



# Support Legislation to End Driver's License Suspensions for Unpaid Fines & Fees

## LICENSE SUSPENSIONS FOR FINES & FEES PREVENT TEXANS FROM WORKING AND HURT TEXAS FAMILIES.

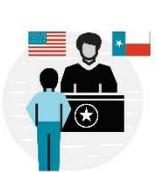
**At least 7 in 10 holds and suspensions affecting Texas drivers are a direct result of the driver failing to pay fines, fees, or surcharges—not dangerous driving.** These holds and suspensions—resulting from the Omnibase Program (a.k.a. DPS Failure to Appear/Pay Program), Driver Responsibility Program (DRP), and Departmental Suspensions—do not serve to keep dangerous drivers off the road, but instead are used to pressure drivers to pay fines and fees.



**Many people affected by the more than 2 million holds and suspensions for unpaid fines and fees lack the money to pay what they owe, so have no way to get their licenses reinstated.** They are unable to drive to work legally, so often lose their jobs and ability to support their families. If they continue to drive to work with an invalid license, they risk more fines, longer suspensions, and jail time—all of which further damages Texas families' financial self-sufficiency and economic mobility.

*The legislature should end unnecessary holds and suspensions related to unpaid fines and fees, while still holding people accountable and leaving suspensions for dangerous driving unaffected.*

### IMPROVE THE OMNIBASE PROGRAM: H.B. 1372 (White)



The Omnibase Program allows courts to place holds on driver's licenses when people fail to appear in court or fail to pay fines or costs in any criminal case. Currently 320,000 Texans are unable to drive legally because of the Omnibase Program, and another 490,000 Texans will be ineligible to drive legally if they do not pay their fines and costs in full before their current licenses expires.

- **Only allow holds on licenses for those who fail to appear in court**, ending holds for people who have appeared in court but have not been able to pay.
- **Reinstate licenses as soon as the person comes into compliance**, either by appearing in court or by arranging a payment plan or community service. Currently, Omnibase holds last until all payments or community service hours are complete, which can take months or years.
- **Assess only one \$30 Omnibase fee per court, rather than one per case**, preventing unaffordable fees from accumulating.

- **Lift holds automatically after a license has been expired two years.** The Texas Judicial Council led by Chief Justice Nathan Hecht issued this recommendation in 2016. Those with years-long suspensions are overwhelmingly people without the ability to pay.

### END THE DRIVER RESPONSIBILITY PROGRAM: H.B. 683 (White)



The Driver Responsibility Program (DRP) assesses surcharges on drivers in addition to any fines or court costs imposed by the court when they are convicted of certain driving-related offenses. Nearly 1.5 million Texans have suspended driver's licenses as a result of the DRP. The DRP is widely recognized as a failure, because it creates a virtually inescapable cycle of debt, while failing to reduce traffic fatalities or otherwise improving public safety.

- **Repeal the DRP entirely**, ending a program that even the original bill author calls "a mistake."
- **Appropriate sufficient funds to trauma hospitals** to replace current revenue from the DRP that goes to those hospitals.

### STOP JAILING PEOPLE FOR INVALID LICENSES: H.B. 372 (Allen) & H.B. 1372 (White)



Driving While License Invalid (DWLI) is a jailable Class B misdemeanor in many cases, meaning drivers are arrested and jailed when they are charged rather than written a ticket. They are often sentenced to jail after being convicted as well. Jail time for DWLI drives people further into debt when they lose their jobs while jailed, and leaves children without their caregivers, all because people were unable to pay fines or fees.

- **Reduce DWLI to a Class C misdemeanor** to maximize law enforcement efficiency and save taxpayer dollars by avoiding unnecessary arrests and jail time for DWLI. Exceptions could be made if the original suspension was related to driving while intoxicated.

### END DEPARTMENTAL SUSPENSIONS & WAIVE REINSTATEMENT FEES: H.B. 162 (White) & H.B. 1372 (White)



Departmental suspensions are additional suspensions imposed by DPS if DPS has evidence that someone drove with an invalid license, even if the violation was years earlier. These suspensions are counterproductive and punish people for coming to court to take care of old citations. Further, DPS does not waive reinstatement fees which are often upwards of \$200 after an Omnibase hold or DRP suspension.

- **End departmental suspensions**, which encourage people to avoid court entirely.
- **Require DPS to waive reinstatement fees for people who cannot pay**, including those who have been determined by a judge to be unable to pay their fines and fees, as well as those who document to DPS that they are indigent.

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