

Driver's License Suspension Policies

Brookings Institution
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**Brookings Institution Welfare Reform & Beyond Initiative
Driver's License Suspension Policies**

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Driver's License Suspension Policies

Introduction

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While access to an automobile can be difficult for the working poor because of cost or credit issues, license suspension is another barrier to reliable transportation. In addition, some jobs – particularly in construction and health care – require a license of all applicants. Thus, for workers without a license, jobs may be inaccessible because the license is a prerequisite, or because a car is the only means to access a job far from home. One workforce development program survey revealed that 80 percent of the participants did not have access to or were unqualified for job opportunities because their licenses had been suspended.

In a recent scan of 14 local communities, the Brookings Institution determined that failure to pay a fine or appear in court is almost always the number one cause of license suspension or revocation. Poor drivers may be more likely to experience suspension for these reasons. (Many times, these fines or court appearances are for relatively minor driving or parking offenses, or non-driving related violations.) Most states offer a conditional or work license, one that can be used during suspension to get to and from employment, and sometimes for other critical household needs, like medical appointments. A few places offer alternatives to paying a fine, for example, providing community service. Other communities will reinstate licenses when the driver agrees to a payment plan based on a sliding scale according to ability to pay. Leaders in several communities have invested significant time and resources to test strategies intended to reduce the impact of suspensions for economic reasons.

A survey of residents in ten of the 14 places reveals that 72% of employed respondents have both a car and a valid driver's license, while only 37% of unemployed respondents have both. These figures are consistent with other research finding a strong correlation between car ownership and employment. In addition, only 59 % of Making Connections neighborhood respondents have both a car and a license, while 84 % of respondents in the surrounding counties have both. Nationally, about 88 % of residents aged 18 or older are licensed, while only 71% of Making Connections neighborhood respondents (all of whom are 18 or older) report having a valid license.

This report contains the findings from the scan and survey. Each chapter contains the findings from a series of interviews with key informants in one of the 14 places, including:

- the number of license holders in the state, as well as the total number of suspensions, and, where available, the number one cause for suspension

- an overview of the state suspension policies and the legal framework for administering the policies
- conditions that lead to suspension and process for reinstatement
- availability of conditional or restricted licenses during suspension
- programs or policies to address the impact of economic-based license suspension
- local information about transportation as a barrier to employment
- contact information for key informants.

The results of the Casey Foundation's Making Connections Cross-Site survey regarding car ownership and license holding are included for the 10 places where the survey is conducted.

This report was prepared by The Brookings Institution, Welfare Reform & Beyond, Visiting Fellow Margy Waller, Research Assistant Jennifer Doleac, and Ilsa Flanagan, consultant. Research and interviews provided by Ilsa Flanagan. Additional assistance provided by Senior Research Assistant Gina Russell and Assistant Megan Yapple.

Brookings Institution Welfare Reform & Beyond Initiative
Driver's License Suspension Policies
ATLANTA
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Georgia license suspension: the numbers.

Comprehensive data regarding license suspension are not currently available. All new requests for information are on hold until the reorganization of the Georgia Department of Motor Vehicle Safety (DMVS) is complete (see below).¹

In April 2005, the DMVS had suspended the licenses of 5,489 obligors for nonpayment of child support in the Atlanta counties of Fulton, Cobb and Dekalb.²

Overview of Georgia's license suspension policies and the legal framework for administering the policies.

The Georgia DMVS administers driver's license policies with judicial discretion to modify sanctions by, for instance, requiring completion of a driver improvement clinic or suspending jail time. All traffic courts report driving violation dispositions to the DMVS and have no authority to sanction or limit a person's driver's license on a local level.

On January 6, 2005, Governor Sonny Perdue announced a move to establish a stand-alone driver's license services agency for license renewal and customer service; the DMVS will transfer all remaining services to other state agencies by July 1, 2005. This decision will postpone consideration of any new driver's license data creation projects.³

Conditions that lead to driver's license suspension.

In addition to suspension for typical moving violations, the DMVS also suspends licenses under these circumstances that may disproportionately impact the working poor:

- failure to appear in traffic court for any offense other than a parking violation;⁴
- failure to pay a traffic citation;⁵
- failure to comply with a court order mandating child support;
- conviction for driving without insurance;⁶
- driving with a suspended registration;⁷
- driving with a suspended license.⁸

Process for license reinstatement.

¹ Email from Randy Clayton, Deputy Assistant to the Georgia DMVS Commissioner, January 7, 2005.

² Email from Cindy Moss, Office of Child Support Enforcement, April 21, 2005.

³ Clayton, January 7, 2005.

⁴ Georgia State Code 40-5-56 (a)

⁵ GA SC 40-5-56(b)

⁶ LegalAid-GA.org

⁷ GA SC 40-5-54 (7)

⁸ Georgia Driver's License Manual 2005, Department of Motor Vehicle Safety, pg 78.

For misdemeanor suspensions, the DMVS sends written notice of suspension and the requirements as to suspension time, programs and fees to be eligible to reinstate a license. For suspensions due to failure to pay a traffic citation, suspensions are indefinite until the fines are paid. Once a driver provides proof of payment and an additional reinstatement fee of up to \$35, the DMVS will reinstate the license.⁹

According to the Bureau of Child Support Enforcement (BCSE), communication regarding suspension and reinstatement of licenses between the BCSE and the DMVS is quite fluid. The DMVS is notified automatically and electronically of BCSE-imposed suspensions. Upon payment or arrangement of a payment plan, BCSE notifies the DMVS by fax on the same day. DMVS processes license reinstatement within hours, or no later than the next business day.¹⁰

Availability of work restricted or conditional licenses.

Georgia offers very few restricted or conditional drivers' licenses.¹¹ The onus seems to be on the driver to contact the DMVS for information on the availability of conditional licenses. The DMVS does offer a habitual violator probationary license, which is available to drivers who have had their licenses revoked for five years, once at least two years have passed since suspension.¹²

Programs or policies to address the impact of economic-based license suspension.

This scan did not identify any programs or services addressing the problem of license suspension for economic reasons. Neither Atlanta Legal Aid nor the Barton Law Clinic staff described suspension as a significant issue in Atlanta.¹³

Staff at the United Way of Metropolitan Atlanta, had not heard of any organizations working on driver's license suspension, although the organization supports a comprehensive self-sufficiency initiative identifying barriers to employment.¹⁴ Staff at an ex-offenders program at the Atlanta Enterprise Center indicated that many if not most of their clients do have their licenses suspended, but the program does not have the resources to track this or help them with re-licensing. It has tried to find resources for repayment of fines, but has so far been unsuccessful.¹⁵

Current state of transportation options from low-income neighborhoods to areas rich in appropriate jobs. General information on transportation as a barrier to employment.

⁹ GA SC 40-5-56 (c)

¹⁰ Swain, October 25, 2004.

¹¹ Clayton, January 7, 2005.

¹² GA SC 40-5-58 (d)(e)(1)

¹³ Conversations with Marian Burge and Dennis Goldstein, Atlanta Legal Aid, January 31, 2005.

Conversation with Beth Reimals, Barton Law Clinic, January 13, 2005.

¹⁴ Conversation with Karen Curry at United Way of Metropolitan Atlanta, February 24, 2005.

¹⁵ Conversation with Joe Hampton, Atlanta Enterprise Center, February 24, 2005.

A study of the spatial distribution of jobs for Temporary Assistance for Needy Families (TANF) households in Atlanta in the late 1990s found that less than half of the job openings surveyed were within a quarter mile of a Metro Atlanta Rapid Transit Authority (MARTA) bus route. While nearly all of the job openings surveyed in metropolitan Atlanta were transit-accessible, this represented only one in four of all job openings in the greater metropolitan area during the study period.¹⁶ Those jobs accessible only by car were out of reach for many, as less than ten percent of all TANF households had access to a car in 1997.¹⁷ While another study in the mid-1990s found that jobs in the suburbs were growing at a much higher rate than those in the city (20 percent vs. 9.8 percent, respectively), this growth would be of little help to the carless majority.¹⁸

In the last year, MARTA has faced significant cuts in funding, including a proposed 15 percent slash in service. The state of Georgia does not contribute as much to MARTA's operating expenses as other states do for similar transportation systems. A coalition of labor, environmental, and social justice organizations, including Citizens for Progressive Transit, Sierra Club and Concerned Black Clergy, are working to improve this situation.¹⁹

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¹⁶ Michael J. Rich and Joseph Coughlin "The Spatial Distribution of Economic Opportunities: Access and Accessibility Issues for Welfare Households in Metropolitan Atlanta", prepared for the 94th Annual Meeting of the American Association of Geographers, March 28, 1998, p.8.

¹⁷ Ibid., p. 11.

¹⁸ John Brennan and Edward W. Hill, "Where Are the Jobs?: Cities, Suburbs, and the Competition for Employment", The Brookings Institution, November 1999.

