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Testimony in Support of Sub. SB 37
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Ohio Poverty Law Center
Senate Judiciary Committee
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Chairman Manning, Vice Chair Reynolds, Ranking Member Hicks-Hudson and members of the Senate Judiciary Committee, thank you for the opportunity to provide testimony in support of Senate Bill 37. My name is Zack Eckles, and I am an attorney at the Ohio Poverty Law Center (OPLC). Our mission is to reduce poverty and increase justice by protecting and expanding the legal rights of Ohioans living, working, and raising their families in poverty.

In Ohio an individual's inability to pay a fine or fee can result in their driver's license being suspended. The Legal Aid Society of Cleveland's 2022 Road to Nowhere Report¹ found that Ohio drivers face over 3 million debt-related driver's license suspensions annually, and that **from 2016-2020 there was an average outstanding total debt each year of over \$920 million**. In 2020 alone there were 1,133,810 Ohio drivers with debt-related suspensions.

License forfeiture suspensions occur when a person is charged with a misdemeanor and either fails to appear in court or fails to pay a court fine. Although many of the underlying offenses eligible for suspension are traffic related, the suspension itself is due to a person's failure to appear or inability to pay. **License Forfeiture Suspensions accounted for 450,646 suspensions, or 22.4% of all debt-related suspensions, in 2020**. These suspensions have unfairly kept low-income Ohioans from driving legally because they are unable to pay a fine or a fee. We support the amendment to apply SB 37's changes to license forfeiture suspensions retroactively.

The only suspensions for failure to appear that would be affected by SB 37 are for minor misdemeanor charges. **These are charges that have no possibility of jail or prison time and carry a maximum fine of \$150**. Examples include leaving a vehicle unattended in violation of ORC § 4511.661, or infringement of one of ORC § 4511.68's numerous prohibitions on parking. They are minor infractions that for many Ohioans result in a bad day that ends with mailing a check to their local court. For Ohioans who can't afford to just mail in a check, they turn into a second bad day requiring an appearance in court, likely at a time when you need to be at work. While the fine remains due and collectable for the underlying charge, SB 37 removes the added penalty of license suspension. These are effectively suspensions for failure to pay.

Poverty should not determine who is and who is not free to drive. Thank you for your time today and I urge you to support Senate Bill 37.

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¹ <https://laslev.org/roadtonowherereport/>