

# END DEBT-BASED DRIVER'S LICENSE SUSPENSIONS IN MASSACHUSETTS

H.3453 & S.2304 | Rep. Nika Elugardo & Sen. Julian Cyr



## CURRENT LAW

Massachusetts' Registry of Motor Vehicles routinely suspends the driver's licenses of people who fail to pay fines and fees. Every year, in other words, Massachusetts takes tens of thousands of drivers off the road for defaulting on debt, even when the reason for their debt has nothing to do with driving safety violations or traffic laws. According to the RMV, in one month in 2019 alone, the RMV suspended 11,814 Massachusetts drivers under this policy.

## THE ISSUE

Current law punishes the poor and perpetuates inequalities in the criminal legal system.

- Debt-based driver's license suspensions 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 and lose needed income and access to education and other services.
- This penalty is not connected to road safety and has no public safety justification. Instead, it unnecessarily places hurdles in front of people seeking to support themselves and their family. It also disproportionately affects people in rural areas with little or no access to public transportation.

- Current law criminalizes poverty: In Massachusetts, driving after a debt-based suspension carries a penalty of up to one year of jail in addition to more fines, increased administrative fees, and an extended period of suspension.
- License suspensions are a key determinant of criminal system contact in Massachusetts, according to recently published Massachusetts Trial Court data and a recent Harvard study on racial disparities.

## THE SOLUTION

The ACLU of Massachusetts supports H.3453 and S.2304.

- “An Act to Eliminate Debt-Based Incarceration and Suspensions” would eliminate several debt-based license and registration suspension triggers that are not related to safe driving, like failure to pay indigent counsel fees or parking tickets. It would also create a process for judges to reduce fines and fees if a person doesn't have the means to pay.
- Access to a valid driver's license is essential to countless Bay Staters—especially at a time of record job loss—and these licenses should not be suspended unless the suspension is directly connected to road safety.