

Transportation Committee

JOINT FAVORABLE REPORT

Bill No.: HB-7161

AN ACT CONCERNING THE SUSPENSION OF MOTOR VEHICLE OPERATORS' LICENSES FOR FAILURE TO PAY FINES OR FAILURE TO APPEAR FOR A SCHEDULED COURT APPEARANCE AND THE

Title: OPPORTUNITY TO ENTER INTO A PAYMENT INSTALLMENT PLAN.

Vote Date: 3/19/2025

Vote Action: Joint Favorable Substitute

PH Date: 3/10/2025

File No.:

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SPONSORS OF BILL:

Transportation Committee

REASONS FOR BILL:

This bill will prohibit the DMV Commissioner from suspending a driver's license only for failure to pay a fine or fee associated with a motor vehicle use infraction or a related violation, payable through the Centralized Infraction Bureau (CIB) or failure to appear for any scheduled court appearance for these particular infractions and violations. This won't apply if the person has been convicted of a third such infraction or a violation within three years after the date of the prior conviction, and if they fail to meet the timely payment set up in accordance with the payment plan for the third time. It also requires the DMV Commissioner, in conjunction with CIB, to develop and conduct an awareness campaign to educate the public on the importance of responding to motor vehicle infractions and violations in a timely manner and how to do so, the availability of installment payment plans for certain motor vehicle infractions and violations and the consequences of failing to pay the associated fines or to appear for a scheduled court appearance.

SUBSTITUTE LANGUAGE:

The substitute language made minor changes to the bill as well as the payment plan outlined in the bill. It removed the provision requiring the court to determine an individual's indigency for them to be eligible for the payment plans and added several additional violations to the definition of "moving violation" due to concerns about roadway safety.

RESPONSE FROM ADMINISTRATION/AGENCY:

Garrett Eucalitto, Commissioner, Connecticut Department of Transportation

Commissioner Eucalitto opposes the bill, sighting concerns that have been addressed in the substitute language. While the Department is respectful of the intent of the bill, they remain concerned that drivers will continue to disregard the safety of others and no deterrent will be in place to change a driver's behavior, noting that DOT workers risk their lives every day to improve the transportation infrastructure of CT. He notes that Section 1 does not include laws such as the "Slow Down, Move Over" law as a moving violation and shares a particular concern with this absence because people would be able to ignore tickets and court appearances while continuing to put road workers at risk. He wants to the committee to focus on other options to help offenders in in financial need.

Tony Guerrero, Commissioner, Connecticut Department of Motor Vehicles

Commissioner Guerrero provided comments on the bill. The agency understands the intent of the bill but cautions that this bill will limit the agency's ability to enforce violations. They do remain sympathetic to the impact that a suspended license has on the ability to access workplaces and places of commerce and continues to work on voluntary compliance efforts.

External Affairs Division, State of Connecticut Judicial Branch

Provided general comments on the bill, specifically sections 1 and 2 and the effective date. They point out some unintended consequences of section 1, noting that an arrest warrant can be issued if a defendant fails to pay or appear at a court hearing, resulting in a misdemeanor that could result in more penalties or jail time, in contrast to the bill's intent. Is concerned with how lines 40-44 compares to lines 303-316, where the court must give a notice to the individual who fails to pay a fine or appear at court that their license is suspended. Regarding Section 2, specifically section 2(c), which dictates a trial must be conducted for an individual to be found indigent and then eligible for the payment plan, which is a significant change from the current process. Request clarity of the remaining processes of payment modifications, and payment logistics, such as creation and administration by the Judicial Branch. Notes a potential fiscal impact due to additional resources to implement the process and technological costs. Also wants an effective date of January 1, 2026.

