

February 4, 2021

To: Members of the Washington State Law & Justice Committee

From: Evan Walker, Policy Analyst, Washington State Budget & Policy Center

Re: Testimony in Support of Senate Bill 5226

To Chair Pedersen and members of the Committee,

For the record, I am Evan Walker and I am a policy analyst at the Washington State Budget & Policy Center, a research organization working to build a just and prosperous future for all Washingtonians. I am submitting this written testimony in support of Senate Bill 5226, which concerns the suspension of licenses for traffic infractions.

I write to you to express strong support for Senate Bill 5226 because this bill is a great opportunity to bring meaningful financial and legal relief to tens of thousands of residents who have had a key economic asset—their driver's license—suspended simply because they cannot afford to pay a citation for a minor moving violation, like failing to come to a complete stop at a stop sign. I urge you to pass SB 5226 in order to ease the economic and racial inequities that are worsened by Washington state's unjust debt-based driver's license suspension laws.

Our current laws place Washingtonians who cannot afford to pay a minor traffic citation in an impossible situation: risk further debt and potential jail time by driving to work on a suspended license or stay home and risk losing their job and means of financial support. If pulled over by the police, a resident who must drive on a suspended license can be arrested and charged with "Driving While License Suspended in the Third Degree" or DWLS3. That person then may face further financial penalties, court time, and incarceration.

I also want to point out that under our legal system, arrests, charges, incarceration, and fines take a disproportionately large toll on Washingtonians who are Black, Indigenous, and other people of color (BIPOC), due to the racist nature of these systems. Relatedly, BIPOC residents in Washington receive citations at greater rates than white people *and* receive disproportionately higher fines for the same violations.

If enacted, SB 5226 would provide life-altering relief and opportunity to thousands of residents who have been harmed by the state's backwards driver's license suspension policies. Crucially, this bill:

- **Halts automatic suspension practices**, which also reduce the risk of incurring a more severe DWLS3 charge. This helps people who don't have the capacity to pay avoid the burdensome costs associated with going to court, incurring large fines, compounding legal debt, and potential incarceration.
- **Gives people the ability to renew their license** if they previously had a license suspended because they couldn't pay a citation or appear in court. This change would make more than *100,000 Washingtonians* eligible for reinstatement of their driver's licenses.
- **Creates payment plans for people who cannot afford the cost of their minor traffic citations.** These provisions help people meet the requirements of their citations in a plan that aligns with their financial needs and reduces hardship.

To be clear, Washingtonians would still be held accountable for driving dangerously under this legislation. Drivers who receive multiple moving violations would still be required to pay fines for those citations and could still have their licenses suspended. Furthermore, the bill would *not* alter laws and penalties associated with driving while intoxicated, which is a separate, much more serious crime under Washington state law. People with low incomes who are trying to stay above water to pay bills every month should not be penalized

for their financial hardships. And they do not pose any greater public safety threat than drivers who *are* able to pay their minor traffic citations.

I ask that you pass SB 5226 in order to rectify our current unjust driver's license suspension laws and join several other states that eliminated automatic license suspensions for failure to pay and failure to appear in court. SB 5226 begins to make right the legal and economic impacts of our current debt-based driver's license suspension laws.

Thank you for your time and your thoughtful consideration.