



## Written Testimony before the Commonwealth of Massachusetts Joint Committee on Transportation

In Support of H.3314 and S.2227  
An Act to End Debt-Based Driving Restrictions and Remove Economic Roadblocks  
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Caroline Cohn, Equal Justice Works Fellow, sponsored by Nike, Inc.  
National Consumer Law Center (on behalf of its low-income clients)

Dear House Chair Straus, House Vice Chair Murrays, Senate Chair Crighton, Senate Vice Chair Mark, and Members of the Joint Committee on Transportation:

Thank you for inviting testimony regarding H.3314 and S.2227, “An Act to End Debt-Based Driving Restrictions and Remove Economic Roadblocks.” The National Consumer Law Center<sup>1</sup> submits this testimony to highlight the harms that debt-based license suspensions cause to low-income people, and particularly to low-income people of color. On behalf of our low-income clients, we urge the Joint Committee on Transportation to vote these bills favorably out of committee and to support their prompt passage.

When a Massachusetts resident’s license is suspended because they are unable to afford to pay off their fines and fees, they are placed in an impossible situation: if they drive in order to get to work, take their children to school or the doctor, go to the grocery store, or attend court proceedings, they violate the law and risk further punishment. Specifically, they risk getting a criminal charge, a sentence of up to a year in jail, an extended period of license suspension, and more fines. If they stop driving, they may lose their ability to earn income, access essential services, obtain basic necessities, and make required court appearances.

Many Massachusetts residents in this situation understandably conclude they have no real choice but to continue driving without a valid license. As noted above, those who do *not* drive on their suspended license often lose their job. One study in New Jersey found that [42% of people lost their job](#) after their driver’s license was suspended. This is unsurprising, considering [85% of Americans drive to work](#), and many jobs require employees to drive as part of their responsibilities. Even in the Boston metropolitan area, which has more public transportation options than other parts of Massachusetts, [over three-quarters of workers commute to their](#)

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<sup>1</sup> The National Consumer Law Center (NCLC) is a Boston-based nonprofit that engages in research, education, advocacy, and litigation to advance economic justice for low-income and other disadvantaged people, including people of color and older adults. NCLC works with nonprofit and legal services organizations, private attorneys, policymakers, federal and state governments, and courts across the nation to protect low-income people from harmful lending and debt collection practices, help financially stressed families build and retain wealth, and advance economic fairness. Through its Criminal Justice Debt Project, NCLC works to address fines-and-fees policies that trap low-income families in poverty, criminalize poverty, and strip wealth from communities of color.

[workplace by car](#). Residents of rural areas of Massachusetts have even less access to public transportation, and so are disproportionately harmed by driver's license suspensions.

Communities of color are also particularly hard-hit. Because communities of color are over-policed and disproportionately targeted for enforcement of minor infractions and crimes, research shows that people in these communities [disproportionately experience debt-based license suspensions](#). And because [Black drivers are 20% more likely than white drivers to be pulled over](#), driving on an invalid license puts Black drivers at significantly greater risk of facing criminal penalties.

For individuals who engage in dangerous driving, license suspension may be necessary for public safety, and the negative consequences unavoidable. But the harsh consequences of license suspensions are not natural or necessary for people whose infractions have nothing to do with safe driving. H.3314 and S.2227 eliminates license suspensions as a consequence for infractions that are not related to safe driving, like failure to pay indigent counsel fees (fees charged to those who have been found to be unable to afford a lawyer) or parking tickets.

Governments also sometimes invoke fiscal necessity as a justification for suspending driver's licenses, arguing that suspensions are needed to induce people to pay their outstanding fines and fees. In fact, driver's license restrictions are a counterproductive tool for coercing payment from low-income people. As a pressure tactic, they simply don't work when people cannot afford to pay—as the saying goes, you cannot draw blood from a stone. And once a license is suspended, people tend to lose their jobs and then have even less ability to pay. Indeed, [no research indicates](#) that license suspensions lead to increased payment. Furthermore, suspending driver's licenses for outstanding debts [costs significant police, DMV, and court resources](#), and it [diverts police resources](#) away from addressing conduct that actually affects public safety.

H.3314 and S.2227 propose solutions that we know *do* work, based on empirical research and the experiences of other jurisdictions. These solutions will also stop trapping low-income Massachusetts residents in cycles of criminalization and poverty.

One solution is reducing fines and fees to an amount that people can actually afford to pay. California stopped suspending driver's licenses for outstanding fines and fees a few years ago and began *reducing* fines and fees based on people's ability to pay them. Following these changes, California's [revenue from collecting fines and fees increased by about 9%](#).

Another solution is requiring the RMV to send text message reminders to people, encouraging them to pay their fines and fees on time. We know this simple policy intervention works for those who are able to pay, as it has been effective in increasing compliance with other court orders when people have the capacity to comply. For example, the success of this intervention was demonstrated in a [large-scale field study](#) regarding the use of text messages to remind people about their upcoming court appearances, which was conducted in New York a few years ago and published in the journal *Science*, and is also reflected in [Massachusetts's own experience using text messages to remind people about their upcoming court appearances](#).

In recognition of how harmful and counterproductive debt-based license restrictions are, [over a dozen states](#) across the country—including California, Colorado, Idaho, Illinois, Kentucky, Minnesota, Montana, Nevada, Oregon, Utah, Virginia, and Wyoming—have chosen not to suspend or revoke driver’s licenses for failure to pay fines and fees. We urge you to add Massachusetts to this growing list of states by passing H.3314 and S.2227 out of committee favorably and doing everything in your power to quickly pass this legislation.

Thank you for your consideration.

Caroline Cohn, Equal Justice Works Fellow, sponsored by Nike, Inc.  
National Consumer Law Center  
7 Winthrop Square  
Boston, MA 02110-1245  
617-542-0339  
[ccohn@nclc.org](mailto:ccohn@nclc.org)