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New Study Finds Most Driver's License Suspensions in Texas Result of Unpaid Fines and Fees, Not Dangerous Driving

License suspensions for unpaid fines and fees counterproductive, drive families into debt

AUSTIN, Texas — Approximately 7 in 10 driver's license suspensions and holds on license renewal in Texas are a result of unpaid fines, fees, and surcharges — not dangerous driving — a new study from Texas Appleseed and Texas Fair Defense Project reveals.

The report, [**Driven by Debt: How Driver's License Suspensions Hurt Texas Families**](#), also details how such driver's license suspensions disproportionately affect low-income Texans, creating a cycle of debt that many find nearly impossible to escape. Because most Texans lack access to public transportation, many must keep driving on a suspended license to support their families, which often means more tickets, more fines and longer suspensions.

The report presents data from the Texas Department of Public Safety related to the Driver Responsibility Program (DRP), the Omnibase Program (formally known as the Failure to Appear/Pay Program) and Departmental Suspensions — three programs which often overlap to create a web that entraps hundreds of thousands of Texans and prevents them from driving legally.

"We have helped hundreds of people with these suspensions, and the one thing all our clients have in common is that they all desperately want to be able to get their licenses and drive legally. In Texas, you need a license for everything — to hold down a job, get your kids to the doctor, and even to apply for apartments," said Emily Gerrick, senior staff attorney with Texas Fair Defense Project and a lead author of the report. "Unfortunately, due to the confusing web of suspension programs we have here in Texas, countless people end up giving up hope of ever having a valid license again."

Key Findings

- Approximately 1.7 million Texans cannot legally drive on account of the DRP, the Omnibase Program, or both.

- More than 6,000 people were booked into jail for Driving While License Invalid (and no other more serious charge) over the course of a single year in just 10 Texas counties from which the authors were able to obtain data.
- In addition to making it impossible to legally drive to work, research shows that not having a driver's license makes it more likely one will lose their job and less likely they will be hired for a new job.
- An in-depth analysis of data from the City of Dallas Municipal Courts shows that Omnibase holds are concentrated in lower-income neighborhoods. As the median income of a zip code goes up, the number of holds goes down.

"These programs not only hurt Texas families, but waste valuable law enforcement resources as well," said Mary Mergler, director of the Criminal Justice Project at Texas Appleseed and a lead author of the report. "The legislature should act immediately to mitigate the damage these programs are causing and create a clear path to license reinstatement for people who want to comply with the law but simply have no money to pay the fines and fees that they owe."

Policy Recommendations

The report recommends that the Texas Legislature should:

- Limit holds pursuant to the Omnibase Program to those who are intentionally avoiding appearing in court, not those who simply haven't paid;
- Create a maximum length of time that a license can be suspended for unpaid fines under the Omnibase Program, restoring the licenses of those who have not been able to pay during that time;
- Repeal the Driver Responsibility Program (DRP) and appropriate replacement funding for trauma hospitals, which currently receive about half of the revenue generated by DRP surcharges;
- End departmental suspensions for driving with an invalid license if the underlying suspension was due to unpaid fines or fees;
- Waive reinstatement fees — the final barrier to a valid license — for people who cannot pay them; and
- Lower the offense level for Driving While License Invalid to a Class C misdemeanor, so it is no longer punishable by jail time.

In addition, the report recommends judges and local officials should:

- Establish processes in courts to ensure people are not sent to the Omnibase Program when they cannot afford to pay.

Read the Report Here: <http://stories.texasappleseed.org/driven-by-debt>

About Texas Appleseed

Texas Appleseed is a public interest justice center that works to change unjust laws and policies that prevent Texans from realizing their full potential. Our nonprofit conducts data-driven research that uncovers inequity in laws and policies and identifies solutions for lasting, concrete change. For more information, visit www.TexasAppleseed.org.

About Texas Fair Defense Project

The Texas Fair Defense Project's mission is to fight for a criminal justice system that respects the rights of low-income Texans. We envision a new system of justice that is fair, compassionate, and respectful. Through impact litigation, legislative advocacy, and education, we are working to end counterproductive, costly, and unconstitutional practices like jail time for traffic tickets and our broken money-bail system. For more information, visit www.FairDefense.org.

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