

Conditional License

What about a Conditional License?

The "conditional license" is generally an option for individuals who are convicted of an alcohol related driving offense and who are subject to a suspension or revocation relative to a conviction. You may hear lawyers refer to this as a "post-conviction conditional license." However, generally it takes about twenty (20) days from the date of sentencing on an alcohol related conviction, before the DMV will offer the applicant a conditional license, to eligible offenders. As such, most knowledgeable attorneys will ask for what is commonly referred to as a "twenty (20) day stay" of their client's suspension or revocation. This twenty (20) day period will provide the clients sufficient time to become enrolled in the "Impaired Driver's Program" or IDP.

Where and when you can drive

If you receive a conditional license or conditional driving privilege, you may drive ONLY under the following circumstances:

- to and from your place of employment;
- during the hours of employment if your job requires you to drive a motor vehicle;
- to and from a Motor Vehicle office to transact business regarding the conditional license;
- to and from a class or activity that is an authorized part of the IDP;
- to and from a class or course at an accredited school, college or university, or at a state-approved institution of vocational or technical training in which you are enrolled
- to and from probation activities ordered by the court;
- during an assigned period of three consecutive hours between 5:00 a.m. and 9:00 p.m. once a week - the assigned period will not be changed unless this privilege is amended;
- to and from a medical appointment that is part of necessary treatment for you or a member of your household - you must carry a written statement from your licensed medical practitioner as evidence, and show it to any police officer who asks to see it;
- to and from a child's school/day care if the child's attendance at the school/day care is necessary for you to maintain employment or enrollment to an accredited school, college or university, or at a state-approved institution of vocational or technical training.

If you are not able to complete the Impaired Driver Program (IDP) and your alcohol evaluation together with any treatment recommended by your alcohol evaluator, you will be required to relinquish your conditional license and complete your original suspension or revocation period without the benefit of it. In other words, in order to maintain conditional license privileges given to you upon enrollment in the Impaired Driver Program (IDP) you will be required to complete the classroom portion of the course as well as your alcohol evaluation and comply with any treatment recommendations. Participants who fail to complete the program in its entirety, can be removed from the program. If you are removed from the program your conditional license will be revoked.

This is not legal advice and is for general informational purposes only. Please consult a lawyer if you're charged with a DWI.

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Tom Anelli & Associates is a statewide DWI defense practice focusing on solely on DWI Defense matters. Tom Anelli holds certifications in the Science of Evidential Breath Alcohol Testing, and is factory trained on the breath testing instrument most used by local law enforcement. He is also a NHTSA Certified Practitioner and Instructor in Standardized Field Sobriety Testing.

Further, Tom is the author of the New York Edition of The DUI Book: A Citizen's Guide to Understanding DWI – DWI Litigation in America. Tom has appeared nationally as a regular legal commentator on TruTV.

He earned his B.A. at Syracuse University and his Juris Doctor at St. Thomas University School of Law before earning admission to the New York State Bar.

Please remember you can call Tom Anelli 24/7 at 1-800-DWI-1100 or www.dwitom.com