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

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.
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.

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.

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. Visit ffjc.us/florida.