

The Honorable Charles. E. Schumer
Senate Majority Leader
U.S. Senate
Washington, DC 20510

The Honorable Mitch McConnell
Senate Minority Leader
U.S. Senate
Washington, DC 20510

The Honorable Richard J. Durbin
Senate Majority Whip
U.S. Senate
Washington, DC 20510

The Honorable John Thune
Senate Minority Whip
U.S. Senate
Washington, DC 20510

March 25, 2021

Dear Leader Schumer, Leader McConnell, Whip Durbin and Whip Thune,

The undersigned organizations endorse the Driving for Opportunity Act of 2021, as shown in the quotes that follow, and recognize the urgency of addressing debt-based driver's license suspension. We all agree that suspensions and restrictions of driver's licenses for unpaid court fines and fees should be discouraged, and the Driving for Opportunity Act of 2021 accomplishes that goal.

This bill would help states end a counterproductive practice—suspending driver's licenses simply because people cannot satisfy a financial obligation—and to enact smart, data-driven policy on fines, fees, and driving license privileges.

For most Americans, driving a vehicle is essential—it is the way that they and their families get to work, attend school or church, buy food, go to medical appointments, pick up kids, and otherwise fulfill the basic necessities of life. When an individual loses their driver's license, especially at a time when a national health emergency makes public transportation more limited than ever, life can become significantly more difficult for that person and their family.

Today, millions of Americans have a suspended or revoked driver's license solely because they have not paid court fines and fees. Such "debt-based suspension" is a means through which governments try to compel payment. This system is inherently faulty: someone who cannot drive will likely have a difficult time securing transportation to work, making debt repayment even more difficult or impossible.

Suspensions and revocations of driver's licenses for non-driving related conduct may harm public safety. Law enforcement officers waste hours of time enforcing these laws instead of focusing on more pressing threats to their communities. In addition, having a suspended license exposes drivers to additional fines, arrest, jailing, or other entanglement with the criminal legal system. Some states have recognized and responded to this problem by amending their own laws to halt debt-based driver's license suspensions.

The Driving for Opportunity Act of 2021 authorizes federal funding to cover the costs of reinstating driver's licenses in states that chose to end debt-based driver's license suspensions, because states that have made the responsible evidence-based policy decision to reinstate licenses may face a financial burden.

The undersigned organizations have different reasons for joining in support of this legislation, which they state in their own words below. All agree that suspensions and revocations of driver's licenses for unpaid court fines and fees should be discouraged, and that:

"This legislation is a critical step toward ending debt-based driver's license suspensions, one of many abusive fines and fees collection practices. Government reliance on fines and fees for revenue creates perverse incentives for courts and law enforcement to extract wealth from low-income black and brown communities that already experience racial profiling and excessive policing. We must end the predatory imposition and enforcement of fines and fees." — **Emily Dindial, Advocacy and Policy Counsel at the American Civil Liberties Union.**

"Suspending licenses limits people's ability to access work, groceries, education and health care services but it does not increase safety, and AASHTO and state DOTs believe our focus should always be on safety. We very much appreciate the leadership of Senators Coons and Wicker to improve access to opportunities." — **Jim Tymon, Executive Director, American Association of State Highway and Transportation Officials.**

"Suspending drivers' licenses for non-public safety reasons such as unpaid fines and fees creates unnecessary hardships for those with limited means and is counter-intuitive to its intended goal. A driver's license could be the difference between maintaining a job or falling deeper into financial trouble, thereby making it more difficult to pay the court obligations in the first place. This bill will help states move towards a better system where drivers' licenses are suspended only when they have a substantial nexus to public safety, rather than as a misguided stick." — **Mark Holden, Board Member of Americans for Prosperity.**

"No one should be denied the privilege of driving a car because of an unpaid fine or fee. Denying a person a driver's license because they owe money creates a modern version of the debtors prison - you cannot leave your house until you pay your debts, but you cannot pay your debt if you cannot go to work. This is wrong." — **Grover Norquist, President of Americans for Tax Reform.**

"From a police perspective, the more drivers are registered and insured, the safer everyone on the road will be. Suspending licenses for non-driving-related reasons decreases road safety and forces police to spend hours making unnecessary arrests and waiting for towing companies." — **Major Neill Franklin (Ret.), Executive Director of the Law Enforcement Action Partnership.**

“Suspending driver’s licenses over unpaid fines and fees is both cruel and counterproductive. Without a license, people are unable to get to their jobs, which has a cascading effect on just about every other aspect of their lives and risks entangling them further in the criminal-legal system. The result for many poor people is a brutal cycle of debt and hopelessness. Ending debt-based driver’s license suspension is an issue of racial justice, of economic justice, and of keeping families safe.” — **Thea Sebastian, Policy Counsel at Civil Rights Corps.**

“Suspending drivers’ licenses because of an inability to pay fines and fees only serves to trap people in a perpetual cycle of poverty and justice-system entanglement. These short-sighted policies force people into impossible situations where they must risk criminal convictions and/or incarceration to keep their jobs and put food on the table for their families. This doesn’t make our communities safer — and only wastes limited law enforcement resources in pursuing pointless prosecutions. We need — and the American people are demanding — a new vision of justice, one in which people are not punished simply for being poor.” — **Miriam Krinsky, Executive Director with Fair and Just Prosecution.**

