



# Multiple Offense OUI Hardship License Criteria

Before applying for a hardship license at the Registry of Motor Vehicles, please review the requirements below to determine if you are eligible. Although you may meet all requirements, issuance of a hardship license is only granted at the reasonable discretion of the RMV, based on the facts of the case.

- There is **NO** evidence of any operation of a motor vehicle since the effective date of the OUI suspension/revocation.
- The **MINIMUM** amount of time, reflected in the chart below and depending on the type of hardship requested, has been served on the suspension.

### OUI Eligibility Time

Length of Suspension	Work/Education Hardship	General Hardship
1 yr (365 days)	3 months into OUI suspension	6 months into OUI suspension
2 yrs (730 days)	1 yr into OUI suspension	18 months into OUI suspension
8 yrs (2920 days)	2 yrs into OUI suspension	4 yrs into OUI suspension
10 yrs (3650 days)	5 yrs into OUI suspension	8 yrs into OUI suspension

- All **other** active suspension/revocation periods have been COMPLETED.
- You must provide documented proof of completion of the **proper** alcohol treatment program for second offense OUI and above: 2 week in-house program for 2nd offense, 90 day in-house program for 3rd and 4th offenses.
- You must provide the Discharge Summary from the **treatment** program, stating the risk factor or recidivism rate.
- You must provide proof of compliance with all ordered after care. Second offenders must provide the "2nd Offender Completion Letter Needed For Hardship Consideration" issued by the after care provider. Further, please note that the risk assessment portion of this letter expires **90 DAYS** from the date issued. Failure to submit this letter in a timely manner will result in the RMV Hearings Officer requiring a new risk assessment, at your expense, and to be completed by the agency noted on the letter. If further substance abuse treatment is recommended, a Progress Review must be submitted from the substance abuse treatment center/counselor. In addition, a new Discharge Summary may be requested to clarify a recidivism rate.
- You have provided a letter from probation, not more than 30 days old, stating that the you are in compliance with any current probation or conditions of release. If you are not on probation or subject to any form of court supervision at the time of the hardship license application, this requirement may be waived.
- You have documented a legitimate hardship. You must provide a letter from your employer, on letterhead, which is dated within the 30 days preceding the hardship license request. The letter must state your need for a hardship license and the work hours. **Note:** The RMV may only grant an identical 12-hour, 7 day license.  
 If you are self-employed, you must present proof of self-employment. Acceptable forms of proof consist of a business certificate, tax forms indicating self-employment, and/or a current professional license. You must also present a letter on your own behalf explaining your need for a hardship license and the hours requested. **Note:** The RMV may only grant an identical 12-hour, 7 day license.  
 If you are applying for a hardship license for other purpose (i.e. education, medical treatments), the RMV requires third party documentation of the hardship. **Note:** The RMV may only grant an identical 12-hour, 7 day license.
- You are responsible for providing proof regarding the availability of public transportation. This proof may be included within your employer's letter. You may also provide local bus/transit routes, MapQuest etc. Hardship requests may be denied if you may access employment, school, or medical treatments via public transportation unless the proof of hardship articulates public transportation will not satisfy the request and the reason therefore.

- Installation of an Ignition Interlock Device (IID) is required for all hardship licenses which include a second or subsequent OUI offense, and for certain first time offenders who, at the time of arrest, had a Blood Alcohol Content which registered at or above .15. Multiple offenders are required to maintain the IID in a vehicle for two years following removal of the hardship restriction. See <https://www.mass.gov/guides/ignition-interlock-device-program> for further details.
- If you are required to install an Ignition Interlock Device, please visit <https://www.mass.gov/guides/ignition-interlock-device-program> to review whether you are eligible to apply for indigency status. Approval includes waived costs for installation, device, monitoring, and service, but not costs related to violations or any RMV fees or services.
- All requests for a hardship license for a 3<sup>rd</sup> or 4<sup>th</sup> offense must be approved by the Director of the Driver Control Unit, and will be taken under advisement if the RMV Hearings Officer is inclined to approve such request.

**NOTE:** Reinstatement is only allowed once the proof of installation of the IID and affidavits have been returned to an RMV Hearings Officer. A learner's permit exam and road test may be required if you have been suspended or otherwise inactive for more than two years.

**Application for a hardship license will be subject to the requirements in place on the date of application.**

**These requirements are subject to change at the RMV's discretion.**