 11.09 [Ignition Interlock as a Condition Of Reinstatement](#)

Section 2, Policy 30.00 [Hardship License Requirements](#)

Section 2, Policy 36.00 [Driver Management Fees](#)

Section 3, Policy 14.00 [Proof of Future Financial Responsibility](#)