“The suspension of an individual driver’s license for not paying fines and fees is an archaic practice that needs to end. The Driving for Opportunity Act incentivizes states to make the smart choice for fairness and come up with alternative means for payment of this debt. This bill has even greater impact today as we deal with the COVID-19 pandemic. Allowing people to drive their own vehicles, rather than take public transportation that is now both scarce and potentially dangerous, is a far better option.” — **Shana O’Toole, President of the Due Process Institute.**

“Debt-based driver’s license suspension is a terribly misguided policy because it makes it virtually impossible for anyone trying to work to repay their debt to society. Instead of making it harder for folks to get right with the law, we should be making it easier so that they can contribute positively in their local community. This bill will take an important step towards that goal. We are proud to support this legislation because our organization exists to empower the U.S. Hispanic community so it can thrive and contribute to a more prosperous America.” — **Daniel Garza, President of The LIBRE Initiative.**

“Suspending driver’s licenses for unpaid court debt is not about safety; it’s a failed experiment in generating government revenue from low-income communities. The current system is forcing millions of people across the United States to make an impossible choice: stop driving—and lose access to work and other basic necessities—or keep driving, and risk jail time and more unaffordable fines. For our economy to flourish, we must end the cruel and counterproductive practice of debt-based driver’s license suspensions.” — **Joanna Weiss and Lisa Foster, Co-Directors of the Fines and Fees Justice Center.**

“Across the country, millions of people have their driver’s licenses suspended for reasons that are unrelated to highway or public safety—usually unpaid fines and fees. Forcing officers to arrest a person for driving with a suspended license due to unpaid fees is a

waste of valuable law enforcement time and resources. This bill will help those in difficult circumstances and free law enforcement to focus on protecting our communities.”

— **Patrick Yoes, National President of the Fraternal Order of Police.**

“By encouraging states to eliminate drivers’ license suspensions for unpaid fines and fees, the Driving for Opportunity Act will help ensure law enforcement’s resources are focused on preventing dangerous behavior behind the wheel that is a threat to public safety. The MCCA thanks Sen. Coons and Sen. Wicker for their continued leadership on this issue.”

— **Chief Art Acevedo, Major Cities Chiefs Association President and Chief of the Houston Police Department.**

“For most Americans, maintaining a driver’s license is essential to fulfilling family responsibilities and maintaining employment. The burden of debt-based driver’s license suspension is not borne evenly throughout the nation: driver’s license suspensions trap poor people in a cycle of escalating debt, diminished employment opportunities and family hardship, and disproportionately impact people of color. Faced with the Hobson’s choice of risking arrest or sacrificing their families’ basic needs, many choose to drive on a suspended license and incur arrest, diverting public safety resources and overwhelming criminal courts and court actors with these low-level cases. Furthermore, there is no rational nexus between the failure to pay a debt and the right to drive. This is a flawed, irrational, and costly policy.” — **Norman L. Reimer, Executive Director of the National Association of Criminal Defense Lawyers.**

“Prosecutors continue to embrace common sense reforms of our justice system and ending license suspensions based solely on debt is a reasonable next step to ensure our system works for the communities our members serve. Our association is proud to join our partners in the law enforcement and criminal justice reform community to rally behind the Driving for Opportunity Act. This vital legislation works to end the suspension of driver’s licenses for fines and fees, while reinvesting funding to assist communities in implementing this new policy. The bill strikes the right balance by allowing suspensions for public safety reasons while ending the practice of criminalizing poverty.” — **Nelson Bunn, Executive Director of the National District Attorneys Association.**

“Driver license suspensions for pending court fines and fees are crippling to those struggling in poverty, a group of people the Bible calls us to protect. We want people to provide for their families, make amends, and actually pay off financial sanctions. Taking away the ability to drive, especially for those already struggling financially, is counterproductive to these goals. By cosponsoring and passing the Driving for Opportunity Act, federal lawmakers can advance a more restorative approach to justice.”

— **Heather Rice-Minus, Senior Vice President of Advocacy and Church Mobilization at Prison Fellowship.**

“Taking driver’s licenses away for non-driving offenses keeps people from gaining or retaining employment – particularly in the Southeast where public transportation is lacking. It further leads to unnecessary incarceration and fines when people end up getting

arrested for driving without a license because they need a car to get to their job, grocery store or medical appointment. This legislation is needed to lower the number of people locked up or burdened with senseless fines, and to help people get out of poverty and meet household needs.” — **Shay Farley, Interim Deputy Policy Officer for the Southeast with SPLC Action Fund.**

“For too long, debt-based driver’s license suspensions have been portrayed as a way to improve traffic safety. But it is clear that the current system is actually a counterproductive practice that undercuts true traffic safety benefits and disproportionately harms low-income people and communities of color. Suspending people’s unpaid court debts does not align with Vision Zero’s goal of safe mobility for all people using our roads, sidewalks and bikeways. It is time to end counterproductive enforcement and collections practices that serve no proven public safety purpose, while crippling those who are struggling with poverty.” — **Leah Shahum, Founder and Director of Vision Zero Network.**

Sincerely,



CC: Senator Chris Coons