NATURE AND SOURCES OF SUPPORT:

Kathleen Bloss, Curtis Farr, Mary Ellen Hagedus, Holly Langewisch, Anne Lampert, Maureen Lopes, Rita McCleary, Jacqueline Paige, Jeffrey Schwartz, Jean Silk, and Autumn Wright, Members, Congregations Organized for a New Connecticut (CONNECT)

The preceding members of CONNECT provided testimony in support of the bill, highlighting the disproportion impact of driver suspension on the poor and people of color. They cite data supports that of the 389,000 licenses, up to 50% of the time these suspensions were related to minor and mundane infractions. Of that roughly 50%, 44.5% were for failure to appear. Emphasizing the financial impact of suspension on individuals and families and citing an annual earning loss of \$12,700 per person whose license was suspended. Reiterating the disproportionate economic impact for the poor and people of color, with 30% of suspensions

due to failure to appear at court are concentrated in 10 zip codes, with one zip code containing 30 times the suspension rate of the state.

Ms. Silk shares a personal experience where she wasn't given notice that her car registration was expired, highlighting how a lot of residents were not as fortunate as her to be able to pay the fines, leading to suspensions.

Ms. Paige notes that losing the ability to drive for a failure to appear is a dramatic consequence that can lead to a loss of employment for some and believes there should be some sort of court text reminders, outreach, and education before suspending a driver's license.

Ms. Wright drew on her experience working with those impacted by the justice system. He notes that the bill will help balance competing responsibilities while also letting people survive financially above water. When a driver's license is suspended, there are limited options for getting children to school, career advancement becomes impossible, and budgets to set aside for groceries and medical bills are shrunk to cover these costs. Vulnerable populations are more at risk due to these punishments, and driver's license suspensions should be used to address reckless driving and not as a collection tool for non-moving violations.

Ms. Lampert highlights the negative and heartbreaking consequences of having a license suspended. Says no one without financial means should be penalized for failure to pay without having the option of a reasonable repayment schedule. She notes the opportunity cost of timing with court appearances and not being able to show up for work, suggested an in-person sign-in sheet with attending personnel as an alternative.

Violette Haldane, Executive Director, Advocacy to Legacy

Ms. Haldane supports the bill, noting that 49% of driver's license suspensions in the state were due to an inability to pay or appear at court of the 389,000 suspensions in the state in 2022. This had a profound impact on urban communities as their access to employment, housing and mobility was severely limited. She specifically notes that of the top ten zip codes in the state of license suspension due to failure to appear, five are in Hartford's low-income neighborhoods. Cites have an annual earning loss of \$12,700 per person whose license was suspended. Many low-income individuals suffer financial hardship to pay fines with a license suspension; they may lose their jobs, which makes them less likely to pay their fines. She wants the committee to focus on ending debt-based license suspensions, establishing income-based payment plans to pay fines, allow individuals to renew their licenses even if they have outstanding fines, and improving notification and outreach of fines, court dates, and solution to resolve cases before the suspension occurs. She further notes 25 other states have addressed this issue and CT should be the next.

Lindsay German, Daniel Hewitt, Jessica Marks, Shamear Mills, and Victoria White, Members, Advocacy to Legacy

The preceding members of Advocacy to Legacy provided testimony in support of the bill. Ms. German highlights the impact the current law in this area affects low-income families who rely on transportation greatly, and the consequences of having a lack of transportation, which are vast and can include financial hardship and lack of employment. It makes it extremely difficult

and is considered a "pervasive poverty trap," according to the Harvard Law School Criminal Justice Policy Program, and taking away a license under these circumstances makes it difficult to earning a living and pay debt to the government. Says the bill will help by providing payments plans and increasing public awareness about how to address infractions.

Mr. Hewitt notes that expensive tickets are not likely to be affordable by those with low-incomes and may require individuals to miss a day of work and pay to appear to court, noting that many families, including his, relies on every paycheck to live. Notes most of the license's suspension are in zip codes like his and wants the committee to understand the true impact of licenses suspensions of families like his that are low-income.

