

JOTF_FAV_SB0709

Uploaded by: DEWS, CHRIS

Position: FAV



Advocating better skills, jobs, and incomes

TESTIMONY IN SUPPORT OF SENATE BILL 709:

Vehicle Laws - Canceled, Revoked, and Suspended Driver's Licenses - Penalties

TO: Hon. William C. Smith, Chair, and Members of the Senate Judicial Proceedings Committee

FROM: Christopher Dews, Policy Advocate

DATE: February 27, 2020

The Job Opportunities Task Force (JOTF) is an independent, nonprofit organization that develops and advocates policies and programs to increase the skills, job opportunities, and incomes of low-skill, low-wage workers and job seekers in Maryland. We support Senate Bill 709 as a means to repeal the term of imprisonment and reduce the points assessed for a person convicted of possessing any canceled, revoked, or suspended license.

A 'Driving While Suspended' conviction in Maryland for an individual whose license has been suspended for failing to pay a ticket is subject to a 60-day jail term and a \$500 fine. The policy of driver's license suspension for failure to pay traffic fines has disproportionate and highly negative impacts on the poor. It is a policy that further impoverishes poor people who face income and job loss as a result of their inability to drive to work and can lead to criminal charges simply due to the inability to pay a traffic fine.

Mobility is essential for employment, as the majority of Maryland workers must drive to reach their jobs. In this regional economy, nearly 50 percent of Marylanders travel outside of their county for employment. This makes access to a driver's license essential to the livelihood of nearly half of Maryland's working population. Additionally, many of the jobs available to low-wage workers require a valid driver's license for employment. As such, Maryland's low-wage workers, oftentimes, must weigh the risks of driving without a license against the need to earn income.

At JOTF, we routinely encounter those who are directly impacted by Maryland's use of driver's license suspension and revocation as a debt collection practice. We encounter it through the stories of our Project JumpStart participants or from the millions of low-wage workers who we advocate for in Annapolis. In every instance, the case is the same – a debt is owed, there is no ability to pay, a driver's license is revoked or suspended – creating a cycle of lost employment, income, and even your freedom. Communities of color are impacted the most, due to over-policing and motor vehicles law steeped in racial profiling.

On this issue, it is best to compare the state to states that have adequately monitored and documented this issue. In New Jersey, the Motor Vehicles Affordability and Fairness Task Force, which was created by statute, studied the negative impact of the revocation or suspension of licenses for "social

JOTF JOB OPPORTUNITIES TASK FORCE

Advocating better skills, jobs, and incomes

non-conformance” offenses, like unpaid parking tickets. The study showed that 42% of New Jersey drivers lost their jobs after their license was revoked. Of those drivers, 45% of them were unable to regain employment, and of those that did, 88% reported a decrease in income. The correlation is clear and the adverse effects are damaging for low-income workers and their families.

Senate Bill 709 is essential to moving the state away from punitively punishing the poor for their volatile economic state. For these reasons, we urge a favorable report of Senate Bill 709.

American Community Survey. 2010-2015 estimates for Maryland. Economic characteristics data profile.

<https://www.census.gov/acs/www/data/data-tables-and-tools/data-profiles/2015/>

“Drivers License Suspensions Create A Cycle of Debt,” April 4, 2015, New York Times,

<https://www.nytimes.com/2015/04/15/us/with-drivers-license-suspensions-a-cycle-of-debt.htm>

“Vehicle Asset Limits and License Suspensions, Disproportionate Impact on Low-Income Communities and Communities of Color,” CLASP, October 2016,

<https://www.clasp.org/sites/default/files/public/resources-and-publications/publication-1/vehicle-asset-limit-brief-final-draft.pdf>

Jill Carter_FAV_SB0709

Uploaded by: Senator Carter, Senator Carter

Position: FAV



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

**Testimony of Senator Jill P. Carter
In Favor of SB0709 - Vehicle Laws - Canceled, Revoked, and
Suspended Driver's Licenses - Penalties
Before the Judicial Proceedings Committee
on February 27, 2020**

Mr. Chairman, Vice chair, and Members of the Committee:

This bill is, due to confusion with the amendment office, functionally identical to SB 370 which I brought before this committee last Friday, the 21st.

As I said then, this bill is meant to address the pernicious issue of the criminalization of poverty. I am advocating for legislation to remove jail as a penalty for driving while suspended in the Transportation Code for failing to pay a default judgment issued by the court. Further, it removes incarceration as a sanction for the offense of displaying a canceled, suspended or revoked license.

In 2017, the General Assembly took an important step in decriminalizing poverty by removing jail for driving while suspended for failure to pay child support or failure to pay a traffic ticket. We are here today to ask you to make the same changes for all default judgments.

Other than the specific situations that this bill addresses, jail is a penalty only for driving suspended if you are a danger behind the

wheel. You can go to jail for driving suspended because you have accumulated too many points for moving violations, for a conviction for driving while impaired by drugs or alcohol, refusing a chemical test for DUI, or for failing to use an ignition interlock device when ordered to do so.

Baltimore City District Court prosecutors see too many cases in which an individual's driving privilege is suspended for an outstanding civil judgment. One Baltimore man was charged with 16-303(c) for failure to pay a civil judgment. He was in his 50s and has had a civil judgment against him for approximately 20 years. That stemmed from a car accident and he owed roughly \$10,000 in damages. He had no way to pay the judgment. Because of his inability to pay and his need to keep driving to earn a living, he continued to get tickets for 16-303(c), spend time in jail for it, and accumulate more and more points on his driving record for driving while suspended. In turn, the jail time and the fines made it so that he had a hard time keeping a job and a stable place to live. This vicious circle needs to be broken.

By amending this law as proposed, we can stop penalizing individuals for circumstances beyond their control or circumstances that they are actively trying to improve. It makes no sense to push citizens further down a financial black hole.

For these reasons, I urge a favorable report from this committee on SB 709.

Very Truly Yours,



Jill P. Carter