¹⁹ www.jwj.org/updates/2004/05-04.htm#bus

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Maryland license suspension: the numbers
[waiting for state dmv data]

A 2002 survey of 172 Baltimore Empowerment Zone career center²⁰ clients found several barriers to employment related to driver's licenses:

- fifty percent indicated that they or someone in their household owned a car but only 35 percent had a driver's license;
- forty-two percent did not have a license because they could not afford driving lessons;
- forty-eight percent could not afford to purchase and maintain a car;
- thirty-five percent could not afford insurance;
- eleven percent had a license suspended in the past (though the study author suspected this was underreported);
- ten percent had child support payments in arrears.²¹

A review of license suspensions for failure to pay child support, a significant issue in Maryland, found that of the 122,000 licenses suspended for nonpayment of child support in the state between 1996 and 2003, 55,000 were in Baltimore alone.²²

Overview of Maryland's license suspension policies and the legal framework for administering the policies.

The Maryland Motor Vehicle Administration (MVA) administers all license suspensions, though courts have the authority to impose driving restrictions.²³ Juvenile courts have the authority to request the suspension of juveniles' licenses.²⁴

Conditions that lead to driver's license suspension.

In addition to suspension for typical moving violations, the MVA also suspends licenses under these circumstances that may disproportionately impact the working poor:

- driving with a suspended license;²⁵
- failure to pay a fine;²⁶

²⁰ Since 1997, six neighborhood career centers funded by the Empower Baltimore Management Corporation have placed more than 3,300 Empowerment Zone residents in jobs.

²¹ "A License to a Better Life", The Abell Report, November/December 2003, p. 2.

²² "A License to a Better Life", p.4.

Baltimore represents 40 percent of the statewide caseload for child support. Conversation with Brian Shea, Child Support Enforcement Administration, June 3, 2005.

²³ "Driving Restriction – Placement of Restriction", www.marylandmva.com/AboutMVA/INFO/26200-04T.htm

²⁴ Conversation with Roxanne Langford, MD Dept. of Transportation, April 20, 2005.

²⁵ "All You Need to Know about Your Driver's License", Maryland Motor Vehicle Administration, July 2004, p. 28.

²⁶ Maryland State Code 27-103.

- failure to appear in court;²⁷
- failure to pay child support.²⁸

After 60 days of noncompliance with a child support agreement, the local child support office may request that the MVA suspend the obligor's license. The child support office determines when the obligor is compliant with the law and then directs the MVA to lift the suspension.²⁹ In 2004, a new law made suspension discretionary and expanded the grounds upon which a child support obligor can challenge a proposed suspension.³⁰ The new law also added grounds for demonstrating hardship to prevent the suspension, such as:

- a court order that requires a license (for example, an order that the obligor pick up the child from school);
- need for private transportation to get to medical appointments;
- employment that requires a valid driver's license.³¹

Obligor's in Maryland have an increased likelihood of developing arrearages that lead to suspension. One analysis of state policies finds that "only three states require low-income obligors to pay a higher percentage of income paid in child support orders."³² Furthermore, because of delays at the Baltimore City Court, there can be a month-long wait for a support order hearing.³³ Compounding matters further, Legal Aid attorneys report that they frequently see cases where the MVA, under the local child support office's direction, has suspended an obligor's license erroneously.³⁴

Process for license reinstatement.

In 2001, the state passed a law combining the two fees required for license reinstatement into one, to simplify the application process.³⁵

The MVA confiscates the licenses of suspended drivers. In its suspension notice, the MVA instructs drivers to go to a local MVA branch office to apply for a new license at the end of the suspension period. The fee is \$30 and the license is available immediately.³⁶

²⁷ MD SC 12-208(c).

²⁸ "Child Support Sanctions", www.marylandmva.com/AboutMVA/INFO/default.htm

²⁹ Ibid.

³⁰ "2004 Legislation", www.marylandmva.com/AboutMVA/LEGIS/2004.htm.

Staff at CSEA suggested this change to the Maryland legislature when they determined that mandatory suspensions impose significant hardship on many of their obligors. Shea, June 3, 2005.

³¹ Conversation with Patsy Chappell, Child Support Enforcement Administration, April 5, 2005.

³² Dan Hatcher and Hannah Lieberman, "Breaking the Cycle of Defeat for "Deadbroke" Noncustodial Parents Through Advocacy on Child Support Issues", *Journal of Poverty Law and Policy*, May-June 2003, p. 11.

³³ Ibid.

³⁴ Ibid, p. 15.

³⁵ "2001 Legislation", www.marylandmva.com/AboutMVA/LEGIS/2001.htm

³⁶ Langford, April 20, 2005.

Once the obligor is in full compliance (arrearages paid off in full, current in payments for six months, or requirements waived for hardship reasons) the local child support office automatically notifies the MVA that staff may lift a suspension.³⁷ At the same time, the obligor is notified of eligibility to apply for license reinstatement.³⁸ However, Legal Aid attorneys find that an obligor compliant with the law but without legal representation may have difficulty obtaining a reinstatement.

Availability of work restricted or conditional licenses.

Maryland offers a restricted license that permits a suspended driver to operate a motor vehicle for driving to and from work or school, and during the course of employment. In some cases, the local child support office (if the suspension is for nonpayment of child support) or the MVA will ask the driver's employer to verify employment in writing. Once the agency notifies the driver that it has approved the application, he or she must go to the local branch office to obtain a new, restricted driver's license. The standard license renewal fee (\$30) applies.³⁹ At the end of the restriction period, the MVA will manually lift the restriction. Drivers must then apply for an unrestricted driver's license at a branch office.⁴⁰

In the notice of suspension for nonpayment of child support, the MVA is required to inform obligors of the availability of work-restricted licenses. Advocates report that the local child support office does not make any additional effort to inform obligors of this option, and may deny applications outright or require a large payment of arrears before approving the application. Further, the local support office has imposed additional restrictions not required by statute, such as full-time work or a job that allows for wage garnishment (thereby excluding the self-employed, including many cab drivers).⁴¹ In fact, data from FY 2002 show 24,209 total license suspensions for nonpayment of child support but only 265 work-restricted licenses.⁴²

CSEA staff report that the MVA will typically offer work-restricted licenses when the obligor has agreed to a payment plan.⁴³ Again, Legal Aid attorneys report experiencing a difference between policy and practice, as local support offices do not always offer obligors this option.⁴⁴ Once the local child support office verifies the obligor's employment, the MVA will evaluate the obligor's eligibility for the restricted license (such as whether the obligor has other sanctions on his license). The MVA issues these

³⁷ Hatcher, May 12, 2005.

³⁸ Shea, June 3, 2005.

³⁹ "Driving Restriction – Placement of Restriction", www.marylandmva.com/AboutMVA/INFO/26200-04T.htm.

⁴⁰ "Driving Restriction – Removal of Restriction", www.marylandmva.com/AboutMVA/INFO/26200-05T.htm

⁴¹ Hatcher, May 12, 2005.

⁴² Chappell, April 5, 2005.

This low number may also be the result of multiple sanctions on an obligor's license. Obligor often have suspensions on their license for other reasons (such as failure to pay a ticket) which must be resolved before the MVA will offer a work-restricted license. Also, many obligors may be unemployed and therefore not eligible for a license. Shea, June 3, 2005.

⁴³ Ibid.

⁴⁴ Hatcher, May 12, 2005.

licenses without expiration in Maryland, making them unappealing to local child support offices.⁴⁵ According to state law, child support office may only request a license reinstatement when the obligor has paid full arrears or six months of the court-ordered amount, or on hardship grounds.⁴⁶

Some advocates believe the contractor that managed the child support office in Baltimore City until 2004 was disinclined to offer work restricted licenses or to reinstate licenses, even in cases where policy or law dictated such actions.⁴⁷ The state's contract with the contractor required payments that increased in proportion to the support collected, suggesting that there was an incentive to use suspension as an enforcement tool.⁴⁸ Obligor were more likely to succeed in obtaining a restricted license or reinstatement when they had legal representation.⁴⁹ Further complicating matters, state regulations do not provide clear direction on the issuance of these licenses.⁵⁰

Programs or policies to address the impact of economic-based license suspension.

Beginning in 2003, Maryland law required state agencies to provide equal access to public services to individuals who cannot speak or understand English. Translation of information on forms and services is required as is oral translation for any language spoken by over three percent of the state population.⁵¹

The Abell Foundation provides funding for a multi-year project at the Maryland Legal Aid Bureau to address barriers to employment faced by noncustodial parents.⁵² For parents with child support obligations, losing a license for nonpayment can be the beginning of a downward spiral that leads to loss of employment because they cannot get to work without driving.⁵³ Legal Aid staff has concluded that child support enforcement tools like license suspension simply punish obligors for being poor and are not effective as enforcement mechanisms.⁵⁴ They point to research from the late 1990s to underscore this point: Of 9,000 license suspensions for nonpayment of child support, only 800 obligors made sufficient progress on their support to warrant a reinstatement.⁵⁵

The Abell Foundation has also supported research projects to study the relationship between license suspensions and employment outcomes for low-income workers. The survey of career centers in Baltimore's Empowerment Zones found that barriers to obtaining a driver's license include:

⁴⁵ Chappell, April 5, 2005.

⁴⁶ Ibid.

⁴⁷ Hatcher, April 12, 2005.

⁴⁸ Hatcher and Lieberman, p. 21.