Ms. Marks notes that people who are unable to pay fines are more likely to receive a court summons. She says failure to appear at court is the biggest reason Hartford resident get their driver's license suspension, which is 30 times greater than the average failure to appear. Provides reasons that people aren't able to appear, noting that there is no traffic court in Hartford, which requiring people to travel out of the city. Another reason listed was that appearing to court takes time and that it not always available to low-income families who rely on each paycheck to live. Notes that taking away ordinary people's (who are not always criminals) driver's licenses is essentially a punishment for being poor.

Mr. Mills notes that the suspension of a driver's license disproportionately impacts Black and Hispanic communities. 30% of driver's license suspension for failure to appear at court were found in 10 predominately Black and Hispanic neighborhoods in Hartford, New Haven, East Hartford, New Britain, and Norwich. The rates for license suspension for failure to appear among Black and Hispanic populations range from 48% to 81%. She emphasizes that having a license suspended make day-to-day life much harder for people, especially when accessing employment, believes the bill will implement a fairer system.

Ms. White argues that revoking driver's licenses for failure to pay fines or to appear in court punish poor people and not reckless driving. There are fewer than 4 out of 10 people that are able to pay a \$400 emergency, and in her family's case, her mom wouldn't be able to work, and she and her sibling would not be able to go to school if put in this position to handle fines or appear in court.

Natalie Smith, EJW Fellow and Staff Attorney, New Haven Legal Assistance

Ms. Smith supports the bill, noting that suspending a license for failure to pay fees or appear in court can be traumatic and does virtually nothing to improve public safety and can be looked at as punishing the poor for being poor and being unable to pay. She noted a 2022 studying that found the earning loss associated with a suspended driver's license was \$12,700 annually per person, making it more difficult to pay debts and other fees because a lack of license prevents driving, it also inhibits the growth and vitality of the community economically. This bill removes barriers for economic opportunity and provides justice for members of the community, regardless of income.

Leslie Cenci, Jamie Forbes, and David Vita, Members, Social Justice Council, Unitarian Universalist Congregation, Town of Westport

The preceding individuals provided testimony in support of the bill. Ms. Cenci draws on her experience as a nurse practitioner and personally seeing pregnant people miss prenatal appointment because they have lost their licenses and could not pay the fines because they are struggling to pay rent or put food on the table.

Ms. Forbes emphasizes that suspending a license for failure to pay a fine or appear in court disproportionately affect low-income individuals, saying failure to do these things "punishes them for being poor." She emphasizes that there are reasons people can't show up, such as inflexible job schedules and the need for child or elder care.

Mr. Vita notes that the suspension of driver's license under these circumstances is an undue punishment on the poorest in the community. It presents a dilemma for people because if they can't drive, they can't get to work to get paid, and if they do drive with a suspended license, they could be forced to pay a fine and other punishments. He calls it a "modern-day equivalent of debtor's prison." Specifically, he is supportive of provision number 2 which allows for violators to enter into payment plans.

Gus Marks-Hamilton, Campaign Manager, Smart Justice Campaign, American Civil Liberties Union (ACLU) of Connecticut

Mr. Marks-Hamilton supports the bill, noting his personal experience being charged a \$167 registration fee for failure to update the registration on his vehicle, saying it was a substantial amount of money that he was fortunate to be able to pay. He describes the penalties of he continued to be unable to renew his licenses, with the second offense leading to the impoundment of his vehicle. He cited a study of families earning less \$40,000 a year that Black and Latino respondents were less likely than white respondents to afford the emergency expense of fines. He says the bill is a positive step forward to imposing fees and threatening the suspension of licenses on those who can least afford the financial consequences and notes that CT is a difficult state to get around without access to a car.

