



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