⁴⁹ Hatcher, April 12, 2005. Legal Aid attorneys have argued with some success that the MVA improperly assigned the responsibility of issuing work-restricted licenses to CSEA.

⁵⁰ Hatcher and Lieberman, p. 15.

⁵¹ "2004 Legislation".

⁵² Melanie Styles, The Abell Foundation, April 7, 2005.

⁵³ Hatcher and Lieberman, p. 6.

⁵⁴ Hatcher and Lieberman, p. 8.

⁵⁵ Ronald K. Henry, "Child Support at the Crossroads: When the Real World Intrudes Upon Academics and Advocates", *Family Law Quarterly*, 1999, p. 235, 237.

- arrearages on child support payments;
- outstanding tickets and moving violations;
- lack of personal documentation;
- a suspended license;
- lack of access to driving school or money for lessons.⁵⁶

**Current state of transportation options for residents of low-income neighborhoods.
General information on transportation as a barrier to employment.**

As it did in 2000, Maryland is offering a one-week amnesty program in August 2005 for noncustodial parents in collaboration with Washington, DC, and parts of Northern Virginia. Amnesty is an opportunity for noncustodial parents to meet with child support enforcement staff to work out a long-term payment plan. Maryland Child Support staff will not take any enforcement actions against those parents who work out a payment plan. The noncustodial parent must make a “good faith” payment against arrearages that can be as little as \$50, adjusted according to the individual’s financial circumstances. During this time, staff will also make referrals for unemployed obligors to workforce development programs, arrange for child visitation, and offer other services that address the range of issues affecting a parent’s ability to pay support. If the parent is otherwise eligible, child support staff will also recommend that MVA reinstate a suspended driver’s license. In 2000, nearly 5000 noncustodial parents took part in this program statewide.⁵⁷

A 2001 study on job accessibility among Baltimore Temporary Cash Assistance (TCA) recipients found that inadequate transportation is a barrier to employment in the suburban counties surrounding Baltimore. Although 84 percent of the area’s TCA recipients lived in Baltimore City at the time of the study, two-thirds of the available entry-level jobs in industries that have historically hired welfare recipients were in the suburban counties.⁵⁸ TCA recipients are generally dependent on public transportation for the commute to work. Very few TCA recipients or employers were located within walking distance of the light rail (MARC) train station, which is the only access point for public transit to the Baltimore suburbs.⁵⁹

Legal Aid staff believes that having a license is critical to obtaining and retaining employment, particularly as more and more jobs are located outside of the city limits. Many of their clients (such as truck drivers) also require a license in order to work.⁶⁰

A review of Maryland requirements reveals other possible barrier to car ownership for low-income residents. Adults seeking a driver’s license for the first time must complete a private driving course at a cost of \$250 to \$300. Drivers whose licenses have been expired for six months or more are also required to take the course, known as the Rookie Driver program. MVA requires private driving schools to provide reduced-fee classes for

⁵⁶ “A License to a Better Life”, p.2.

⁵⁷ Conversation with Pat Chappell, June 3, 2005, Conversation with Paula Tolson, Department of Human Resources, June 3, 2005.

⁵⁸ Richard Clinch, Jane Staveley and David Stevens, “Job Accessibility for Recipients of Temporary Cash Assistance in Baltimore City: A Spatial Analysis”, University of Baltimore Jacob France Institute, June 2001, pg. 6 and Table 1.

⁵⁹ Ibid.

⁶⁰ Hatcher, April 12, 2005.

low-income drivers, but a survey of schools showed that some offered inflexible payment plans and none offered financial assistance.⁶¹

Another recent report finds that insurance costs can be significantly higher for residents of low-income neighborhoods in Baltimore than in other parts of Maryland. The report's author finds that the higher costs results from territorial rating by insurance companies and reliance on the driver's credit history to set premiums. On average, a center city resident will have to pay about 60 percent more than an identical resident living just outside the city in Baltimore County. As a result, one report estimates that nearly 25 percent of Baltimore residents drive without insurance, which puts these residents at risk for significant fines.⁶²

Vehicles for Change (VFC) is a local nonprofit providing assistance to low-income Baltimore residents who want to become car owners, build credit, and move toward self-sufficiency. To be eligible each applicant must:

- meet income eligibility requirements;⁶³
- have a job or verifiable job offer;
- be insurable;
- not have any other vehicle in the household;
- be drug free and have no extensive criminal background;
- be able to pay for insurance and fees for taxes, tags and title;
- be willing to take a 12-month loan to pay for the car. Car fees range from \$700 to \$900 per car and the monthly payment is \$65 to \$89 per month. VFC guarantees each successful applicant a loan regardless of credit history.⁶⁴

VFC helps each applicant secure the bank loan for car purchase, and the program provides maintenance on the car for a six-month period after its sale, completing major mechanical repairs as needed. Since its inception in fall 1999, VFC has sold 352 cars to Baltimore residents.⁶⁵

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⁶¹ "A License to a Better Life", p. 3.

⁶² "Actuarial Discrimination", *The Abell Report*, January/February 2005, p.2.

⁶³ Income eligibility is defined as follows: single household: \$16,500; two-person household: \$22,000; three-person household: \$27,500, etc.

⁶⁴ www.vehiclesforchange.org/modules.php?name=Content&pa=showpage&pid=1

⁶⁵ Conversation with Marty Schwartz, Vehicles for Change, April 13, 2005.

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Brookings Institution Welfare Reform & Beyond Initiative
Driver's License Suspension Policies
Denver
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Data on Colorado license suspension: the numbers.

Of the over three million drivers in Colorado from July 1, 2003, through June 30, 2004, there were 264,640 driver's license suspensions while another 31,209 drivers were issued probationary licenses. The working poor may be more likely to experience these suspensions for economic reasons, due to financial hardship and/or inflexible work schedules:

- outstanding judgment on a traffic ticket (there were 99,873 suspensions; this was the most common cause of license suspension);
- driving without insurance (42,988 suspensions);

- failure to pay child support (18,689 suspensions).⁶⁶

Overview of Colorado’s license suspension policies and the legal framework for administering the policies.

The Division of Motor Vehicles (DMV), in the Department of Revenue, is responsible for enforcement and record keeping related to Colorado driver’s licenses.⁶⁷ State statute vests the courts with some discretion in non-mandatory suspension cases.

Conditions that lead to driver’s license suspension.

In addition to suspension for typical moving violations, the DMV also suspends licenses under these circumstances that may disproportionately impact the working poor:

- failure to appear on a ticket (which results in an outstanding judgment on a ticket, see above);⁶⁸
- failure to appear at a hearing for points’ suspension;⁶⁹
- failure to pay child support;⁷⁰
- driving while under restraint (which includes license suspension). This results in an additional suspension period of one year after the date that would have allowed for reinstatement.⁷¹ It is also a misdemeanor and results in a mandatory jail sentence and a fine of not more than \$500.⁷²

Furthermore, Colorado statute does not allow for renewal of a driver’s license or obtaining a probationary license if the driver has:

- an outstanding judgment for owing a fee on a citation;⁷³
- an outstanding judgment for violation of an ordinance or statute related to the regulation of motor vehicles, *excluding* traffic infractions or parking violations;⁷⁴
- a bench warrant for failing to appear to answer a citation for an alleged violation related to the regulation of motor vehicles, *excluding* traffic infractions or parking violations;⁷⁵
- an outstanding judgment for toll evasion.⁷⁶

In Colorado, an obligor becomes eligible for driver’s license suspension with a child support order or an arrearage balance of \$500 or more accrued and at least 60 days past

⁶⁶ Email from Mary Tuttle, Department of Revenue Driver Control, March 25, 2005.

⁶⁷ www.revenue.state.co.us/DMV_dir/wrap.asp?incl=aboutus/drivercontrol

⁶⁸ Tuttle, March 25, 2005.

⁶⁹ CRS 42-2-127(13).

⁷⁰ CRS 42-2-127.5(1) and (3)(a).

⁷¹ CRS 42-2-138(3)

⁷² CRS 42-2-138(1)(a)

⁷³ CRS 42-4-1709(7)(a)(I)

⁷⁴ CRS 42-4-1709(7)(a)(II)

⁷⁵ CRS 42-4-1709(7)(a)(III)

⁷⁶ CRS 42-4-1709(7)(a)(VII)

due.⁷⁷ Before their licenses are suspended, obligors receive several notices and opportunities to arrange payment.

Process for license reinstatement.

The DMV does not notify drivers when their suspension period has ended. The DMV sends a suspension notification letter to drivers that clearly states the beginning and ending dates for suspension.⁷⁸ To reinstate a license, drivers must demonstrate to the DMV that they have insurance and pay a restoration fee of \$60.⁷⁹ They may go to a local DMV office to process the reinstatement, where if they have all the necessary paperwork, the reinstatement is processed and effective immediately.⁸⁰ If they choose to apply for reinstatement via mail, it can take anywhere from several days to several weeks for the DMV to process the reinstatement.⁸¹

The DMV will reinstate a license suspended for nonpayment of child support once Child Support Enforcement (CSE) has issued a notice of compliance. The notice of compliance takes about 48 hours to appear in the DMV database.⁸² Then the driver must go to the local DMV branch office, pay the reinstatement fee, and provide proof of insurance.⁸³

Availability of work restricted or conditional licenses.

