



F.Y.I.

from the Policy Unit

FYI-119

Date: May 1, 2017

SUBJECT: New Legislation Driver License Restriction for Failure to Pay Support

Please contact the Policy Unit if you have any questions regarding these or any other changes at DCSS-POLICYQUESTIONS@azdes.gov or call 602-771-8127

On April 24, 2017, Governor Ducey signed House Bill 2192 which gives the court the authority to either suspend or restrict the driver license of an obligor who is in arrears six months or more in support payments. The ability to suspend is not new. However, Arizona courts are often reluctant to suspend a driver's license as the suspension itself is seen as a barrier to employment and parenting time. Therefore, in our 2017 legislation package, the DCSS proposed a less stringent remedy that allows the court to restrict a driver license and allow the obligor to drive for specified activities. The new law restricts the obligor to driving for the following:

- Employment
- Education
- Medical treatment
- Parenting time

To be eligible the obligor will have to meet the following requirements.

- Employed at least 30 hours per week; or
- Work or attend school at a location that is at least 1 mile from the obligor's residence; or
- Show that the employment or education can be reasonably expected to contribute to bring the obligor into compliance with the support order in a timely manner; and
- Enter into a payment plan with the child support agency

You will be receiving more information as the legal and policy teams work out the challenges of implementing this exciting change. This bill does not go into effect until 90 days after the legislation session ends. Policy and procedures will be completed by the bill's effective date.

When you receive questions from the public, it is important to stress that this is a judicial remedy and only the court can suspend or restrict a driver license.