

**HB 1854-S - DIGEST**

(DIGEST AS ENACTED)

Provides that, whenever the department proposes to withhold the driving privilege of a person or disqualify a person from operating a commercial motor vehicle and this action is made mandatory by the provisions of this act or other law, the department must give notice to the person in writing by posting in the United States mail.

Provides that within fifteen days after notice has been given to a person under this act, the person may request in writing an administrative review before the department.

Declares that an administrative review under this act shall consist solely of an internal review of documents and records submitted or available to the department, unless the person requests an interview before the department, in which case all or any part of the administrative review may, at the discretion of the department, be conducted by telephone or other electronic means.

Declares that the only issues to be addressed in the administrative review are: (1) Whether the records relied on by the department identify the correct person; and

(2) Whether the information transmitted from the court or other reporting agency or entity regarding the person accurately describes the action taken by the court or other reporting agency or entity.

Provides that whenever a monetary penalty, fee, cost, assessment, or other monetary obligation is imposed by a court under this act it is immediately payable. If the court determines, in its discretion, that a person is not able to pay a monetary obligation in full, and not more than one year has passed since the later of the effective date of this act or the date the monetary obligation initially became due and payable, the court shall enter into a payment plan with the person, unless the person has previously been granted a payment plan with respect to the same monetary obligation, or unless the person is in noncompliance of any existing or prior payment plan, in which case the court may, at its discretion, implement a payment plan.

Provides that, if a person has not entered into a payment plan with the court and has not paid the monetary obligation in full on or before the time established for payment, the court shall notify the department of the delinquency. The department shall suspend the person's driver's license or driving privilege until all monetary obligations have been paid, or until the person has entered into a payment plan under this act.