

THE ROAD TO OPPORTUNITY ACT

AN ACT TO INCREASE OPPORTUNITY BY ENDING DEBT-BASED DRIVING RESTRICTIONS

H.3662 & S.2368 | Rep. Brandy Fluker-Reid & Sen. Julian Cyr

DEBT-BASED DRIVING RESTRICTIONS MAKE EVERYDAY LIFE IMPOSSIBLE

Currently, Massachusetts suspends driver's licenses for outstanding traffic, toll, and other fines and fees. The result: tens of thousands of Massachusetts residents are struggling to survive because they can't lawfully drive.

IT'S TIME TO END DEBT-BASED DRIVING RESTRICTIONS

Debt-based driver's license suspensions cost people their livelihoods. 70% of Massachusetts residents drive to work and many jobs require a driver's license. Much of our state lacks robust and reliable public transportation alternatives, and without a license, you can't take your children to school, buy groceries, or get the healthcare you need. Many people have no choice but to continue driving — meaning they risk more fines and fees, a criminal conviction, and incarceration.

Suspending licenses harms economic growth. People who can't work due to a suspended license can't contribute to the Commonwealth's income tax revenue, exacerbate the state's labor shortage, and have less money to pay off their initial fines and fees.

Debt-based license suspensions undermine public safety. When law enforcement uses valuable time to cite, stop, fine, and arrest people for driving on a suspended license due to unpaid fines and fees, they have less time to investigate and focus on crimes that endanger people's lives.

Charges for driving with a debt-based license suspension severely burden our courts. Driving without a license and driving on a suspended license are the two most common charges in district court: annually, they represent over 30,000 cases, or more than 15% of *all* district court charges. Outstanding debts are at the root of the problem in most cases.

Massachusetts is in the minority of states that suspend driver's licenses for failure to pay. Over half of the states — across the political spectrum — have passed legislation to eliminate or significantly curb debt-based license suspensions.

HOW WILL THE ROAD TO OPPORTUNITY ACT HELP?

Get rid of debt-based license suspensions. Remove the statutory triggers that force the RMV to suspend a person's license for failure to pay a fine or fee.

Maintain all road safety-related license suspensions. Continue to suspend licenses for dangerous driving, OUI, and repeat unsafe driving offenses.

Improve debt collection. Direct the RMV to send payment reminders via text message — a system shown in other jurisdictions to be effective at encouraging on-time payment of fines and fees by those who can afford them.

Waive fees for indigency. Allow people to apply for indigency waivers if they cannot afford to pay. Peg indigency waivers to clear existing standards, like eligibility for free legal counsel or poverty-based benefits.

Maintain accountability for failure to pay. Prohibit license renewal when a driver fails to pay. Non-renewal is a better penalty than license suspension because it allows people to keep working, earn money, and plan for payment.

WHO WILL THE ROAD TO OPPORTUNITY ACT HELP?

Safe drivers & their families. Licensed drivers can keep earning money and caring for their families.

Public safety. Fewer suspended licenses means more police officers focused on dangerous crime and more insurance coverage for drivers on the road.

The Massachusetts economy. Our economy is stronger when wage-earners can get to work.

Overburdened courts. Ending debt-based driving restrictions will improve court efficiency and shrink the court's overburdened criminal docket.

The RMV. Fewer unnecessary suspensions means less administrative work. More targeted debt collection means more efficient payments to the RMV.



IT'S TIME TO END DEBT-BASED DRIVING RESTRICTIONS.

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