

TERMS AND CONDITIONS OF TERMINATION OF ACTION

California Vehicle Code (CVC) Section 13353.5 provides that if a person meets the following conditions, the department may terminate an action for the purpose of allowing a person to apply for a license in his/her state of residence:

- The driving privilege is suspended or revoked for driving under the influence.
- The mandatory withdrawal period has elapsed.
- Eligibility for reinstatement is contingent only upon submitting proof of completion of a California licensed drinking driver program.
- The person currently maintains his or principle residence (as defined in CVC Section 12505) in another state.
- The person has no other stops or actions against the driving privilege.

The provisions of this law also provide that if you apply for a California driver license within three years from the termination date, you shall be required to complete the California licensed drinking driver program and/or provide proof of financial responsibility at that time. The Department of Motor Vehicles will not issue a license until the department establishes that you are qualified for restoration of your California driving privilege and no grounds exist that would authorize refusal to issue a license.

If it is determined that you were still a resident of California at the time of your request for clearance, the action may be reimposed. Additional convictions of driving under the influence, even if issued in another state, could result in the California Department of Motor Vehicles reimposing the suspension or revocation.

CVC SECTION 13353.5:

13353.5. (a) Notwithstanding subdivision (c) or (d) of Section 13353.4, if a person whose driving privilege is suspended or revoked under Section 13352 and is a resident of another state at the time the mandatory period of suspension or revocation expires, the department may, upon written application of the person, terminate the suspension or revocation for the purpose of allowing the person to apply for a license in his or her state of residence. The application shall include, but not be limited to, evidence satisfactory to the department that the applicant now resides in another state.

(b) If the person submits an application for a California driving license within three years after the date of the action to terminate suspension or revocation pursuant to subdivision (a), a license shall not be issued until evidence satisfactory to the department establishes that the person is qualified for reinstatement and no grounds exist including, but not limited to, one or more subsequent convictions for driving under the influence of alcohol or other drugs, that would authorize the refusal to issue a license. The department may waive the three-year requirement upon receipt of a program completion certificate, as described in subdivision (c) of Section 13353.4 that has been duly issued to the individual.

PURSUANT TO CVC SECTION 12505:

"State of domicile" means the state where a person has his or her true, fixed, and permanent home and principal residence and to which he or she has manifested the intention of returning whenever he or she is absent.



STATE OF CALIFORNIA
 DEPARTMENT OF MOTOR VEHICLES
 REQUEST FOR TERMINATION OF ACTION PURSUANT TO CVC 13353.5



SAMPLE FORM
ASK DMV FOR LATEST ORIGINAL
AND TO OPEN FILE: 916-657-6525

Date:

To: California Department of Motor Vehicles
 Licensing Operations Division
 Mandatory Actions Unit
 P.O. Box 942890 M/S J233
 Sacramento, CA 94290-0001

From: Name _____
 (Print or type full name)

Birthdate _____ California Driver License
 Number (if known) _____

Subject: Request for Termination of Suspension or Revocation Pursuant to
 California Vehicle Code Section 13353.5

My driving privilege is currently suspended or revoked in the state of California pursuant to California Vehicle Code (CVC) Section 13352 for conviction(s) of Driving Under the Influence (DUI) and is eligible to be reinstated by submitting proof of completion (DL101) of a First-Offender or Multi-Offender Drinking Driver Alcohol/Drug Program licensed by the California Department of Alcohol and Drug Programs.

Since I currently maintain my principal residence in the state of _____, I am unable to comply with this requirement.

I am requesting termination of the suspension or revocation taken under CVC Section 13352 from the California Department of Motor Vehicles to apply for a license in my current state of residence pursuant to CVC Section 13353.5.

I certify under penalty of perjury that the foregoing information is true and correct. I have read and I understand the terms and conditions as stated on page two regarding the termination of this action(s) pursuant to CVC Section 13353.5 by the California Department of Motor Vehicles, and the residency requirements as defined in CVC Section 12505.

 (Signature) (Date)

 (Residence Address) (City, State, Zip)

 (Mailing Address, if different) (City, State, Zip)

If you have any question regarding this request, contact the Mandatory Actions Unit at (916) 657-6525.