

TESTIMONY OF MIKE FONKERT
JUST CAMPAIGN DIRECTOR
KANSAS APPLESEED CENTER FOR LAW AND JUSTICE

COMMITTEE ON TRANSPORTATION
IN SUPPORT OF SB 100
FEBRUARY 23, 2021

Members of the Senate Committee on Transportation:

My name is Mike Fonkert; I am a Campaign Director for Kansas Appleseed Center for Law and Justice, a nonprofit, nonpartisan organization dedicated to the belief that Kansans, working together, can build a state full of thriving, inclusive, and just communities.

Kansas Appleseed supports SB 100.

The changes in this bill help alleviate the vicious cycle that traps so many Kansas drivers in a no-win situation. More than 134,000 Kansans have suspended driver's licenses for unpaid fees and fines.¹ Kansas has the sixth highest suspension rate in the country.² Many people still drive with suspended licenses, because they have no choice if they want to provide for their families.³ The additional 90-day suspension period, the application fees for restricted driving privileges, and the reinstatement fees limit people's lives in important ways while trapping them in a cycle with perverse incentives that limits their ability to safely and lawfully drive. Driving a car is often necessary for important life tasks such as maintaining employment, buying groceries, or taking your kids to doctor's appointments and school activities.⁴

Extending driver's license suspensions harm communities. The effect is not only felt by the person receiving the suspension. Stress placed on families and communities as a result of suspensions results in unemployment, under employment, lower wages, fewer employment opportunities, fewer hiring choices for employers, decreased productivity in communities, and an increase in insurance costs.⁵ Suspensions also disproportionately harm communities of color. Suspension rates in communities with

¹ Kansas Department of Revenue. Data from Records Request by Kansas Appleseed. 2020.

² Insurify Insights. "Put it in Park: States with the Most License Suspensions." 2021.
<https://insurify.com/insights/states-with-the-most-license-suspensions/>

³ Carpenter, T. "Kansas legislator says half of 213,000 with suspended licenses still driving." Topeka Capital-Journal. 2019.
<https://www.cjonline.com/news/20191028/kansas-legislator-says-half-of-213000-with-suspended-licenses-still-driving>

⁴ Gustitus, S. et al. "Access to Driving and License Suspension Policies for the Twenty-First Century Economy." 2008.
<http://research.policyarchive.org/20441.pdf>

⁵ American Association of Motor Vehicle Administrators. "Best Practices Guide to Reducing Suspended Drivers." 2013. p.6
<https://www.aamva.org/Suspended-and-Revoked-Drivers-Working-Group/>

the highest percentage of people of color are 2.5 times greater than in communities with the smallest percent of people of color.⁶

Suspended licenses reduce public safety. States waste an average of 9 hours of police and court time for every suspended license case.⁷ Police departments in cities that impose more fees and fines solve violent crimes at significantly lower rates.^{8 9} It is common for municipal prosecutors in states that impose driver's license suspensions for unpaid fees and fines to spend 30% of their caseload on license suspension cases.¹⁰

The fixes in this bill will help reduce some of this harm. Reducing the 90-day additional extensions on suspensions for driver's license suspensions will help give people a quicker viable path to safely return to the roads while reducing the incentive to continue driving on a suspended license. The removal of the non-refundable application fees for people applying for restricted driving privileges will remove a perverse burden currently being imposed. The state is currently extracting fees from Kansans just to check if they are even eligible for a restricted license. Changing the \$100 reinstatement fee from per charge to per case will make it easier for people to get back on the road legally who faced multiple charges arising out of just one incident.

This bill does not solve our state's driver's license suspension problem entirely, but it does take important steps. These changes will have a positive impact on the lives of Kansans.

Kansas Appleseed supports the passage of HB 2193.

⁶ Fines & Fees Justice Center. "FFJC Co-Founders Driven by Justice Coalition to End Driver's License Suspensions." 2019. <https://finesandfeesjusticecenter.org/2019/05/08/ffjc-co-founders-driven-by-justice-coalition-to-end-drivers-license-suspensions-for-nonpayment-of-traffic-tickets-in-new-york/>

⁷ American Association of Motor Vehicle Administrators. "Best Practices Guide to Reducing Suspended Drivers." 2013. p.14 <https://www.aamva.org/Suspended-and-Revoked-Driver-Working-Group/>

⁸ Goldstein, R., Sances, M., and You, H. "Exploitative Revenues, Law Enforcement, and the Quality of Government Service." 2016. https://www.law.nyu.edu/sites/default/files/upload_documents/YOU_policing.pdf

⁹ Eaglin, J. Brennan Center for Justice. "Driver's License Suspensions Perpetuate the Challenges of Criminal Justice Debt." 2015. <https://www.brennancenter.org/our-work/analysis-opinion/drivers-license-suspensions-perpetuate-challenges-criminal-justice-debt>

¹⁰ Rosario. Twin Cities Pioneer Press. "Bills would end court practices that hit the poor hardest." 2019. <https://www.twincities.com/2019/02/15/rosario-love-means-getting-these-bills-passed/>