Colorado issues a probationary license that allows suspended drivers to drive for limited purposes and at the DMV's discretion.⁸⁴ Restrictions on this license may include: driving only to or during the course of employment, education, health, or alcohol and drug treatment.⁸⁵ The DMV typically grants this license to drivers with a moving violation suspension or a child support suspension. Drivers must pay all tickets before the DMV will issue a probationary license.⁸⁶

A probationary license for child support suspension is valid for up to 90 days, is not renewable, and may only be used for work-related reasons.⁸⁷ Drivers must bring to the DMV a signed statement from their employer (and on the employer's letterhead) indicating that the license is needed to perform job duties or to get to and from work.⁸⁸ Drivers must also show evidence of insurance, and pay a nominal fee of five dollars.⁸⁹

⁷⁷ Jessica Pearson and Nancy Thoennes, "Multiple Intervention Grant: Longer Term Evaluation of Colorado's Driver's License Suspension", February 2000, Section I Introduction.

See www.acf.hhs.gov/programs/cse/pubs/reports/colorado/bk03ar01.html

⁷⁸ http://www.revenue.state.co.us/DMV_dir/wrap.asp?incl=faqdc

⁷⁹ http://www.revenue.state.co.us/DMV_dir/wrap.asp?incl=faqdc/faqdc9

⁸⁰ Email from Mary Tuttle, Department of Revenue Driver Control, April 2, 2005.

⁸¹ Email from Pamela Bell, March 31, 2005.

⁸² Email from Pamela Bell, March 29, 2005.

⁸³ www.childsupport.state.co.us/home/faqDriverLicenceSuspensionIndex.jsp

⁸⁴ CRS 42-2-127(12)

⁸⁵ CRS 42-2-127(14)(a)

⁸⁶ http://www.revenue.state.co.us/DMV_dir/wrap.asp?incl=faqdc/faqdc16

⁸⁷ Email from Pamela Bell, Colorado Child Support Enforcement, March 30, 2005.

⁸⁸ Ibid.

⁸⁹ Ibid.

Programs or policies to address the impact of economic-based license suspension.

Colorado's Department of Corrections (DOC) has established a one-stop service center offering paroled and released ex-offenders assistance with employment and child support, including suspensions of monthly child support and reinstatements of driver's licenses.⁹⁰ Procuring state identification cards or driver's licenses is an important issue for this population. The DOC seeks to simplify this process by working with the DMV and Office of Vital Statistics to help ex-offenders get all the documentation they need for an identification card or license. Recently, the DOC had to scale back this program because of funding cuts.⁹¹

In 2000, the Center for Policy Research in Denver conducted a study on the efficacy of license suspensions for child support enforcement in Colorado. It found that county child support administrators considered license suspensions to be much more effective than credit bureau reporting as an enforcement tool. Administrators concluded that the suspension has more of an immediate impact on the obligor's life than a poor credit rating. The threat of suspension also helped them to reach non-traditional wage earners (those not paying child support through wage attachments). Many of these obligors are self-employed and need a driver's license for work. Some CSE administrators interviewed believed that they should use license suspension primarily as a "productive threat", recognizing that it can impose significant hardship on the obligor.⁹² Colorado has not heeded this recommendation. The DMV suspended the licenses of 12,000 obligors in the first 18 months of the intervention and suspended over 18,000 license suspensions for fiscal year 2004.⁹³

Current state of transportation options from low-income neighborhoods to areas rich in appropriate jobs. General information on transportation as a barrier to employment.

The overwhelming share of new jobs is outside central city Denver. The highest concentration is in the I-25 corridor or the Denver Tech Center; the second highest is to the north and northwest of Denver. There is not significant low or mixed-income housing in either of these corridors, and transportation by bus is not extensive during off-peak hours. After an experiment with a reverse commute program several years ago ("Bridges to Work"), some involved with the effort concluded that it would have been less expensive to purchase a car for each worker than to try and arrange a mix of public and private transportation. Though legislation recently passed that will provide funding to extend light rail throughout the city and surrounding counties, construction will not be complete until 2013. In 2006, light rail will extend to the Denver Tech Center, though riders will still need to get to downtown Denver (usually by bus) to access it.⁹⁴

⁹⁰ Child Support Arrears Compilation of Three Reports 2001 Prepared By: Center for Policy Research, pg 21.

⁹¹ Conversation with Mario Salinas, CO Department of Corrections, April 5, 2005.

⁹² Pearson and Thoennes, Section 5.4 Reactions to the DLS Initiative

⁹³ Pearson and Thoennes, Section 5.4 Reactions to the DLS Initiative

⁹⁴ Conversations with Chuck Shannon, Mile High United Way, and Betty McCarty, Denver Regional Council on Governments, April 4, 2005.

Human Services, Inc., a nonprofit service provider in Denver which promotes family self-sufficiency, offers the Family Loan Program which provides low-interest loans of \$500 to \$3,000 (\$4,000 for a car purchase only) that are payable over 6 to 24 months at 7 percent interest. Loans may be used for car repairs, the purchase of a car, security deposits on rented housing, tools and uniforms, and other needs directly related to keeping a job or staying in school. Among other requirements, loan applicants must be employed at least 32 hours/week for six months or at least 20 hours/week for six months while attending post secondary education or a training program.⁹⁵

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⁹⁵ Human Services did not return phone calls to gather data on this program.

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Access to Private Transportation: *Denver, Colorado*

Fig. 1: In Denver, do respondents have a license? A car?

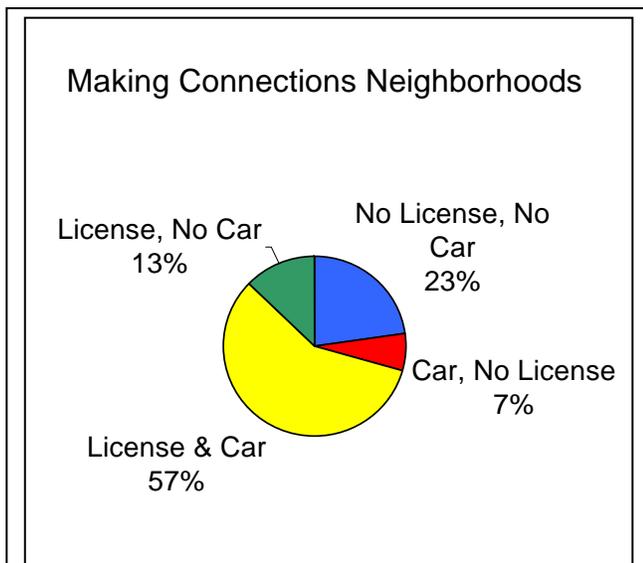
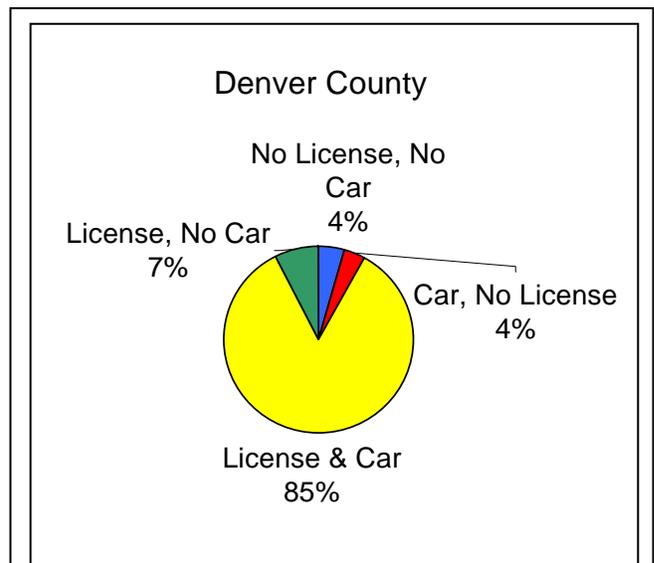


Fig. 2: In Denver County, do respondents have a license? A car?



Facts about Denver

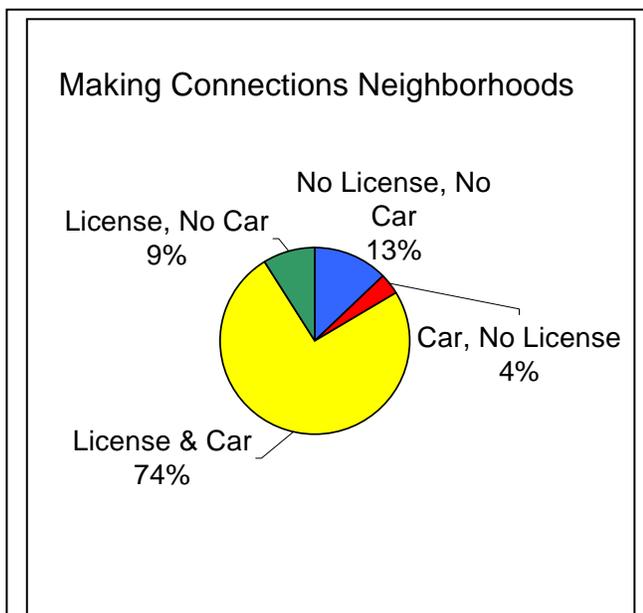
Unemployment

- 38% of Making Connections Neighborhood respondents are unemployed.
- 22% of Denver County respondents are unemployed.

