

How to Clean Your Driving Record

Wouldn't you like to go back in time to when you had a clean driving record? No speeding tickets. Lower car insurance rates. Fortunately, you might be able to. Some states let you expunge violations from your driving record if you meet...

Method 1 of 3:

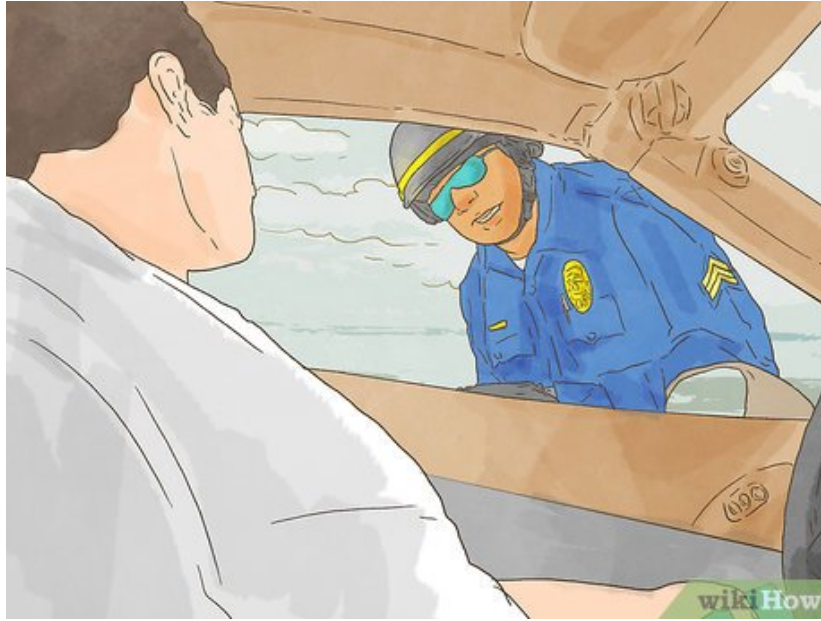
Expunging Violations from Your Record



Pull a copy of your driving record. You need to see what is on your driving record before you go about removing violations. You can get a copy of your record in the following ways:^[1]

1. Order from your nearest Department of Motor Vehicles. Stop in or look on the website. Many states let you order a copy of your driving history in person or online. You usually have to pay a fee.
2. Order online. The website DMV.com has partnered with Backgroundchecks.com. They are not affiliated with your state government, but you can order a copy of your driving record from their website for a fee.
3. Contact your auto insurer, who typically can provide you with a free copy.

2.



Identify how long offenses stay on your record. Each state decides how long a traffic violation will stay on your record. For example, in Minnesota, serious speeding violations (15+ mph over the limit) stay on your record for 15 years.^[2]

1. In Washington, most convictions stay on your record for five years. However, alcohol-related convictions and vehicular assault/homicide convictions stay on your record for life.^[3]
2. Look on your state's DMV website to see if you can find this information.

3.



Ask the DMV if you can remove convictions. It's up to every state whether they will expunge convictions from your driving record or not. Oklahoma, for example, will not remove convictions. Instead, they make you wait three years for the convictions to fall off your record.

1. You may need to fulfill certain prerequisites in order to get your convictions removed, such as completing a state-approved driver improvement course and maintaining a clean driving record for a certain period of time. This varies by state.^[4]

4.



Check that you meet the requirements. The DMV should let you know what requirements you must meet. For example, in Maryland, you must satisfy the following:^[5]

1. Three years without another conviction for a moving violation or criminal offense involving a motor vehicle.
2. No license suspension or revocation.
3. No conviction for DWI, DUI, or failing to remain at the scene of a crime that results in death or bodily injury.

5.



Complete a request form. Your DMV will provide you with the form to fill out. Each state's form is different, but you will generally be asked for the following information:^[6]

1. full name
2. address
3. date of birth

4. driver's license number
5. certification that you meet the requirements
6. signature

6.



Submit the required fee. Your state might require a fee for a manual expungement. Call the DMV ahead of time or check their website for the amount and acceptable methods of payment (cash, credit, debit, check).

1. Your request will be reviewed and you should receive a decision in writing.^[7] If you haven't heard anything after a couple of weeks, contact the DMV.

Method 2 of 3:

Taking a Driver Safety Course



Check if a course removes points. In some states, you can have points removed from your driving record if you take a driver safety course (also called a defensive driving course). You should check before signing up for a course. You might also be able to have tickets dismissed if you take a course.^[8]

1. If you've received a ticket, you can ask the judge in court whether you can take a driver safety course.
2. Also check online. Your state's DMV website should tell you whether you can use a driver safety course to clean up your record.



