



February 27, 2024

The Honorable Nathan H. Manning
Chair, Judiciary Committee
Senate Building, 1 Capitol Square, Ground Floor, 039
Columbus, OH 43215

Dear Chair Manning and Members of the Committee,

The Fines and Fees Justice Center (FFJC) is grateful to Senator Blessing and to this committee for continuing to advance SB 37, which eliminates several categories of debt-based driver's license suspensions. We have submitted testimony supporting SB 37 at previous hearings, and so this testimony specifically addresses the proposed Amendment 1477.

FFJC is a national hub for information, advocacy and collaboration for reform of fines and fees, including eliminating the onerous collateral consequences that result from nonpayment of fines and fees, like driver's license restrictions. Not having a valid driver's license makes life nearly impossible for most people, preventing them from going to work, getting a new job, taking their child to school or childcare, and going to medical appointments. Because most people require a car to access necessities, they have no choice but to continue driving. When they do, they risk additional fines, fees, and arrest and jail time for driving with an invalid license.

Amendment 1477 extends the elimination of debt-based driver's license suspensions retroactively. This provision offers relief to drivers who currently have a suspended license for debt-based violations. If SB 37 is passed, licenses currently suspended would no longer be suspended for that offense. FFJC wholeheartedly supports this retroactive provision. As we have detailed in previous testimony, debt-based driver's license suspensions impose financial harm on individuals without enhancing public safety. Because the majority of Ohioans must have a valid license to obtain and maintain employment,¹ a license suspension negatively impacts employers and local economies, as well as families who rely on work income to meet their basic needs. Ending these suspensions not only proactively but also retroactively for people already struggling to maintain financial stability without a valid license is both fair and sensible. We hope the committee will adopt this provision.

¹ U.S. Census Bureau, American Community Service, *Means of Transportation to Work by Travel Time to Work* (Table B08134) (2021), available at: <https://data.census.gov/table?q=B08134&g=040XX00US48&tid=ACSdT1Y2021.B08134>.

However, FFJC opposes the provisions in Amendment 1477 that reestablish the enhanced penalty system for noncompliance violations. We support the current language in Sub SB 37 that standardizes penalties for noncompliance. The three-tiered enhancement structure in Amendment 1477 imposes long suspension periods and exorbitant reinstatement fees for 2nd and 3rd noncompliance violations, making it prohibitively expensive for lower income drivers to regain valid driving status after a violation. Most drivers want to comply with insurance requirements, and FFJC believes that everyone on the road is safer when all drivers are insured. Therefore FFJC supports reducing barriers to valid licensure and insurance, as the language in Sub SB 37 does, and we oppose the enhanced penalties in Amendment 1477.

Above all, FFJC urges this committee to engage in meaningful dialogue with individuals and communities who have been directly impacted by the high cost of auto insurance and the barriers to license reinstatement imposed by the enhanced penalty system. Multiple national studies demonstrate that income-related characteristics like zip code and credit score drive up auto insurance rates, making auto insurance most expensive for drivers living paycheck to paycheck, even when they have no accidents or traffic violations on their record.² Overwhelming evidence shows that unaffordability is the primary reason people drive uninsured.³ Legislators who expect the enhanced penalty structure to result in greater compliance with insurance requirements would benefit from hearing directly from drivers who have faced these penalties. The fact that state-required auto insurance is increasingly unaffordable is a public policy issue that merits serious consideration and cannot be solved by merely imposing additional debt on those already struggling to make ends meet.

FFJC supports the passage of Sub SB 37. We urge this committee to support the retroactive provisions in Amendment 1477 that would extend license reinstatement to Ohioans with debt-based driver's license suspensions. However, we hope this committee will recognize that enhanced penalties for noncompliance violations are counterproductive to the goal of ensuring all drivers on the road are licensed and insured. We urge the committee not to adopt the provisions in Amendment 1477 reinstating enhanced penalties for noncompliance violations.

Sincerely,



Anna Odegaard, Senior Advocacy and Campaigns Strategist
Fines and Fees Justice Center

² Douglas Heller, *Auto Insurance: A National Issue of Economic Justice*, Consumer Federation of America (January, 2019), available at: <chrome-extension://efaidnbnmnibpcjpcglclefindmkaj/https://consumerfed.org/wp-content/uploads/2020/01/Summary-of-Auto-Insurance-Research.pdf>

³ See, e.g., Natalie Todoroff, *Uninsured Motorists Statistics and Facts 2023*, Bankrate (November, 2023), available at: <https://www.bankrate.com/insurance/car/uninsured-motorist-statistics/>