Jess Zaccagnino, Policy Council, American Civil Liberties Union (ACLU) of CT

Ms. Zaccagnino supports the bill, highlighting the negative impact of facing fines and a driver's license being revoked for people, noting a survey that suggests 56% of American are unable to pay for a \$1,000 emergency expense. This is disproportionately affecting people of color, as 40% of white respondent to another survey who earn less than \$40,000 a year can handle a \$400 emergency expenses, as opposed to 20% of Black respondent and 27% of Latino respondents. She explains that this is due to discrimination by police and the criminal justice system, and the constant fees imposed can make it difficult to afford insurance of housing, and ultimately "criminalizes poverty." She notes the profound impact of not having a car in CT, which is difficult to travel without one. She goes on to say that the fines and fee can lead to a cycle of debt for families, especially those with low incomes and can be more harmful to people of color. As fines accumulate, she notes, it can lead to the derailment of a household's financial stability and the financial consequences, which will disproportionately harm people of color, especially if they have a prior criminal record, making it impossible to get lives back on track with regard to finances and employment. She believes the bill is a positive step forward and should be further to curtail the use of fines and fees "especially where the underlying factors for nonpayment center on socioeconomic instability.

Emily King, Senior Advocacy and Campaigns Strategist, Fines and Fees Justice Center

Ms. King supports the bill, noting that having a license suspended due to not paying fines or appearing at court limits families' ability to take care of themselves, get to work, take their children to school, and get groceries or access medical care. People who have their licenses suspended sometimes need to drive anyway, which risks arrest and further debt. She notes that 25 states have passed reforms to end debt-based driving restrictions, requires additional notice before suspending a license for no payment or appearance at court, and install payment for court debt and urges Connecticut to do the same, specifically citing New York law S5348B. She cited studies that suggests up to 64% of people with incomes of \$30,000 or lower lose their jobs when having their license suspended. This proposal law could remove barriers to employment. She notes that these suspensions for law enforcement officers to pull over people for driving with suspended licenses and take time away from more serious violations and can negatively affect crime solving and case closure for more serious crimes. She notes that suspension of licenses do not improve fine and fee collection rates in citing studies done in Taxes and Tennessee that found that there was no different in collection rates between the time that licenses were suspended and when they stopped doing that. She does not want license suspension to be use as a collection tool or punishment for not appearing in court for non-moving violations.

Richard Davis, Visiting Professor, Wesleyan University

Professor Davis supports the bill, noting that many driver's license suspensions are not related to driver safety and involve minor infractions. He notes that suspending driver's licenses for low-income people who aren't able to pay fines can prevent them from working and earning money for everyday needs, calling it a "pervasive poverty trap." He further notes that other state has addressed this issue and urges CT to do the same.

Joshua Caskey

Mr. Caskey supports the bill, noting that removing a driver's license due to lack of payment of fines does not improve road safety and would rather hinder it with the focus being placed on debt and not safety, and that is may disproportionately affect low-income individuals (taking away an important method of travel to work). The removal of driver's licenses should be based on the driver's actions coupled with increased enforcement of current road laws, as many preventable and tragic incidents occur repeatedly yearly.

Michael Jacobson, Congregation B'nai Israel

Mr. Jacobson supports the bill, believing that the current situation harms individuals without just cause and believes this reform is necessary.

Carla Foster

Ms. Foster supports the bill.

Jan Nelmes

Ms. Nelmes supports the bill, noting that it is counterproductive to withhold a license under these circumstances.

NATURE AND SOURCES OF OPPOSITION:

Connecticut Police Chiefs Association

The Connecticut Police Chiefs Association opposes the bill, noting the substantial increase in crashes and fatalities in the state, especially due to the reduction of traffic stops throughout and after the pandemic. While they support the intention of the bill to provide a payment plan to help people pay their fines and to only include non-moving violations in this prohibition, they raise several concerns as well. Regarding non-moving violations specifically, which can include but aren't limited to parking in front of a fire hydrant and blocking a crosswalk, a lack of penalties and enforcement of law is unlikely to change the behavior and cause more of these incidents to continue, making the roads less safe. They note that this bill may also require more step and resources needing by the state judiciary. They highlight that police officers utilize discretion when deciding how to approach violations and that police officers are humans that can talk top drivers and gather the information, they before determining the outcome.

Don Crabtree

Mr. Crabtree cites broad opposition to the bill.

Reported by: Patrick Riley

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