

**HAMPTON CIRCUIT COURT  
OFFICE OF THE CLERK**

**Linda Batchelor Smith, Clerk**

**INSTRUCTIONS FOR PETITION FOR DRIVER'S LICENSE REINSTATEMENT  
AFTER DEFAULT OF PAYMENT TO THE CIRCUIT COURT**

The Clerk will verify your address and Social Security number. It is your responsibility to notify the Court if your address changes before your obligation is paid in full.

The following is required:

1. Must provide a "Compliance Report" from DMV.
2. A minimum of \$50.00 **must** be paid in cash to establish account. However, the \$50.00 will be applied to your past due court costs (**This payment is non-refundable**). **If using the mail, please send a money order and DO "NOT" send cash in the mail.**
3. Any past fines in the Hampton Circuit Court **"ONLY"** will be included in this agreement.
4. Provide your signature on the petition. (**Note: If you are unable to appear in person, your signature must be notarized by a Notary**).
5. Monthly payments will be as follows:

Outstanding amount due:      \$1 to \$1000 payable over 12 months  
   \$1001 to \$2500 payable over 24 months  
   \$2501 to \$3500 payable over 36 months  
   \$3501 and up payable over 48 months

6. All installment payments are to be collected at the Circuit Court.

**IF YOU MISS AN INSTALLMENT PAYMENT, YOUR RIGHT TO DRIVE WILL BE  
SUSPENDED IN THE COMMONWEALTH OF VIRGINIA.**

**THE COURT WILL NOT EXTEND THE DUE DATE OF YOUR PAYMENT  
AGREEMENT. USE THE MAIL AT YOUR OWN RISK. THE COURT WILL NOT BE  
RESPONSIBLE FOR PAYMENTS NOT RECEIVED BY THE DUE DATE.**

Mailing Address:      Hampton Circuit Court  
   P O Box 40  
   Hampton, VA 23669

Street Address:      Hampton Circuit Court  
   101 Kings Way  
   Hampton, VA 23669

Hours:                      8:30 a.m. to 4 p.m. (Monday through Friday)

Telephone:              (757) 727-6105

COMMONWEALTH OF VIRGINIA

VA. CODE §§ 19.2-354; 19.2-358; 46.2-395

Case No(s) .....

In the Circuit Court for the [ ] City [ ] County of .....

[ ] COMMONWEALTH OF VIRGINIA

[ ] CITY [ ] COUNTY OF ..... V. ....

DEFENDANT

SSN DRIVER'S LICENSE NUMBER (IF DIFFERENT FROM SSN) DRIVER'S LICENSE STATE

RESIDENCE ADDRESS

MAILING ADDRESS IF DIFFERENT FROM ABOVE

I. ACKNOWLEDGMENT OF SUSPENSION OR REVOCATION OF DRIVER'S LICENSE

I acknowledge that I have been notified that my driver's license/driving privilege:

- [ ] is suspended or revoked for a period of ..... effective ..... as a result of
[ ] my conviction by this Court.
[ ] action taken by the Virginia Department of Motor Vehicles pursuant to Va. Code § 46.2-390.1 for the Court's conviction or finding of facts sufficient to convict me of violating the drug laws (Va. Code §§ 18.2-247 through 18.2-264) of this Commonwealth.
[ ] Declaration by the Virginia Department of Motor Vehicles [ ] Adjudication by ..... Court that I am a habitual offender.
[ ] has been suspended effective ..... [ ] will be suspended effective thirty days from the date of sentencing if no deferred or installment payment is ordered, immediately on the day following nonpayment of any Court-ordered deferred or installment payment prescribed in Part II below, or ten days following notice that a check or credit card payment has been dishonored by the bank or issuing institution pursuant to Virginia Code § 46.2-395 as a result of my failure to pay fines, costs, forfeiture, restitution, and/or penalty of \$ ..... plus any additional court-appointed attorney fee or interest, if applicable, or transcript costs or the costs of damages for any appeal, if applicable.

I further certify that on this date this notice was read, understood by me, and I received a copy of the same, and that my driver's license

[ ] WAS [ ] WAS NOT surrendered to this Court. Reason not surrendered: .....

DATE

DEFENDANT

State/Commonwealth of [ ] Virginia [ ] .....

County/City of .....

Acknowledged before me this day by ..... PRINT NAME OF SIGNATORY

DATE

[ ] JUDGE [ ] CLERK [ ] NOTARY PUBLIC

Notary Registration No. .... My commission expires: .....

READ PART I ON THE BACK OF THIS FORM FOR MORE STIPULATIONS, WHICH ARE INCORPORATED BY REFERENCE AND ARE MADE A PART OF THIS ACKNOWLEDGMENT.

II. ORDER AND NOTICE OF DEFERRED PAYMENT OR INSTALLMENT PAYMENTS

SEE PART II ON THE BACK OF THIS FORM FOR FURTHER STIPULATIONS, WARNINGS AND INFORMATION CONCERNING THIS NOTICE AND ORDER, WHICH ARE HEREBY INCORPORATED BY REFERENCE.