Confirm that you are eligible. Your state may limit who can use a defensive driving class to remove points or convictions from their records. Check with your DMV whether you are eligible.

1. For example, states might give you a window of time to take the course. If you wait too long, then you can't take it.^[9]

2. Other states might require that you elect to take the course when you pay the fine. If you don't, then you can't take the course.



Find an appropriate course. There are many courses offered, but you need one that your state will accept. Ask if the state keeps a list of pre-approved courses. If so, select a course from the list.^[10]

1. Make sure the course works for your schedule. If you don't attend, then you won't clean up your record.
2. Depending on your state, you may be able to take the course online or in a classroom.^[11] Choose the best option that works for you. However, don't assume an online class will be 'easier.' You might find it harder to focus when taking a class online.



Complete the course. Courses can last four to twelve hours and cover a variety of topics, including alcohol or drug abuse, traffic laws, sharing the road, and developing positive driving habits and attitudes.^[12]

1. Make sure to get a certificate or some other proof that you have completed the course. Present your certificate to the DMV and keep a copy for your records.

Method 3 of 3:

Fighting Tickets in the First Place



Document the surrounding circumstances. Another way to keep a clean driving record is to fight any tickets before they get on your record. This is particularly important if you've been charged with a DUI or other offense that will stay on your record for a long time. Begin by documenting the circumstances surrounding your arrest:

1. What were you doing?
2. Where was the officer?
3. What did the officer say?
4. Did you consent to any search, including a breathalyzer test? Did the officer ask for consent or immediately start searching your vehicle?

2.



Contact an attorney. Serious offenses like DUI need serious legal help. However, you will also benefit from a traffic attorney even if you are fighting minor tickets. You can find a traffic attorney by contacting your nearest bar association.^[13] Ask for a referral.

1. You'll have to pay for a lawyer, so calculate whether the money is worthwhile. If you are set to lose your license because of a DUI, then paying several thousand dollars might be worth it. However, paying that kind of money to fight a speeding ticket might not.
2. Ask whether a lawyer will help coach you through the process. Most states let lawyers offer 'unbundled' legal services. Under this arrangement, the lawyer will do discrete tasks, such as draft a discovery motion or give you advice about the strengths and weaknesses in your case.^[14] You then do all other tasks.

3.



Ask for discovery from the police. You should be able to get certain documents from the police to help you prepare for trial. In particular, request the officer's notes. These notes should contain information

about why the officer stopped you.^[15] The process of requesting these documents is called 'discovery.'

1. Usually, you'll have to file a motion with the court. Check to see if there is a form you need to fill out. If you don't know how to request discovery, consult with a traffic attorney—or hire the attorney and let them handle the case for you.
2. Note that few defendants make discovery motions in traffic court. Your request may be ignored.

4.



Move for dismissal if the officer doesn't show up. In some states, you can get the case dismissed if the officer doesn't show up to testify against you.^[16] In other states, however, the judge will reschedule the case if the officer doesn't show. Regardless, you should still ask for a dismissal.

5.



Come up with a defense theory. You can attack the state's evidence in a variety of ways. Carefully analyze your evidence and choose the best approach based on the facts.^[17]

1. Attack the officer's observations. The officer might not have been in a good position to accurately see what you were doing. When possible, introduce doubt as to the officer's vantage point. For

example, if the officer was hidden behind a tree at night, then they might not be 100% sure your car was speeding.

2. Question the validity of any speed reading. The officer might not have used the radar or laser properly. Question their training and whether they carefully calibrated the machine so that it would record speed accurately.
3. Justify your actions as necessary. You might have swerved into another lane to avoid a pedestrian or an erratic vehicle.



Avoid excuses that don't work. Some defense theories won't work on a judge, so don't try them. For example, avoid making any of the following arguments:^[18]

1. The officer is lying. The judge won't believe you unless you have proof.
2. You claim everyone else was speeding. That won't get you off the hook.
3. You argue no one was hurt so you shouldn't be held responsible. You're being prosecuted to deter you from potentially harming someone in the future.
4. You claim you don't know what the law is. Ignorance of the law isn't an excuse.
5. It's best to simply apologize and illustrate how your behavior has changed since the incident, if possible. Apologizing rather than getting defensive is likely to be most pleasing to the officer, which may result in the dismissal of the case.

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