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**Testimony to the Senate Transportation Committee
In Support of SB100
February 23, 2021**

Chairman Petersen and Committee Members:

Our associations support much of the key provisions proposed in SB100. Before addressing the bill contents, it is important to explain that the suspension action for failure to pay or failure to appear is an important tool to hold traffic offenders accountable for their offenses. Absent this tool our only method to hold these offenders accountable is through a collection process which can result in a damaged credit history negatively affecting the offender and their family for years and may result in either only pennies on the dollar being collected for the courts or in enormous additional collection costs imposed on the defendant. We strongly support retaining a modified suspension process for this purpose and oppose any effort to eliminate it. However, we agree there is room to make changes to make the law remain an effective tool but to address unnecessary burdens on the people involved.

We would like to clarify an inaccurate point we often hear made in these discussions. The suspensions for fail to appear or fail to pay a fine is covered in the statute found in this bill starting on page 3 lines 15. We often hear people referring to this action applying to “parking tickets.” You will note on page 3, lines 16-17, this suspension action applies only to traffic citations and excludes citations for “illegal parking, standing or stopping.”

We support the proposed amendments on page 2, lines 11-14, removing the 90-day suspension extension for those who are convicted of driving while suspended when the suspension is only due to fail to appear or fail to pay the fine. In lines 4-10, SB100 retains the suspension extensions for other violations like DUI, reckless driving, habitual violator, vehicular homicide, etc. We oppose any reduction or elimination of this 90-day extension found on page 2, line 10, as under this bill it will only apply to suspensions based on those more serious violations.

We support the striking of subsection (iv) starting on page 4 lines 24-25. (“(iv) the individual has not previously received a stayed suspension as a result of a driving while suspended conviction.”) This was identified last year while working with Sen. Braun and Sen. Faust-Goudeau on SB275 as the cause for one of the actions the Division takes under current law causing hardships for those who are suspended and attempting to get their license restored.

We also conceptually support the amendments on page 5 lines 21-31 related to charging the \$100 reinstatement fee per case instead of per charge. This means a person who is cited for 2 violations in the same incident would only pay \$100 versus the current \$200 for reinstatement. The current law charging multiple reinstatement fees for one reinstatement action makes no

sense. We “conceptually support” this because it clearly will have an impact on those agencies receiving those fees and that funding must be replaced in some fashion.

None of the fee proposals in the bill affect us directly and we are not taking a position on other fee proposals in the bill not previously discussed in this testimony.

We do support appropriate indigency and inability to pay considerations, as determined by a court, for those who truly cannot pay the assessed fees or fines.

We continue to advocate for those who are under a payment plan with the court and continue to be current with those plans to be able to have a restricted license while suspended only for fail to appear or fail to pay a fine. This provision is found beginning on page 3 line 36. Again, we are not opining on the proposed elimination of the fee. We have not opposed the idea of allowing a person who is making good on a payment plan with the court to have their suspension for fail to appear and fail to pay fully lifted as long as they remain reasonably current on the plan.

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