

April 5, 2021

Honorable Representative Laurie Jinkins
Speaker of the Washington State House of Representatives
339C Legislative Building
PO Box 40600
Olympia, WA 98504

House Rules Committee
220A Legislative Building
P.O. Box 40466
Olympia, WA 98504-0466

Re: Pass ESSB 5226 with Minor Clarifying Language

Dear Hon. Speaker Jinkins and members of the House Rules Committee,

The following 61 signing organizations urge your support and passage of legislation that ends debt-based driver's license suspensions for moving violations. ESSB 5226, with minor clarifying language, can accomplish this goal.

A driver can receive a moving violation for something as simple as failing to signal while making a turn. For people who cannot afford to pay the ticket, this minor infraction (which is not a crime) can set off a chain of events that ends with a huge amount of debt, a criminal charge for Driving While License Suspended in the third degree (DWLS3), and possibly jail time.

Here is how it happens: A person without the ability to pay fines gets a moving violation while driving. They do not pay the fine or respond to the violation within the mandated timeframe, which is sometimes as brief as 15 days. The state then suspends their license a few weeks later. However, the person must drive to drop their kids off at school or go to a doctor's appointment, so they drive anyway and get charged with DWLS3 — one of the most commonly charged crimes in Washington. DWLS3 laws disproportionately impact people of color and young adults.

This legislation will hold people accountable and dangerous drivers will still have their licenses suspended. Drivers who accumulate multiple moving violations will still have to pay fines and their licenses will be suspended. The biggest threats to roadway safety are impaired driving, speeding, and distracted driving. Drivers who present risks to others will continue to face serious consequences, such as criminal charges for reckless driving or DUI.

The version of ESSB 5226 that was voted out of the Senate still allows for the continued use of license suspension to coerce debt payments from drivers. We understand this is not the intent of the legislation, and minor clarifying amendments can ensure that driver's licenses are not

suspended for failing to pay fines and fees for civil moving violations, ensuring that public safety is the focus of our state's scarce criminal justice resources — not punishing people who are “driving while poor.”

This bill, if enacted, will allow drivers to keep their insurance, the opportunity to drive to work, and provide transportation for their families. Reforming these laws will increase fairness and cost-effectiveness without sacrificing public safety.

The pandemic and economic recession make this legislation more important than ever. For low-wage workers and people living in poverty, losing a driver's license could mean losing a job — an especially cruel blow during this difficult economic time. In rural areas, residents rely on cars to get to work. As the COVID-19 pandemic persists, cars provide a socially distant option even in places with widely available public transportation. This legislation would mean fewer barriers to getting and keeping a job, benefitting families and society.

2021 is the time to pass this legislation. Thanks to a growing national movement, a number of states have reformed their laws to suspending driver's licenses for people who don't have the ability to pay traffic fines, including California, Hawaii, Mississippi, Montana, Oregon, Virginia, and most recently, Michigan and New York.

ESSB 5226 with minor changes that ensure people will not have licenses suspended for failing to pay will keep Washington drivers licensed and insured. Please pass this legislation in 2021.

Signed,

ACLU-WA
ANEW
Asian Pacific Islander Coalition of Washington
Barrar Law
Centro Latino
Church Council of Greater Seattle
Clallam Public Defender
Coalition for Rights & Safety for People in the Sex Trade
Community Passageways
Community Visions
Cowlitz County Office of Public Defense
Defender Initiative Seattle U. Law
Dove House Advocacy Services
Downtown On the Go
El Comité
Everett Law Association
Evergreen Treatment Services
Express Credit Union
Faith Action Network

Greater Redmond Transportation Management Association
Hepatitis Education Project
Indivisible Vashon Immigrant/Refugee Rights Group
Interfaith Task Force on Homelessness
Jefferson Associated Counsel
Jewish Federation of Greater Seattle
Latino Community Fund
Law Enforcement Action Partnership
League of Women Voters of Washington
LELO (Legacy of Equality, Leadership and Organizing)
National Association of Social Workers Washington Chapter
National Council of Jewish Women WA State
Olympic Community Action Programs
OneAmerica
Pacific Northwest Carpenters Association
Parallax Perspectives
Progreso: Latino Progress
Public Defender Association
Quaker Voice on Washington Public Policy
Real Change
Seattle City Attorney's Office
SEIU 775 Long-Term Caregivers Union
Snohomish County Public Defender Association
Sound Alliance
Spokane Community Against Racism
Spokane Immigrant Rights Coalition
Statewide Poverty Action Network
The Defender Initiative
Thurston County Public Defense
Transit Riders Union
Transportation Choices Coalition
Urban League of Metropolitan Seattle
WA Drivers Relicensing Taskforce
WA State Community Action Partnership
Wallingford Indivisible
Washington ACTE
Washington Association of Criminal Defense Lawyers
Washington Defender Association
Washington Physicians for Social Responsibility
Washington State Budget & Policy Center
Washington State Coalition Against Domestic Violence
YWCA of Kitsap County