



February 18, 2019

RE: SB143

Chairman Peterson, and Honorable Member of this Committee,

Thank you for this hearing on amending SB143 and this opportunity to express my support for that. My name is Peter Ninemire. I am the Owner and Director of The Caring Center of Wichita. I established this Behavioral Health and state approved substance abuse facility in 2012. I have 10-plus years previous experience working with this population at other facilities including the Wichita Day Reporting Centers and my last three years prior to opening my practice as the Addictions and Mental Health Treatment Supervisor for COMCARE in the initiation and implementation of the Sedgwick County Drug Court.

In these respective positions I have interacted with countless individuals who have had their driver's licenses suspended or revoked due to inability to pay their traffic fines for non-dui related offenses. This has greatly impaired, or in some cases all but eliminated the opportunity for them to gain employment and being legal while doing so as they face paying off all insurmountable fines ranging from a few hundred to thousands of dollars over time with repeat violators who see no way out to survive and often have to provide for their families. The main problem that is seen is that the fines have to be completely paid before the driver's license can be reinstated, thus my complete support of SB143.

I gained additionally insight into how those on the poverty line from all walks of life can have difficulty paying these fines when I recently discovered the fines that I received for driving 80 in a 70 and not using my turning signal to pull back into driving lane was \$230.00. For too many, these fines have become insurmountable and they are often forced to choose between feeding their family or taking a chance on driving and breaking the law in order to do that. Many of those who keep driving eventually get pulled over for driving on a suspended driver's license and gain more fines that they cannot pay while the county and municipality continue to incur more expenses with incarceration and imposing court fees and fines they will never get while almost encouraging violators to break the law to comply with treatment and other mandates that accompany their situations. This often includes paying attorney fees that I suggest would be much better spent on paying off their fines in an incremental fashion that would include the privilege of having a restricted driver's if their license was suspended or revoked for a reason other than a DUI. The bottom line is that the county or municipality never gain their revenues' and this become an endless cycle of citizens driving on a revoked or multiple driving on a suspended license charges because they have to feed themselves or provide for their families and have no way out in terms of being able to pay off their fines.

While I understand the importance of the accountability of our citizenry, I also believe that there is a need to devise a system such as set forth in SB143 that would allow traffic violators who do not have the means to pay off these lump sum costs in monthly payments and gain a restricted driver's license with the requirements set forth in this bill. I would also ask that the cap on eligibility with repeat violations be amended to include exceptions for those that might have mitigating circumstances (i.e. a medical condition of that person and family member that requires travel for care) to be considered and left to the discretion of the presiding judge. In this same respect, some fines are too large for violators to reasonably afford being able to pay off in a year, and following payment extension be at the discretion of the presiding judge who could consider past payment history and the total amount of fine as well as compliance with registration and insurance requirements, which would require a court hearing at the end of initial year deadline. Failure to do so would include revocation of license until demands are met.

In considering pasting this legislation we should also take into account the financial and logistical burden that this places on family members that often have to alter or build their schedule around keeping another family member employed or compliant. Many parole and probation officers have expressed concerns that the courts are asking some of these people to break the law in order to comply with the law, in terms of gaining employment and meeting their legal obligations with treatment, etc. I know some judges share these concerns. If we doubt that, consider the choices a person is presented in these situations, and the chances one might take to put food on the table for their children. The huge additional fines associated with trying to drive to work, buy groceries, get kids to school, etc., prevent most people from ever being able to drive legally again. It also puts them in the mindset of breaking the law in order to survive and provide for their families rather than being a responsible, productive, tax-paying, law-abiding citizen. Overall, passing SB143 is a tremendous opportunity to make an investment in Kansas and Kansans that will pay great dividends for years to come in terms of gaining unpaid fines and creating more productive and law-abiding citizens who can become tax payers rather than burdens.

It has been my pleasure to have input on this matter and I welcome questions on this very important legislation.

Sincerely,

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