



BETTER JUSTICE FOR FLORIDA // SUPPORT SB 1270 & HB 1095

Reduce Driver's License Suspensions for Non-Driving Offenses

Originally intended as a sanction to address poor driving behavior, driver's license suspensions and revocations are now routinely used to punish people for a range of non-driving offenses like graffiti or petit theft. In FY 2012-13, the Florida Department of Highway Safety and Motor Vehicles suspended or revoked more than 167,000 driver licenses for reasons unrelated to driving.¹

THE PROBLEM

License suspensions disproportionately impact low-income Floridians

- License suspensions and revocations are most often used to punish people who do not pay certain fines or fees, regardless of their ability to afford them.
- Losing a driver's license can make necessities like maintaining employment, getting children to and from school, seeing a doctor, and buying groceries difficult or impossible.
- Hardship licenses – available for numerous driving-related suspensions including DUIs – don't solve the problem. A person must pay reinstatement fees in addition to the outstanding financial obligations that led to the suspension in the first place.

License suspensions create a Catch-22 scenario with long-term, negative effects

- If a person loses his or her license and can't get to work, the individual will fail to earn the money needed to pay the fines and fees to get his or her license back.
- If a person risks driving on a suspended license and is caught, he or she will incur additional fees.
- A third offense of driving with a suspended license is a felony, carrying possible penalties of hefty fines, imprisonment and lifelong revocation of basic rights, while creating further barriers to employment and educational opportunities – all of which perpetuate the cycle of poverty.

Enforcing non-driving-related suspensions detracts from traffic safety priorities

- Drivers with traffic-related suspensions are three times more likely to be involved in a crash than drivers with non-traffic-related suspensions. There is no correlation between bad drivers and the inability to pay a court fee.
- The overuse of license suspensions has reduced the seriousness of these suspensions in the minds of law enforcement, courts and the public.

THE SOLUTION

- **Reduce the number of non-driving offenses eligible for license suspension.** For example, driver's licenses should not be suspended for adults who are charged with offenses like failure to pay court fees, drug-related offenses, or misdemeanor theft and for minors charged with vandalism, truancy or tobacco-related offenses. Doing so would likely increase these individuals' ability to obtain and maintain employment.
- **Eliminate driver's license suspension for individuals who simply cannot afford fines and fees.** If a person can demonstrate to the court that he or she is unable to pay a court-sanctioned financial obligation, he or she should not be eligible for a license suspension but instead should be offered an alternative such as a payment plan or community service.

79%

of Floridians believe the state should stop suspending driver's licenses for people who cannot afford to pay fines and fees and agree to do community service.²

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¹<http://www.flsenate.gov/Session/Bill/2017/302/Analyses/2017s00302.tr.PDF>

²Right on Crime, Florida registered voter survey, Oct. 23-29, 2017, available at <http://twitdoc.com/upload/bascomllc/right-on-crime-poll.pdf>.