Citizenship

- 12% of Making Connections Neighborhood respondents are non-citizens.
- 8% of Denver County respondents are non-citizens.

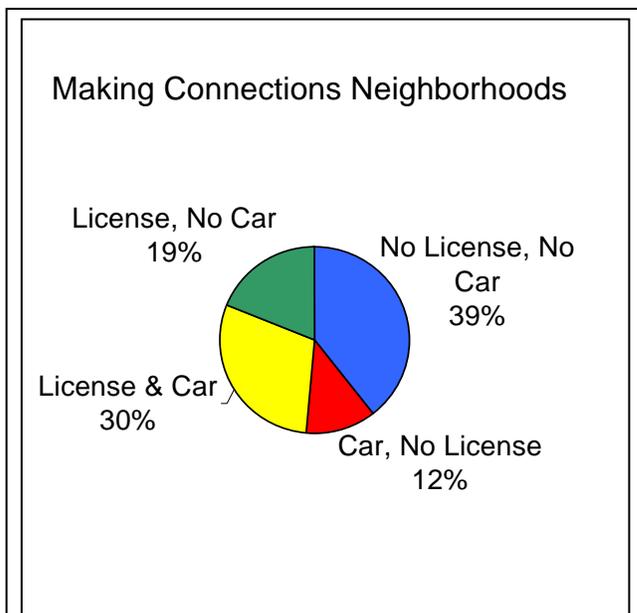
Fig. 3: In Denver, do *employed* respondents have a license? A car?



Making Connections Neighborhoods

- 83% have a valid driver’s license.
- 78% have a reliable car.
- 74% have a valid driver’s license and a reliable car. 13% have neither.

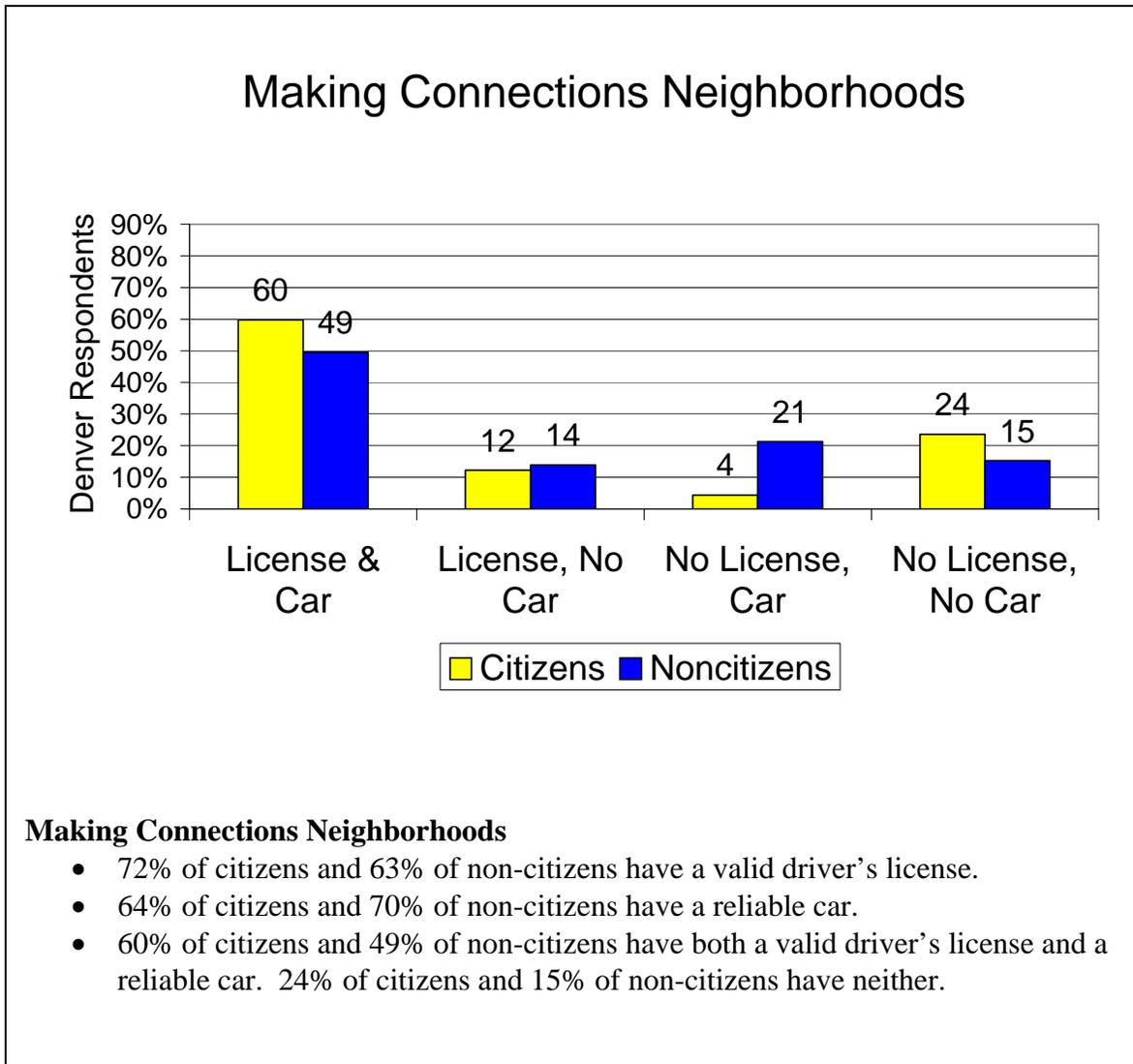
Fig. 4: In Denver, do *unemployed* respondents have a license? A car?



Making Connections Neighborhoods

- 49% have a valid driver’s license.
- 42% have a reliable car.
- 30% have a valid driver’s license and a reliable car. 39% have neither.

Fig. 5: In Denver, do respondents who are citizens and respondents who are non-citizens differ in access to a car? A license?



Source: Annie E. Casey Making Connections Cross-Site Survey of target neighborhoods and households living in surrounding counties. Statistics are based on tabulations of data prepared by the Urban Institute.

Fact Sheet: Designed and prepared by Brookings Institution Welfare Reform & Beyond, Visiting Fellow Margy Waller and Research Assistant Jennifer Doleac.

Data are drawn from responses to the following questions:

Reliable car

Does anyone in your household own a car, van or truck?

Is this vehicle dependable?

(Note: In this fact sheet, the “no car” group includes those who say their car is undependable.)

Valid driver’s license

Do you currently have a valid driver’s license?

Employment status

Is the respondent employed?

Citizenship

Are you a citizen of the United States?

Des Moines
9/29/05

Iowa and Des Moines license suspension: the numbers.

Iowa

Of the over two million drivers in Iowa, there were 37,018 license suspensions in the last quarter of 2004, while another 3,000 drivers were given temporary restricted licenses.⁹⁶

The working poor may be more likely to experience these suspensions for economic reasons, due to financial hardship and/or inflexible work schedules:

- failure to pay Iowa fines⁹⁷ (there were 178,842 total sanctions in effect, though individual drivers may have more than one; this was the most common cause of license suspension⁹⁸);
- failure to satisfy a non-Iowa citation (7,311 suspensions);
- driving with a suspended license (4,996 suspensions);
- failure to pay child support (4,629 suspensions);
- failure to appear in court (175 suspensions);
- delinquent account owed to the state (43 suspensions).⁹⁹

Polk County.

Polk County is the state's largest county and the location of Des Moines. As in the rest of the state, many drivers had their licenses suspended in large part due to their financial vulnerability. There were 260,115 licensed drivers in the county in the fourth quarter of 2004, and 25,000 had their licenses suspended in May of that year. Again, as was the case statewide, non-payment of Iowa fines was the most common reason for suspension, in this case affecting 11,000 drivers.¹⁰⁰

Overview of Iowa's license suspension policies and the legal framework for administering the policies.

The Iowa State Department of Transportation (IDOT) administers driver's license suspensions. The state code details what can result in a suspension. The courts have very limited discretion in suspending licenses, and then only in drug- and alcohol-related cases (including drug convictions unrelated to driving).¹⁰¹

In 1997, cases involving driving while suspended were clogging up the judicial system in many Iowa counties. A committee including representatives from the Linn County

⁹⁶ <http://www.iamvd.com/ods/index.htm>, see *Driver's License Records*

⁹⁷ The fine (also could be a penalty, surcharge, or various court costs) is a result of a motor violation conviction.

⁹⁸ The second highest is only 13,436 for incapable of operating safely—a reason that seems more logically connected to a license suspension.

⁹⁹ No one was able to provide an example of this situation, or how it differs from nonpayment of a fine. Only 43 people had sanctions for this reason in 12/04; IDOT staff speculated that it was due to nonpayment of state taxes.

¹⁰⁰ Conversation with Fred Gay, Assistant Polk County Attorney, October 28, 2004.

