

Testimony in Support of HB2193 as Amended

By (enter your name and email address here)

House Transportation Chairman Proehl, Vice Chair, Delperdang, Ranking Minority Member Helgerson and Committee members.

From: Bonita Gooch, president,

Kansas Black Leadership Council

Originally, license suspensions were used to promote driving safety by punishing and removing unsafe drivers from the road and thereby encouraging safe driving. However, the scope of license suspensions has expanded greatly and instead of suspending driver's licenses only where public safety is at stake, courts now use license suspensions as a tool for collecting this unpaid traffic citation debt.

These laws are disproportionately impacting the poor, with these fines amounting to a much heavier burden on those who are poor, versus those who are middle class or above. A \$100 fine to you may be just a small hiccup in your budget, but to the poor, it's an insurmountable mountain they can't possibly get over.

Most often these individuals are NOT paying their fine as a way to thumb their nose at the system, they're paying because it's too heavy of a burden for many of them to bear financially. Once their driver's licenses are suspended strictly for non-payment – strictly because they are poor – and not because they are any kind of menace on the road, these individuals are placed in a position where its harder for them to get and keep jobs. This

These suspensions make it harder for people to get and keep jobs, often start them on a path to incarceration, and raise public safety concerns. Ultimately, these laws keep people in long cycles of poverty that are difficult, if not impossible, for many to overcome. However, this doesn't have to be the case. A number of states and local governments across the country have found workable solutions that more fairly punish individuals for breaking traffic laws, without breaking their back.

While the options for positive changes in Kansas' driver's license suspension laws are many, the changes proposed in HB2193 reflect small but positive steps forward that will provide some relief to individuals who are unable to pay their traffic citations. If these individuals cannot afford to pay their tickets, it only seems

realistic that adding additional fees is just another hinderance that keeps individuals off the road, simply because they are poor.

While not going far enough, members of the Kansas Black Leadership Council support the changes proposed in HB2913 as positive steps forward in providing relief for individuals whose licenses are suspended. However, we ask the legislature to look at and consider making more of the changes in driver's license suspension policies recommended in the state's 2006 report, "Bonding Practices Fines and Fees in Municipal Courts," compiled by an "ad hoc" committee of municipal judges from across the Kansas.

Here are some of that's study's recommendations that we hope the legislature will consider including in future revisions of the state laws on driver's license suspensions.

- "Municipal and district judges should be authorized to modify mandatory minimum fines when there is sufficient evidence of inability to pay.
- Municipalities should be encouraged to establish more uniform fees and those fees should be reasonably related to the cost of the service.
- Credit given for community service performed to satisfy court-imposed sanctions should be increased.
- Convenient payment options should be offered, including payment by credit card in person, by telephone, or online, as well as other after-hour payment options.
- Alternatives to payment of financial obligations should be considered for defendants with special circumstances.

Last, but not least.

- Alternatives to driver's license suspension as a means of increasing compliance with traffic citations should be considered.

(Your testimony should go here and not be more than one page. It needs to be saved as a PDF file then emailed to Ms. Boaz at Betty.Boaz@house.kansas.gov)