

# Introducing Senate Bill 386/House Bill 557: an end to Florida's counterproductive license suspension laws.

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## THE ISSUE

Currently **1 in 8 Floridians have a suspended driver's license**. Fewer than 4% of these suspensions are for serious public safety issues — the vast majority are issued to the millions of Floridians who can't afford to pay off debt.

## PAYMENTS TO THE CLERKS OF COURTS (SENATE BILL 386/HOUSE BILL 557)

Sponsored by Senator Tom Wright (R – New Smyrna Beach) and Representative Chip LaMarca (R - Broward), bills SB 386 and HB 557 will:

- End driver's license suspension when the underlying basis is overdue fines and fees payments owed in criminal cases that are not driving related offenses.
- Standardize the process for individuals, who owe fines or fees, to apply for and obtain an affordable payment plan.
- **These bills will not** eliminate suspensions based on dangerous driving.
- **These bills will not** eliminate suspensions relating to overdue child support.

## WHY FLORIDA NEEDS THIS REFORM

**01** **Payment plans should be affordable, standardized, and focus on compliance instead of punishment.** Currently, payment plans vary from county to county, and many are unaffordable or require significant down payments.

**02** **Debt-based suspensions waste law enforcement resources and clog Florida courts.** In 2019, Florida issued over 232,800 citations for driving on a suspended or revoked license - equaling over 600 new offenses each day and nearly 100/day in Miami-Dade county alone.

**03** **License suspensions should be used to get dangerous drivers off the road.** In 2019, over 1.2 million suspension notices, making up nearly 72% of all suspension notices that year, were for unpaid fines and fees, not for dangerous driving or public safety concerns.

04

**Driver's license suspensions make it harder for Floridians to get to work, take care of their families, and pay their debts.** Employers need workers who can drive. Nearly 90% of Floridians drive to work. Only 1.7% of workers use public transit.

05

**Debt-based license suspensions are counterproductive.** Debt-based driver's license suspensions force Floridians to make an impossible choice — stop driving and lose access to work, childcare, health care, food, and other basic necessities; keep driving and risk criminal charges and spiralling further into debt.

06

**Collections increase after ending debt-based driver's license suspensions.** Evidence from other states has shown that collections increase when people are provided affordable payment plans and no longer face driver's license suspensions.

## **NATIONAL MOMENTUM FOR ENDING DEBT-BASED LICENSE SUSPENSIONS**

**In the last three years, 14 states and D.C. have passed reforms to curb license suspensions for unpaid fines and fees, missed hearing dates, or both:** Texas, Mississippi, Maine, Idaho, Montana, California, Maryland, Oregon, Virginia, West Virginia, Hawaii, New York, Michigan, Illinois and the District of Columbia.

## **DETAILED PROVISIONS**

- Requires payment plans to be affordable. Monthly payment plan amounts based on income: 2% of monthly income, or \$10/month.
- Allows clerks to send upcoming or missed payment reminders.
- Limits driver's license suspension for non-payment of criminal court debt to driving-related offenses.
- Allows, but does not require, clerks of court to notify DMV of missed payments on traffic citations.
- No driver's license suspension for non-payment if a person is incarcerated.
- Cannot refer cases to collections if a person is incarcerated.
- Allows clerks to waive, modify, or convert outstanding fines/fees/costs to community service.

## **LEARN MORE**

Contact Fines and Fees Justice Center's Florida State Director, Ashley Thomas [athomas@ffjc.us](mailto:athomas@ffjc.us). Visit [ffjc.us/florida](https://ffjc.us/florida).