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Can a Police Officer Take My License?

If you've ever been pulled over, you know the first thing a police officer is likely to ask for is your driver's license. Some questions may be running through your mind—Do you have to give the officer your license? What if you're nervous they might decide to keep it? Are police officers able to take and keep a driver's license?

Can I refuse an officer's request for my license?

No, not in Arizona. You will have to comply with the officer's request for your license. [Failure to provide a license](#) violates Arizona law. If you fail to hand over the license or provide identification, you could be charged with a class 2 misdemeanor. In Arizona the penalty for such a charge is \$750 or more in fines, up to 4 months of jail time, and a probationary period.

Can a police officer keep my license?

Yes. However, the situations in which a police officer will keep your license are rare. They almost always hand the identification back after running your information through a scanner.

Can a cop take my license for speeding?

Not on the spot. A police officer cannot take your license just because you were speeding. You may be ordered to hand your license over for either of the following reasons:

Reckless Driving

If charged with a second [reckless driving](#) offense in two years, a judge can order you to surrender your license to a police officer. This won't take place during the traffic stop, however.

You can [read more about Arizona's reckless driving laws](#) on our blog.

Racing on Highways

A police officer can also take your license if you received a second charge for [racing on highways](#) in two years. Confiscation may take place during the traffic stop.

When can police take my license away during a traffic stop?

There are a few circumstances in which a police officer will take your license during a traffic stop. [Knowing what to do during a traffic stop](#) for a DUI could save you a lot of heartache. You should be aware of your rights, and what steps to take.

DUI

Your license will be suspended in Arizona, if you are charged with a DUI. Generally, the officer serves an order of suspension and submits a report to the Motor Vehicle Department (MVD). Fifteen days after the order is served, the [driver's license will be suspended](#). If a hearing is requested in that time, the suspension doesn't apply until the hearing is held.

You will be issued a temporary ID to use during processing. Once processing is complete you'll receive your license back, unless it is suspended.

Driving on a Suspended License

Police officers will take your license during a traffic stop, if you're found to be driving on a suspended license.

Driving on a [suspended license in Arizona](#) results in a class one misdemeanor. This could result in a fine of \$2,500, three years of probations, and up to six months in jail.

Other Situations in Which an Officer Can Keep Your License

A minor using either a fake ID, or an ID that does not belong to them generally results in the license being confiscated. If the officers can find the owner of the ID, and they determine that the ID was stolen, it will be returned to the rightful owner.

Identity theft will also result in the confiscation of an ID. Generally, if you're using a driver's license that is not yours for the purpose of committing a crime, or misleading others, the officer can take the license on the spot.

DUI Attorney in the Phoenix, AZ area

As a DUI Lawyer, Todd Coolidge has worked with many people to defend their rights and help them get through trying times. His skill, knowledge, and over 25 years of experience should be on your side if you're fighting with a DUI charge. **If you are arrested and [charged with a DUI](#), call Todd Coolidge for a free consultation.**

Also serving Tempe, Scottsdale, and Chandler.

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