¹⁰¹ Email from Steve Tudor, Iowa Dept. of Transportation, Driver Services, April 12, 2005.

attorney's office, the public defender's office, and IDOT devised an alternative court, Rocket Docket, to expedite specific driving-related cases. There is now a Rocket Docket in several jurisdictions, including Polk County.¹⁰²

Conditions that lead to driver's license suspension.

In addition to suspension for typical moving violations, IDOT also suspends licenses under these circumstances that may disproportionately impact the working poor:

- failure to pay a criminal fine, penalty, surcharge or court costs;¹⁰³
- delinquent accounts, charges, fees, loans, taxes, or other indebtedness owed to or being collected by the state;¹⁰⁴
- failure to appear on a ticket;¹⁰⁵
- non-payment of child support;¹⁰⁶
- driving while license suspended;¹⁰⁷
- noncompliance on a student loan.¹⁰⁸

There are currently over 70 reasons for which Iowa drivers can have their licenses suspended,¹⁰⁹ and it seems that the list may continue to grow. In April 2004, Governor Vilsack vetoed a bill that would allow driver's license suspension for gasoline theft. However, the bill had enjoyed wide bipartisan support and the legislature is likely to resurrect it in 2005.¹¹⁰ In addition, pursuant to Iowa law, drivers who receive three license suspensions cannot drive for six years. The driving bar is an aggravated misdemeanor, which carries a potential two-year (maximum) prison sentence.¹¹¹

Once the state suspends a license, the driver must complete a twelve-month probation period beginning after the end of the suspension, during which a violation could result in another suspension for up to one year. Generally, the state notifies license holders of suspension by mail, but the driver may still request a hearing.¹¹²

Juveniles may have their licenses suspended for up to one year for the commission of delinquent acts, many unrelated to driving, including:

- purchasing alcohol;¹¹³
- failure to attend school.¹¹⁴

¹⁰² IA DOT Fact Sheet: "Ensuring Drivers are Fully Licensed, Competent, Insured".
www.dot.state.ia.us/saferroads.htm

¹⁰³ Iowa State Code 321.210A

¹⁰⁴ Iowa State Code 321.210B and 421.17 Sect 27e

¹⁰⁵ <http://www.iamvd.com/ods/index.htm>, see *Driver's License Records*

¹⁰⁶ Ibid.

¹⁰⁷ Ibid.

¹⁰⁸ Conversation with Scott Falb at the Iowa Department of Transportation, Office of Driver Services on January 19, 2005.

¹⁰⁹ Conversation with Bob Rigg, Criminal Defense Program Director, Drake Law School, October 23, 2004.

¹¹⁰ National Association of Convenience Stores, "Iowa Governor Vetoes Bill to Toughen Gas-Theft Penalties," April 6, 2004.

¹¹¹ Gay, October 28, 2004

¹¹² IA SC 321.210C

¹¹³ IA SC 232.52

Process for license reinstatement.

As previously noted, many of the over 37,000 drivers in Iowa with license suspensions have multiple sanctions on their license, making the process of reinstatement more costly and complicated.

Reinstatement fees in Iowa are \$20. The Office of Driver Services notifies drivers of the process for reinstatement as it varies for each offense.¹¹⁵ In Polk County, each driver paid an average of \$615 in spring 2004, not including other charges and court costs that might have been assessed.¹¹⁶ According to IDOT, the state now also imposes a civil penalty of \$200, which drivers are required to pay before the state will reinstate the license.¹¹⁷

To reinstate a license suspended because of a delinquent account with the department of revenue, the driver must establish a payment plan with the agency collecting the debt.

Availability of work restricted or conditional licenses.

According to state statute, a temporary restricted license (TRL) may be issued that allows the person to drive to and from the person's home at specified times to commute to work, for health care, continuing education, substance abuse treatment, or court-ordered community service responsibilities.

The IDOT processes most of the temporary restricted licenses. According to IDOT staff, they usually approve TRL applications as long as the driver can show proof of employment, or a "need" to get to child or health care. It takes IDOT approximately 7 to 10 days to process an application, but during that time it will put a stay on the suspension. The form that IDOT sends to all drivers providing notification of a license suspension includes information on applying for the temporary license and the application for stay of suspension (detailed below). Drivers can send in a tear-off post card that includes all of the necessary information to request either of these applications.¹¹⁸

Programs or policies to address the impact of economic-based license suspension.

According to Iowa Legal Aid, there is a little known law to help people who cannot afford to pay fines. Before the state can suspend for failure to pay, the clerk of the court must send a notice of nonpayment and give the driver 60 days to pay.¹¹⁹ A driver may then file an "application for stay of suspension for inability to pay fine, penalty, and surcharge or court costs" which is available at IDOT or the local Legal Aid office. The driver must complete and send the form, with details on income, assets, expenses, and debts, to IDOT within 45 days after the clerk of court sends notice. IDOT then reviews the application and makes a decision. This is only a stay and does not eradicate the

¹¹⁴ See *Driver's License Records*.

¹¹⁵ Falb, January 19, 2005.

¹¹⁶ Gay, October 28, 2004.

¹¹⁷ Conversation with Steve Tudor, IDOT, Driver Services, February 23, 2005.

¹¹⁸ Tudor, February 23, 2005.

¹¹⁹ IA SC 321.210A

fines.¹²⁰ Noting that car ownership is critical in mostly rural Iowa, maintaining a valid license (instead of risking possible criminal charges for driving while suspended) is important for financial independence.¹²¹

In 1999, Iowa Legal Aid included information on this issue in a newsletter that went to their mailing list of 6,500 current or previous clients. Legal Aid is very interested in doing more outreach, and currently advises about three people a month with license suspension concerns.¹²²

There is another reason that this little known law is underused. According to IDOT staff, they receive approximately 25 applications each month for a stay of suspension, but are disinclined to approve them except under the extreme circumstances. Staff in Driver's Services indicated that if a driver can afford a car and insurance, they should be able to pay for a fine or ticket.¹²³

IDOT will automatically decline a stay if:

- IDOT has previously suspended the driver for nonpayment of fine. Staff indicated that drivers who have already received one ticket should have "learned their lesson" and not be rewarded with a stay;
- A fine is less than \$100. According to staff, basic expenses involving car ownership (gas, a battery, tires) amount to at least that much; therefore, drivers should be able to afford the ticket as well.

When asked to provide an example of an approved application, IDOT staff referenced a man who had lost his job because of a physical disability. He had proof of hospital bills of over \$20,000 and no potential income in the near future.¹²⁴

In September 2004, the Polk County Attorney's office started a program to facilitate license reinstatement, based on one from Linn County.¹²⁵ IDOT and officials of the Linn county court agreed that when a suspended driver agrees to a payment plan before the judge, IDOT will immediately reinstate the license. Due to a lack of support from Polk County court, the office of Assistant Polk County Attorney Fred Gay has taken responsibility for administering the payment plans and hired one full-time staff person to do so. Drivers provide proof of insurance and agree to a payment plan with the County Attorney's office, which then files those plans with the Court Clerk's office on the same day. The Clerk's office submits an electronic communication to IDOT within one day and IDOT immediately reinstates the license. IDOT notifies drivers of reinstatement by letter. The average turnaround time from appearance in the Attorney's office to receipt

¹²⁰ www.lawhelp.org/IA/showdocument.cfm/County/%20City/%20/demoMode/= %201/Language/1/State/I A/TextOnly/N/ZipCode/%20/LoggedIn/0/rpc/1090099/doctype/dynamicdoc/ichannelprofileid/4612/idyna micdocid/603/iorganizationid/897/itopicID/784/iProblemCodeID/1090099/iChannelID/133/isubtopicid/1/ip roblemcodeid/1090099

¹²¹ Ibid.

¹²² Conversation with Jim Elliot, deputy director, Iowa Legal Aid, February 24, 2005.

¹²³ Conversations with Cathy Oroco and Steve Tudor, Iowa Department of Transportation, Driver Services, February 23, 2005.

¹²⁴ Tudor, February 23, 2005.

¹²⁵ Ibid.

of the reinstatement letter is 3-4 days. In the first month of this program (September 2004), the County Attorney's office collected \$29,520. (Iowa provides an incentive for local prosecutors to collect outstanding fines by allowing them to retain 35% of any fines their office collects.)¹²⁶

Collections seem to be a big issue in Des Moines. In the last year the state hired a collection agency to go after people who hadn't paid their parking tickets, and also asked the state legislature to consider a new state law which would allow cities not to renew driver's licenses if the driver had unpaid tickets. Des Moines says it has more than \$1million in outstanding tickets each year and the city has been facing an annual budget crisis.¹²⁷ Additionally, the danger of unlicensed drivers has attracted the press, with police stating that they pull over at least one such driver each day. Despite prodding, the police did not think that jail time was the answer but would like to consider impounding their cars.¹²⁸ This strategy was a resounding failure in Seattle.¹²⁹

Current state of transportation options from low-income neighborhoods to areas rich in appropriate jobs. General information on transportation as a barrier to employment.

