



Tuesday, April 20, 2021

The Hon. Jerrold Nadler
U.S. House Committee on the Judiciary
2132 Rayburn House Office Building
Washington, D.C. 20515

The Hon. Jim Jordan
U.S. House Committee on the Judiciary
2056 Rayburn House Office Building
Washington, D.C. 20515

Dear Member of the House Committee on the Judiciary

On behalf of the millions of activists we support at Americans for Prosperity, **we write to request that you advance the Driving for Opportunity Act of 2021 (H.R. 2453).**

In recent years, states as diverse as Virginia, Utah, New York, Montana, and Texas have reformed their policies that suspend or revoke an individual's driver's license for a mere failure to pay court debt. These policies were initially intended as a mechanism to incentivize the repayment of these debts, but the resulting hardship created incentives that directly conflicted with this goal. When imposed on people who cannot afford the underlying debt, these policies lock people into a cycle of poverty that prevents even the most well-meaning person from being able to pay these debts over time. A previous study on the impact of driver's license suspension policies found that 42% of individuals who lost their license also lost their jobs.¹

While many in large cities have alternative methods of transportation, for most Americans driving is the only way for them to get to their job and take care of their family. It should be no surprise then that some jurisdictions have seen their collection of fines and other court debt improve once they adopt policies that mitigate or end driver's license suspensions for mere failure to pay.² Beyond potentially reducing revenue collection, these policies are also an ineffective use of taxpayer resources, diverting thousands of hours in police, administrative, and court processing time that could be used to improve public safety instead.³

The Driving for Opportunity Act will equip states that also want to end this counterproductive practice to overcome any financial barriers by authorizing a Department of Justice grant program to reimburse states for any short-term lost revenue before the positive impact of the policies can be fully realized. This bill will not force states to make any changes to their laws and fully respects their sovereignty to choose the policy that works best for their citizens.

¹ Motor Vehicles Affordability and Fairness Task Force, *Final Report*, New Jersey Motor Vehicle Commission (2006), https://www.state.nj.us/mvc/pdf/about/AFTF_final_o2.pdf.

² Brief of Amici Curiae Members of the Free to Drive Coalition in Support of Plaintiff-Appellant and Reversal, *Motley v. Taylor*, No. 20-11688 (11th Cir. July 20, 2020), available at <https://www.docketbird.com/court-cases/Sharon-Motley-v-Hal-Taylor/ca11-2020-11688>; Judicial Council of California, *Report on the Statewide Collection of Delinquent Court Ordered Debt for 2018-19*, Judicial Council of California (2019), https://www.courts.ca.gov/documents/lr-2019-JC-statewide-court-ordered-debt-2018-19-pc1463_o10.pdf; L. William Seidman Research Institute, *The City Of Phoenix Municipal Court's Compliance Assistance Program, 2016: An Economic Assessment*, Arizona State University (2017), <https://finesandfeesjusticecenter.org/content/uploads/2018/11/Phoenix-license-restoration-pilot-THE-CITY-OF-PHOENIX-MUNICIPAL-COURT%E2%80%99S-COMPLIANCE-ASSISTANCE-PROGRAM.pdf>.

³ Suspended and Revoked Drivers Working Group, *Best Practices Guide to Reducing Suspended Drivers*, American Association of Motor Vehicle Administrators (2013), <https://www.aamva.org/Suspended-and-Revoked-Drivers-Working-Group/>.

We urge you to advance the Driving for Opportunity Act to the House floor for full consideration by all members. This legislation will help reduce the barriers to opportunity that stand in the way of many Americans achieving their full potential.

Brent Wm. Gardner
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Americans for Prosperity