



MOTION TO VACATE INSTRUCTIONS

The Motion to Vacate form should only be filed if the ticket was issued to you, to your vehicle or you have a notarized power of attorney form from the registered owner. Please check the appropriate box below and complete all sections on the Motion to Vacate form that apply to your ticket.

- Deemed admission:** A deemed admission to the violation is entered when the vehicle owner or driver does not answer a ticket by either contesting or paying the ticket within 60 calendar days of the date the ticket was issued.
- Default judgment:** A default judgment is entered if the ticket was scheduled for a hearing, but the driver did not appear for the hearing and the hearing examiner entered a finding of liability based on the government's evidence.

In determining whether to grant your Motion to Vacate and allow you to reschedule the hearing, the examiner will determine if all of the following apply:

1. The default judgment or deemed admission was entered within 60 calendar days of the date this Motion to Vacate is received.
2. You prove that:
 - a. There was excusable neglect in your failure to respond; and
 - b. You have a sufficient defense to the violation.

There are a few **exceptions** to the 60-day time limit:

If the infraction underlying the default judgment or the deemed admission involves a violation listed below, your Motion must be **received** by DMV within 365 calendar days from the date the default judgment or the deemed admission was entered:

1. Operating (a vehicle) without insurance. You must submit proof that insurance was in effect on the date the ticket was issued.
2. Distracted Driving (cell phone and 1st violation.) You must submit proof of acquisition of a hands-free accessory (excludes texting infractions.)
3. A parking or photo enforcement violation for which your defense is that you were not the owner or lessee of the vehicle at the time of the infraction or the vehicle or its registration plates were stolen at the time of the infraction.

Name (Please Print)	Address	Date
Signature		

Any person using a fictitious name or address and/or knowingly making any false statement on this application is in violation of DC Law and subject to a fine of not more than \$1,000 or 180 days imprisonment or both. (DC Official Code §22-2405).

Visit our website: dmv.dc.gov or call 311 in DC or 202-737-4404 for additional information. To report waste, fraud or abuse by any DC Government Agency or official, call the Office of the DC Inspector General at 1-800-521-1639.