Upon due consideration, the Defendant's Petition for deferred or installment payments is accordingly ACCEPTED, and the Defendant is ORDERED to pay costs, fines, forfeiture, restitution and penalty totaling \$ ..... plus any additional court-appointed attorney fee, court reporter fee, and interest, if applicable, by:

- [ ] making ..... installment payments of \$ ..... per ....., beginning ..... until paid in full; or
[ ] making a deferred payment in full on or before .....

If Deferred payment is not received by the above due date, or if the final Installment payment is not received by ....., the defendant is hereby given NOTICE to return to this Court on ..... at ..... m.

The total listed above does not include transcript costs and any costs/damages that may be charged if you appeal from this court.

NOTICE: READ PART II ON THE BACK OF THIS FORM FOR MORE STIPULATIONS WHICH ARE INCORPORATED BY REFERENCE AND ARE MADE A PART OF THIS ORDER AND NOTICE.

Entered this ..... day of .....

I have asked for and received a copy of this Order and Notice.

[ ] JUDGE [ ] CLERK

DEFENDANT

## **PART I ACKNOWLEDGMENT OF SUSPENSION OR REVOCATION OF DRIVER'S LICENSE**

I understand that I can avoid this suspension of my driver's license going into effect only if the Court actually receives payment in full of such fine, costs, forfeiture, restitution, penalty, and/or interest by the effective date of this suspension, and that I assume all risks in sending payment by mail. If payment in full is not received by the Court by the effective date, the suspension goes into effect and my license must be surrendered to the Court by that date.

I further understand that, if I am convicted of driving while my driver's license is suspended or revoked, I may be fined, sentenced to jail, or both.

I understand that upon suspension or revocation of my license, I may not operate a motor vehicle in the Commonwealth of Virginia until:

- (1) All periods of suspension imposed by any Court or the Department of Motor Vehicles have expired, AND
- (2) I have paid all unpaid fines, costs, forfeitures, restitution, penalties, and/or interest (if any) and the period of suspension (if any) has expired, AND
- (3) The Department of Motor Vehicles reinstates my license (if suspended) or issues a new license (if revoked) after:
  - (a) I have paid the reinstatement fee (if any) to the Department of Motor Vehicles, AND
  - (b) I have delivered a completed copy of the official report of the Court evidencing full payment, if my license was suspended for failure to pay fines, costs, forfeitures, restitution, penalties, interest, and/or VASAP fees. I understand that I must obtain this official report from the clerk's office of this Court or the Court where the case papers are filed, AND
  - (c) I have met all other administrative requirements of the Department of Motor Vehicles.

## **PART II ORDER AND NOTICE OF DEFERRED PAYMENT OR INSTALLMENT PAYMENTS**

I understand that:

- (1) as a condition of this agreement, I must promptly inform the court of any change of my mailing address during the term of this agreement;
- (2) if the fines, costs, forfeitures, restitution, penalties, and/or interest are not paid in full by the date ordered, that the Court shall proceed according to the provisions of Virginia Code § 19.2-358, which state that a show cause summons or capias for my arrest may be issued;
- (3) the amount(s) set out in this Order and Notice may be administratively amended by the Clerk of this Court in the event additional costs should be assessed and if additional costs are assessed, that the clerk will forthwith issue a notice to me of the new total amount due by first class mail to my last address of record;
- (4) the Court or Clerk thereof may adjust the final payment date administratively, without further notice to me, for installment payment agreements, if I fail to make a scheduled payment or for deferred payments, if I fail to pay in full by the due date ordered, for the purposes of referring the account for action pursuant to Virginia Code § 19.2-349(A), or for extending the Court's available time to pursue action pursuant to Virginia Code § 19.2-358;
- (5) if the Court has ordered deferred or installment payments, I must make all required payments on time and if I fail to make a scheduled payment, my driver's license shall immediately be suspended forthwith pursuant to Virginia Code § 46.2-395; and
- (6) upon notification by a court that my license has been suspended pursuant to Virginia Code § 46.2-395, that the Commissioner of the Department of Motor Vehicles shall also suspend all of the registration certificates or license plates registered solely in my name and thereafter shall not issue any registration or license plates for any other vehicle that I seek to register solely in my name.
- (7) if the court does not receive payments as ordered, my case will be referred for collection enforcement action under §§ 19.2-349, 19.2-353.5, 19.2-358, 46.2-395, or 58.1-520 through 58.1-534 of the Code of Virginia and that if any part of the amount due remains unpaid, pursuant to § 19.2-358, I may be subject to a jail sentence of up to 60 days or an additional fine of up to \$500.00. If my case is referred for collection enforcement action under § 19.2-349, the amount that I owe and that can be collected will be increased to reflect the additional costs associated with collection action.

This Order and Notice is provided to the Defendant pursuant to Virginia Code § 19.2-354. This Order shall not be spread on the Order Book of this Court.