

Testimony in SUPPORT

Of SB 500

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This bill is about opportunities for members of your communities and employers in your communities.

I have volunteered at 4 community events helping guide people with suspended and revoked driver's licenses on a path to restoring some driving privileges. Over 50 people have sat in front of me as we reviewed the things that lost them their privilege to drive. Usually, it is times they didn't go to court about a ticket they received. They might have been aware that the consequence of that was a suspension of their driver's license. But, they had to go to work, so they kept driving. The next time they were stopped for something minor (tail light, speeding), they got a criminal charge of driving while suspended.

My job at these community events is to help assess the financial situation of these people and help them put into words the "manifest hardship" that keeps them from fully paying off their fines, court costs and reinstatement fees. Every single time, they tell me of job opportunities lost because they don't have a driver's license.

One man told me that he takes home \$89 a day for the physically demanding job that he does. He works this job, at this low pay, because this employer picks him and several others up and drives them to the job site. He could work for higher pay, but he couldn't get to that job. This job provided transportation.

A night clerk at a hotel in a small Kansas town was riding her bicycle to work each night. She had a suspended license due to a ticket she got for expired tag in a vehicle her employer gave her to use for work business. The employer promised to take care of it, but didn't. The employer faced no consequences. Lucy got her license suspended. When she complained to the employer, she was fired. A second traffic stop resulted in a driving while suspended ticket. So, she rode a bicycle to work, along a busy road. She was determined to work, the best she could. She needed the money and her community needed her as an employee.

One of the best parts of this bill is that it makes the restricted license program available to people without them having to ask for it. We know statistically that only about 3,000 people apply for a restricted license annually. Department of Revenue reports in 2023 there were 123,000 drivers who were suspended for unpaid tickets. This program is currently only available to those who ask. Senate Bill 2 will automatically allow all those drivers limited driving privileges avoiding the possibility of additional fines for driving with a suspended license. There are still consequences for not paying your ticket, but they aren't as severe as current law.

Another good part of the bill is the 5 year look back, contained in Section H. I work with people who have had their licenses suspended for nearly 20 years. They can't climb out of the hole. Their

payments barely meet the interest charged by the collection firm used by the County to collect on the court debt.

I also want to comment on the payment plan part of this bill. Currently, the fine structure in all courts is uniform. A certain offense results in a set fine, without consideration of the income of the person getting the fine. So, a \$200 fine is assessed for a rich person and a poor person. That can be 1% of a poor person's income and .1% of a wealth person's income. Some states require consideration of the income of the person at the time that the fine is set. Kansas opts of a process where a person can seek reduction of the fine when the payment presents a manifest hardship. This bill also sets up a payment plan as an option when full payment is impossible. This allows courts to still impose restrictions if people don't meet the payment plan, but also sets out a structure for what payment plans might be. This might be seem an overreach to some. I can attest that the current "payment plan" in many courts is this: "Pay \$100 by next month or miss a day of work and show back up here in my court." If that level of payment is impossible, the person either shows up and faces whatever consequences the Judge imposes, missing a day of work OR doesn't go to court and continues the restriction of their license until the debt is paid in full.

The Legislature should, in its effort to restore driver's licenses to working Kansans, make the policy decision that payment plans, a set monthly amount, based on the person's income, should be used to allow for reinstatement of licenses before the debt is paid in full.

All parts of SB 500 are designed toward a single goal. That goal is to reduce the number of Kansans without fully valid driver's licenses. That number is currently at over 120,000 Kansans. This returns these people to the job market. It also prevents the spiral downward of people who are caught in the system that penalizes them for driving on a suspended license, by adding on fines and fees to those who couldn't pay the first set of fines and fees. Finally, it reexamines the level of consequences, putting on a level of license restriction initially, rather than only for those who know to ask for it.

I hope the committee will support SB 500 without further amendments.