



## DEBT-BASED DL SUSPENSION FACT SHEET

### FINANCIAL IMPACT/REVENUE OF THE DEBT-BASED DL SUSPENSION IN KANSAS

- ❑ Per an audit requested by Late Representative Gail Finney, of the financial impact on Kansas drivers, dated April 2022 a review of data from the Division of Vehicles was collected from 2019 to 2021. Audit discovered that Kansas drivers paid about \$18 million in fees to have their driver's license reinstated.
- ❑ Statute defines a driver's *license suspension* as the *temporary* withdrawal of one's driving privileges; generally, 90 days to 1 year. Suspension of ones DL in Kansas has lasted permanently, for some, 10 to 12 years, and others over 21 years, generally, for inability to pay.
- ❑ Per the Kansas Audit, most motorist retain use of their physical suspended DL card as proof of identity, but when stopped by LE, the card is confiscated which creates additional financial burdens in getting an Identification card. Per the audit, "*failure to comply with a citation*" generated the most revenue at about 8.9 million. 2.4 million was credited to the DOV operating fund. **Failure to comply with a citation is not a citation that is a "public safety threat."**
- ❑ The \$18 million in reinstatement fees revenue was allocated to several different state agencies and programs. How much each program or agency receives, and which agency receives it is based on violation type. For example: 35% of every DUI goes to the Community Alcoholism and Intoxication Program Fund, 20% goes to the Juvenile Alternatives to Detention Fund, 20% goes to the Forensic Laboratory and Materials Fee Fund, and the remaining 25% goes to the DUI Fund. According to the report, the most allocation of the reinstatement fees went to the Judicial Branch/Nonjudicial Salary Adjustment Fund which is use for compensating non-judicial court employees at \$4 million.
- ❑ The Division of Vehicles estimated that it costs \$2.4 million per year to operate Drivers Solutions program.
- ❑ From 2019 to 2021 there were approximately 176,000 driver's license suspensions or revocations in Kansas. Per the Kansas Audit, figures show that roughly 94,000 drivers, at that time, (some receiving multiple suspensions or revocations), resulted in the following: 164,000 (93%) were suspensions; 12,000 (7%) were revocations. Generally, for Non-public safety reasons.
- ❑ In 2021 **SB 127** was passed which granted some relief to Kansans, but it does nothing to help those labelled as "Habitual Drivers on Suspended" which happens after being caught driving 3 or more times on a suspended license. Per Statute KSA, 8-262, this must be repealed to allow for expungement which then remedies the access for Kansans to applying for hardship license.

## FINANCIAL IMPACT ON FAMILIES AS A RESULT OF THE DEBT-BASED DL SUSPENSION PROGRAM

- Per a report created from a study and survey conducted by Fines & Fees Justice Center and Wilson Center for Science & Justice, dated May 2023, the following facts remain because of debt-based suspensions across the nation:

The most direct consequence of widespread license suspension is “decreased *employment and income*.” The loss of a license makes it harder to find or keep a job. Many employers require applicants to have a DL as an indicator of reliability and responsibility. **FFC 5-2023. Second**, driver’s license suspensions deprive low-income families of money opportunities while increasing their exposure to the criminal justice system. **Third**, this action causes a wealth transfer to the State from low-income communities who can afford it the least. **Fourth**, when law enforcement uses valuable time to cite, stop, fine and arrest people for driving on a suspended license they have less time to investigate and focus on crime that endanger people’s lives.

- The daily impact of court-imposed debt was affected in multiple aspects of their daily life. The most common combination of hardship was housing and food, for which 19% of people reported experiencing both. “*Debt Suspensions*” by Fine & Fees Justice Center, May 2023.
- Some additional daily impacts, per the “*Debt Suspensions*” report were childcare, health, transportation; and as per nonessential hardships, educational impacts, other bills, and financial obligations were affected. Fines & Fees Center “*Debt Suspensions*”, May 2023.
- **Promoting Equity:** Debt-based suspensions disproportionately impact communities of color. Not only in Kansas, but nationwide. I refer you to the Analysis of Moving & Non-Moving citations issued in Wichita between 2016 & 2019. These citations were analysed by Dr. Walt Chappell and again by Dr. Michael Birzer of Wichita State University. Both reached the unarguable conclusion that Blacks are three times more likely to receive various citations than whites, such as: “a defective taillight”, failing to turn signal 100 feet of intersection,” “cracked windshield”, and the like. *Birzer, Michael, (2021) Analysis of Traffic Citation Data for the Wichita Police Department (2019-2020).*
- Kansas is not a state that considers a person’s ability to pay and sometimes the punishment supersedes the violation. Sometimes driver’s license suspensions lead to recidivism for people coming out of penal institutions just trying to find their way back into the community. Again, valuable resources ineffectively utilized.

## COMMON SENSE SOLUTIONS = CSS

- Fix the “catch 22” in KSA 8-287 pertaining to “habitual violators of “driving while suspended.” This will allow Kansans with revoked status to apply for hardship license as well.
- Allow calls to be made to Court Clerk’s addressing FTA. Allowing a phone call or an email sent like any other bill we have can reduce the necessity of Kansans having to take off from work, seek childcare to appear, and obtain transportation downtown that they don’t already have.
- Develop a Kansas wide communication that shows Kansans a 1-2-3 step to follow through a link to ***KDOR Website*** showing Kansans how to go through the steps of getting reinstated. Most Kansans don’t know how to address their citations, or where to begin to address citations.
- Offer a **QR Code** to motorist who seek information about their DL, making this available via sources such as law enforcement officers, business cards, various organization websites, etc.
- Offer a **“Uniform Application System”**, “for **“hardship licenses”** that applies to all cities, and counties in Kansas which allows municipal systems to inform each other of vital Kansas Driver’s Information. This eliminates the need for Kansans to go county to county or city to city addressing multiple violations and filing multiple applications that backlog the system.
- Seek and apply for the **Federal Driving Opportunity Act Bill**. A Bipartisan Federal Bill that incentivizes states to end driver’s license suspensions by providing extra federal building.
- **STOP** giving Kansans a “Lifetime Sentence” with “Debt-Based Suspensions/Revocations, for something that is not a **“Public Safety Threat.”**

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