

# THE DEBTS & DRIVING ACT

H.3314 & S.2227 | Rep. Brandy Fluker-Oakley & Sen. Julian Cyr



## CURRENT LAW

Outdated Massachusetts statutes require the Registry of Motor Vehicles (RMV) to suspend the driver's licenses of people solely because they can't afford to pay fines and fees. As a result, the state takes tens of thousands of drivers off the road every year for reasons that have nothing to do with safety—and everything to do with poverty and debt.

## THE ISSUE

Current law punishes the poor and entangles people unnecessarily in the court system:

- Debt-based driving restrictions force people and families into an impossible position: choose to drive illegally in order to get to and from work, school, job interviews, medical appointments, court, and more—or choose not to drive, losing access to basic income and essential services.
- Taking away a person's license because of an unpaid debt has no public safety justification. It places needless roadblocks before people seeking to support themselves and their family, and disproportionately affects people in rural areas with little or no access to public transportation.
- Fines, fees, and suspensions can hit families suddenly, giving them little time to prepare for the devastating impact that such penalties can have.

- Suspensions burden our courts with tens of thousands of cases annually; they also increase the likelihood that people of color will get caught up in the criminal legal system, according to a 2020 Harvard study on racial disparities.

## THE SOLUTION

An Act to end debt-based driving restrictions and remove economic roadblocks would:

- Maintain license suspensions for unsafe driving, while ending them for people whose only offense is their inability to pay fines and fees
- Require the RMV to send text message reminders, encouraging on-time payment of fines and fees by those who can afford it — a system shown to be effective in other jurisdictions
- Allow people to apply for indigency waivers if they cannot afford to pay
- Allow the RMV to block license renewals as a penalty for failure to pay, rather than suspending a license before it is set to expire, giving families time to plan for payment or apply for indigency waivers
- Remove economic roadblocks and help get people back to work, school, and medical appointments