

R21-017

RESOLUTION

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RESOLUTION NO. R21-017

A RESOLUTION IN SUPPORT OF HOUSE BILL 557 AND SENATE BILL 386 IN THE 2021 FLORIDA LEGISLATIVE SESSION TO ELIMINATE DRIVER'S LICENSE SUSPENSIONS FOR UNPAID FINES AND FEES, AND TO ESTABLISH A UNIFORM REASONABLE PAYMENT PLAN PROCESS STATEWIDE; PROVIDING AN EFFECTIVE DATE.

Upon motion by Commissioner Kimberly Overman, seconded by Commissioner Mariella Smith, the following Resolution was adopted by a vote of 7 to 0, with _____ Commissioner(s) _____ voting No.

WHEREAS, Florida presently suspends driver's licenses for nonpayment of fines and fees unrelated to dangerous driving, with no assessment of a person's ability to pay. In 2019, over 2,000,000 individuals could not legally drive in Florida because of a suspended license; and

WHEREAS, in Hillsborough County, 75% of all driver's license suspensions in 2019 were for failure to pay fines and fees; and

WHEREAS, a change in the Florida Constitution in 1998 required that clerk's offices for county and circuit courts be funded by court fees. Since 1996, Florida has created more than twenty new types of fees, and at the same time eliminated most exemptions for those who cannot afford to pay; and

WHEREAS, this legislation would exempt individuals whose licenses are suspended due to nonpayment of child support and dangerous driving; and

WHEREAS, Florida's suspension policies are counterproductive to the ostensible purpose of ensuring payment. Once a person's license is suspended, employment opportunities are harder to access, making it harder to pay off the fines and fees that triggered suspension in the first place.

Businesses suffer when workers cannot reliably get to their jobs or are forced to quit because they cannot do their job without a license; and

WHEREAS, suspending driver's licenses for unpaid fines and fees does not increase traffic safety or public safety. To the contrary, resources must be allocated to arresting and prosecuting people who drive while their license is suspended for non-payment of fines or fees. Reforms to driver's license suspension policies in other states have resulted in significant savings for such costs; and

WHEREAS, analysis of data demonstrates that low income individuals and minorities are most affected by driver's license suspensions; and

WHEREAS, people returning to their communities from incarceration must pay off what can be thousands of dollars in fines, fees and costs before they can obtain their driver's license, and often leave custody with their license already suspended; and

WHEREAS, House Bill 557 and its companion in the Senate, SB 386, introduced this legislative session, seek to eliminate driver's license suspensions for unpaid fines and fees, and to establish a uniform reasonable payment plan process statewide; and

WHEREAS, eliminating suspensions for non-highway safety violations will significantly reduce the burden on state and local agencies, law enforcement, the courts, and lessen the unintended harmful impact on our communities; and

WHEREAS, this is a bipartisan endeavor which would enhance justice in our state and end a counterproductive and often cruel policy; and

WHEREAS, systems of justice should not be funded by counterproductive fees and fines that undermine justice, fairness and equity.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, THAT:

1. The Hillsborough County Board of County Commissioners hereby expresses support for House Bill 557 and the companion Senate Bill 386 in the 2021 Florida legislative session to eliminate driver's license suspensions for unpaid fines and fees, and to establish a uniform reasonable payment plan process statewide.

2. This Resolution shall take effect upon adoption.

**STATE OF FLORIDA
COUNTY OF HILLSBOROUGH**

I, CINDY STUART, Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a Resolution adopted by the Board at its regular meeting of February 17, 2021, as the same appears of record in Minute Book 537 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 19th day of February, 2021.

CINDY STUART, CLERK OF CIRCUIT COURT

By: *Marian K. Ditt*
Deputy Clerk



Approved as to Form and Legal Sufficiency

By: *Richard Tschantz*
Senior Assistant County Attorney