Des Moines does not have a rail-based mass transit system. There is a bus system, but residents have long criticized the system for low ridership and inconvenient operating hours (the night owl service runs until 10pm). The system operates during rush hour, Monday through Friday, sporadically during business days and on Saturday and not at all on Sunday.¹³⁰ However, the Des Moines Metropolitan Transit Authority does offer "Opportunities thru Transit" (OTT) which allows income eligible individuals to ride the bus for a reduced rate and "Missing Link", a van-based system that offers rides 24 hours a day, 7 days a week for \$.50 a ride.¹³¹ The latter program works with employers to identify at least three riders on the same route and will drop children at day care centers along the route. In the last quarter of 2004, over 700 riders were part of the OTT program.¹³²

According to the local United Way, the only NGO that works on car ownership programs in Des Moines is the Institute for Social and Economic Development that administers a matched savings (IDA) program for car purchases. However, only refugees may use this

¹²⁶ Gay, October 28, 2004.

¹²⁷ Jason Clayworth, "Thinking About Ignoring That Parking Ticket? Think Again", Des Moines Register, January 7, 2004.

¹²⁸ "Des Moines Police See Too Many Unlicensed Drivers", The Iowa Channel, September 16, 2002.

¹²⁹ Seattle's impoundment policy came under significant scrutiny after the city found it disproportionately impacted the working poor and African Americans. Just a few years after implementing the policy the city council repealed it. This followed community protests and the release of a study showing the policy was not an effective enforcement tool.

¹³⁰ Ibid and Des Moines Metropolitan Transit Authority (<http://www.dmmta.com/>).

¹³¹ Income eligibility is defined as follows: total household income is below 125% of poverty; not participating in other MTA reduced-fare programs; not employed by a company subsidizing bus passes; and only one pass per household. www.dmmta.com/programs_ott.html

¹³² Phone conversation with P.J. Sass, Manager, WAGES, January 24, 2005.

car purchase program due to limitations of the federal funding source. Still, since 1999, 545 refugees bought cars with IDAs. This represents 46 percent of all asset purchases in the program (other eligible purchases/expenses are a home, home renovations, launching small businesses, education, and computers).¹³³

The *Des Moines Register*, the local newspaper, highlighted a much smaller program. Move the Mountain Leadership Center—with assistance from United Way, the Des Moines Community Foundation, the Department of Human Services, the Annie E. Casey Foundation, the school superintendent, and city council members—recruited 40 families with children enrolled in the free and reduced lunch program at two schools. The center coordinates a “Circle of Support” of 120 “allies” (members of area churches, civic groups, and community leaders). The “Circle of Support” seeks to increase the earned income of the 40 families, and improve the academic performance of the children.¹³⁴ In January 2005, four families in the program received previously damaged cars (refurbished without charge by local auto body shops), \$200 in gas cards and three months worth of insurance.¹³⁵

Impact on Minority Populations.

The Iowa Supreme Court recently heard a case regarding driver’s licenses for illegal immigrants. While the state estimates that there are up to 5,000 undocumented aliens in Iowa, Iowa law does not currently permit such immigrants to hold a license.¹³⁶ In an editorial supporting a change in this policy, the *Register* notes that American businesses, including restaurants and meatpacking plants depend on undocumented immigrants as workers.¹³⁷ These immigrants often rely on private transportation to work regardless of their unlicensed status; indeed, the Mexican couple that is party to the suit received \$1,000 in traffic tickets in one weekend as a result of driving without a license. As the paper noted, in a state with little public transportation, either the courts or the Iowa Legislature need to act.¹³⁸

Finally, according to a 2001 report by the Iowa Workforce Development, the second highest identified barrier to employment for Latino workers is lack of transportation. The study concluded that this might be due to the undocumented status of its survey respondents. In Des Moines, over four percent of the population is Hispanic or Latino.¹³⁹

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¹³³ www.ised.org/EconomicDevelopment/iowanssave.asp

¹³⁴ www.movethemountain.org/beyond_welfare/projects/

¹³⁵ “Families Thrilled by Free Cars”, *Des Moines Register*, January 20, 2005.

¹³⁶ “Immigrants Have Right to Licenses, Court Told”, *Des Moines Register*, January 14, 2005.

¹³⁷ “Allow Driver Licenses for Illegal Immigrants”, *Des Moines Register*, January 5, 2005.

¹³⁸ Ibid.

¹³⁹ *Barriers to Employment: Central Iowa Latino Laborforce Survey*, Iowa Workforce Development, March 2001, (www.iowaworkforce.org/lmi/publications/latino/index.html)

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Access to Private Transportation: *Des Moines, Iowa*

Fig. 1: In Des Moines, do respondents have a license? A car?

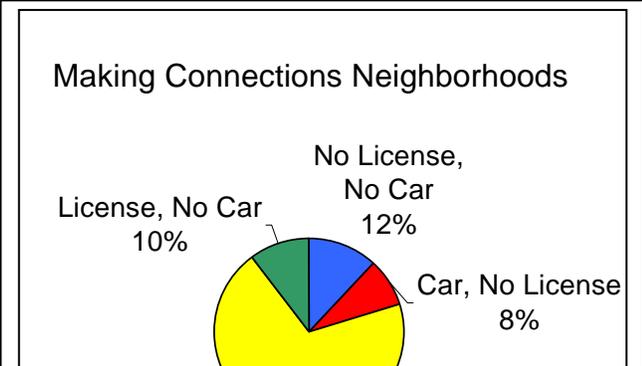
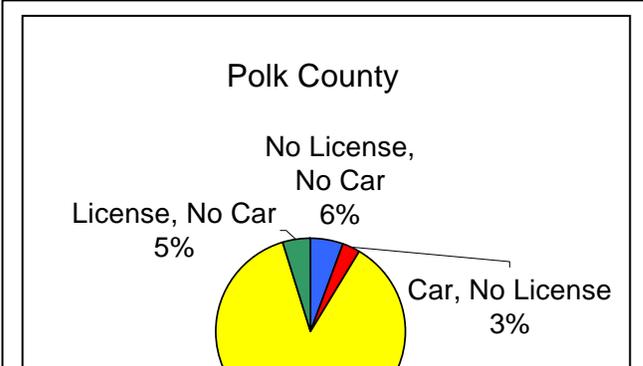


Fig. 2: In Polk County, do respondents have a license? A car?

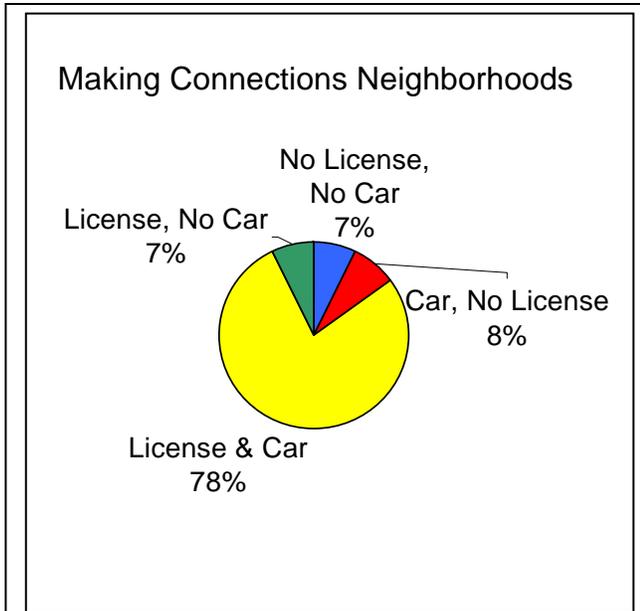


Facts about Des Moines

Unemployment

- 32% of Making Connections Neighborhood respondents are unemployed.
- 22% of Polk County respondents are unemployed.

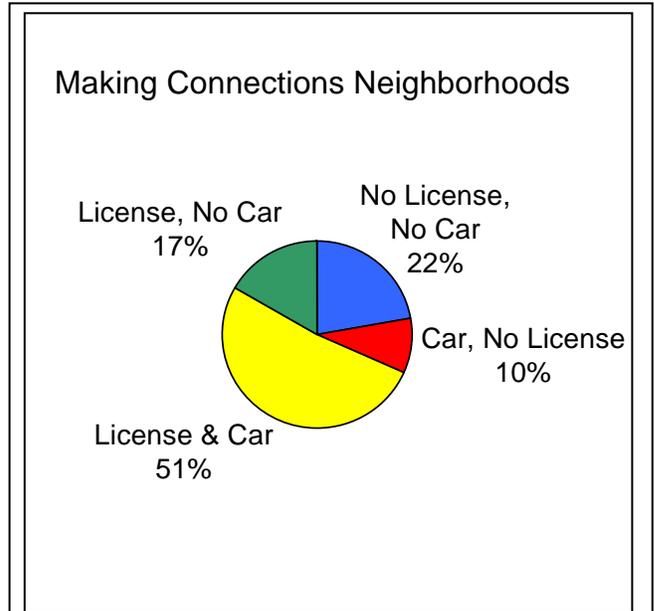
Fig. 3: In Des Moines, do *employed* respondents have a license? A car?



Making Connections Neighborhoods

- 85% have a valid driver's license.
- 86% have a reliable car.
- 78% have a valid driver's license and a reliable car. 7% have neither.

