



Senate Bill 405

Driving Debt Down

As Amended April 6, 2015

SUMMARY

SB 405 aims to reduce the number of persons who have their driver license suspended for violations that don't affect public safety. It will provide a method for persons with a current suspension for such nonviolent offenses to get their driving privileges restored in conjunction with the Governor's proposed Traffic Amnesty Program to improve court-ordered debt collection.

ISSUE

Due to an increase in fines and fees and reduced access to courts, a staggering number of Californians have suspended driver licenses. These suspensions make it harder for people to retain employment, harm credit ratings, and raise public safety concerns. The loss of the ability to drive is a threat to a family's economic security.

Suspended licenses can trap working poor in an impossible situation: unable to reinstate their licenses without gainful employment and unable to access employment without a license, keeping people in cycles of poverty that are difficult to overcome. A New Jersey study found that when a license was suspended, 42% of drivers lost their jobs. Of those, 45% were unable to find a new job and 88% of persons with suspended licenses reported a reduction in their income. This jeopardizes economic stability in the state and limits the workforce available. Employers are affected by having to internalize the cost to replace workers and face the challenge of finding qualified workers with valid driver licenses.

By imposing fees that cannot be paid and effectively creating permanent license suspensions, the system also threatens public safety. Those with suspended licenses often drive without insurance; if there is an accident they don't have coverage.

The Governor has proposed a Traffic Amnesty program in the 2015-16 Budget for \$10 billion of uncollected court-ordered debt. However, any such attempt to collect, through an amnesty program or otherwise, requires the ability to pay, one which is generally lacking without the ability to drive.

SB 405 (HERTZBERG)

SB 405 would restore driver licenses suspended on or before January 1, 2013 due to nonviolent offenses, upon agreement to pay court-debt. Specifically SB 405 would:

- Allow license restoration to participants in the Governor's Traffic Amnesty program whose driver's license was, as specified.
- Allow the use of an income-based sliding scale for program participants.
- Not limit the court's ability to issue an earning withholdings order or community service.



- Require the Department of Motor Vehicles to notify motorists of the amnesty program in multiple languages.
- Request a written report from each court or county implementing an amnesty program.

SUPPORT

Western Center on Law & Poverty (Sponsor)

A New Way of Life Reentry Project (Co-Sponsor)

East Bay Community Law Center (Co-Sponsor)

Lawyers' Committee for Civil Rights (Co-Sponsor)

Legal Services for Prisoners with Children (Co-Sponsor)

American Friends Service Committee

Association for Los Angeles Deputy Sheriffs

Association of Deputy District Attorneys

Bay Area Community Services

California Association of Highway Patrolmen

California Association of Code Enforcement Officers

California Catholic Conference

California College and University Police Chief's Association

California Commission on Access to Justice

California In-Home Supportive Services Consumer Alliance

California Narcotic Officers Association

California Partnership

California Reserve Peace Officers Association

Courage Campaign

Drug Policy Alliance

Ella Baker Center for Human Rights

Los Angeles Community Action Network

Los Angeles County Probation Officers Union, AFSCME Local 685

Los Angeles Police Protective League

Oakland Community Organizations

PICO California

Rubicon Programs

San Mateo County

Supervisor Warren Slocum

St. Mary's Center

Western Regional Advocacy Project

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