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POSITION ON PROPOSED LEGISLATION

BILL: HB0655 – Driving Without Required Security - Repeal of Incarceration Penalties

FROM: Maryland Office of the Public Defender

POSITION: Favorable

DATE: 02/11/2022

The Maryland Office of the Public Defender respectfully requests that this Committee issue a favorable report on HB655.

OPD stands with stands with the Job Opportunities Task Force (JOTF) and other bill proponents in support of this important measure and statement provided below (and letter of support dated February 11, 2022) as a means to ensure that we are not criminalizing poor communities of color for attempting to maintain employment.

Maryland is a regional economy, [requiring affordable auto insurance to sustain employment](#). Yet, 602,000 [Marylanders \(14.1%\) drive uninsured](#) due to the cost auto insurance, specifically in lower-income communities of color. The [Baltimore-Towson Metropolitan Area had the worse racial disparities in the nation](#), with average premiums in predominantly African American ZIP codes being almost double, or 94 percent higher than the average premiums in its predominantly white communities. This is primarily due to the use of [zip codes](#), [credit history](#), and other non-driving factors being used when setting rates.

When lower-income workers can't afford it, they drive without it, risking a [\\$1000 fine, up to one year in jail, or both for the first offense](#). This is the criminalization of poverty, as one's poverty literally determines their mobility and employment access.

HB655 seeks to eliminate incarceration as a penalty for driving uninsured. We see this as a step in the right direction towards decriminalizing poverty and race in Maryland. No one's poverty should determine their mobility or cause them to relinquish their freedom. For these reasons, we respectfully urge a **favorable** report on House Bill 655.

OPD also support JOTF's suggested amendment concerning the \$1000 fine to sharply reduce it in furtherance of creating more equitable laws for all communities.

Submitted by: Maryland Office of the Public Defender, Government Relations Division.