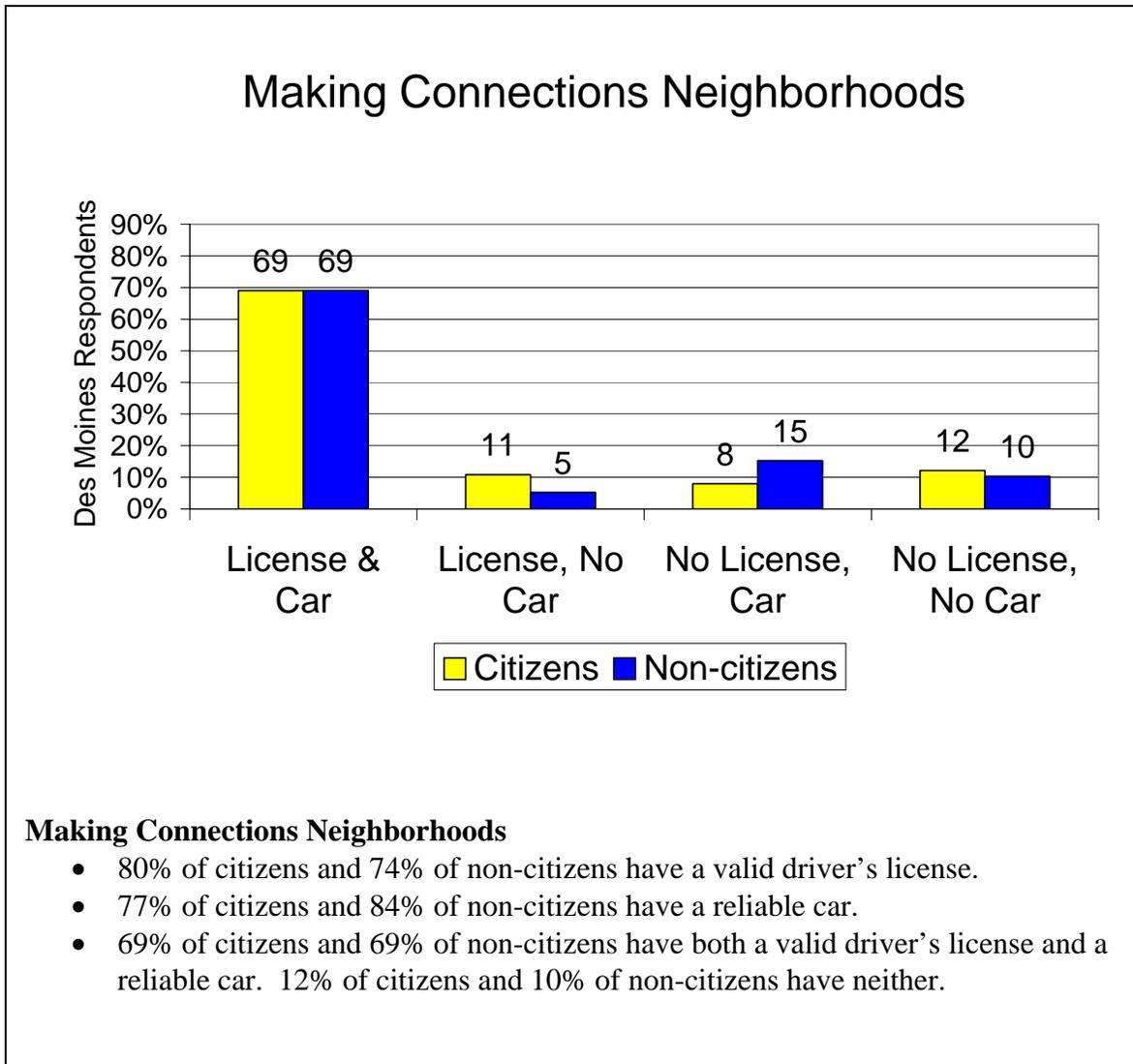
Fig. 4: In Des Moines, do *unemployed* respondents have a license? A car?



Making Connections Neighborhoods

- 68% have a valid driver's license.
- 61% have a reliable car.
- 51% have a valid driver's license and a reliable car. 22% have neither.

Fig. 5: In Des Moines, do respondents who are citizens and respondents who are non-citizens differ in access to a car? A license?



Source: Annie E. Casey Making Connections Cross-Site Survey of target neighborhoods and households living in surrounding counties. Statistics are based on tabulations of data prepared by the Urban Institute.

Fact Sheet: Designed and prepared by Brookings Institution Welfare Reform & Beyond, Visiting Fellow Margy Waller and Research Assistant Jennifer Doleac.

Data are drawn from responses to the following questions:

Reliable car

Does anyone in your household own a car, van or truck?

Is this vehicle dependable?

(Note: In this fact sheet, the “no car” group includes those who say their car is undependable.)

Valid driver’s license

Do you currently have a valid driver’s license?

Employment status

Is the respondent employed?

Citizenship

Are you a citizen of the United States?

HARTFORD 9/29/05

Connecticut license suspension: the numbers.

Of the 2,348,305 licensed drivers in Connecticut in 2004, there were 83,972 driver's license suspensions and revocations while another 3,547 drivers were issued special operator's permits licenses. The working poor may be more likely to experience these suspensions for economic reasons, due to financial hardship and/or inflexible work schedules:

- failure to appear or pay on a traffic citation (38,918 suspensions);
- failure to maintain adequate insurance coverage (2,379 suspensions);
- failure to pay child support (7 suspensions).¹⁴⁰

Overview of Connecticut's license suspension policies and the legal framework for administering the policies.

The Connecticut Department of Motor Vehicles (DMV) administers all license suspensions. The local Superior Courts set all fines for motor vehicle infractions and violations.

Conditions that lead to driver's license suspension.

In addition to suspension for typical moving violations, the DMV also suspends licenses under these circumstances that may disproportionately impact the working poor:

- failure to maintain adequate insurance coverage;
- driving without a license or registration;¹⁴¹
- failure to appear on or pay a traffic infraction;¹⁴²
- failure to pay child support.¹⁴³

Driving without insurance may also lead to vehicle seizure or impoundment, as well as registration cancellation.¹⁴⁴ To obtain a new registration, the owner must pay a restoration fee of between \$250 and \$545.¹⁴⁵ Unpaid property tax on a motor vehicle may also result in registration cancellation and requires a \$125 restoration fee (in addition to paying taxes owed) for a new registration.¹⁴⁶

Driving with a suspended license can lead to a maximum license suspension of up to five years—four years longer than for most other moving violations.¹⁴⁷ Driving while a license

¹⁴⁰ Letter from Connecticut Department of Motor Vehicles, June 3, 2005.

¹⁴¹ "Complaint Tickets Frequently Asked Questions" State of Connecticut Judicial Branch, <http://www.jud.state.ct.us/faq/traffic.html>

¹⁴² Conn Stat. Sec 14-140(b).

¹⁴³ www.dss.state.ct.us/csre/csre.htm

¹⁴⁴ Conn Stat. Sec. 14-12g.

¹⁴⁵ Conn SC Sec 14-12(h)(2)(c)

¹⁴⁶ "Resolving Registration Suspension for Unpaid Property Tax", Connecticut Department of Motor Vehicles, www.ct.gov/dmv/cwp/view.asp?a=813&Q=245244&dmvPNavCtr=|29000|#29007

¹⁴⁷ "Complaint Tickets Frequently Asked Questions".

is suspended or revoked may also result in fines of \$150 to \$200 or jail for up to 90 days.¹⁴⁸

Connecticut courts rarely suspend driver's licenses as a sanction for nonpayment of child support. The courts have authority to suspend driver's licenses (as well as professional and occupational licenses) for this reason, but staff at Support Enforcement Services (SES), the child support enforcement agency within the Connecticut Judicial Branch, indicated that this enforcement remedy is rarely used. Connecticut's child support enforcement program is judicially-oriented (as opposed to administratively-oriented); the state cannot impose license suspension on a delinquent obligor without going to court. According to staff at SES, because the family support magistrates (the trier of fact in child support cases) must make the same findings to support the suspension of a driver's license as for a contempt of court finding (resulting in incarceration), they are more likely to use the latter as an enforcement tool. SES staff believes that, as an enforcement tool, the threat of a night or longer in jail (immediately ordered) is much more effective than license suspension.¹⁴⁹

Many SES staff perceive license suspension as ineffective because they believe it does not prevent driving. Also, court-ordered suspension is not automatic in these cases¹⁵⁰ and can take three months or longer under the system for the license suspension. As a result, the director of support enforcement does not view driver's license suspension as a barrier to employment, at least for the population she works with, simply because it is so rarely utilized.¹⁵¹

Process for license reinstatement.

To reinstate a license for failure to pay traffic infractions, individuals are required to pay a reopening fee of \$60 to the court, the original traffic fine, and sometimes a \$125 fee to the DMV.¹⁵² Drivers must mail the fee, as well as proof that they paid the fine to the DMV.¹⁵³ The DMV directs any questions to a toll-free number that leads to a hard-to-navigate voice mail system.

Availability of work restricted or conditional licenses.

Connecticut offers a special operator's permit to drive to work. Drivers may download the application for the permit online or the DMV will mail it upon request within 48

¹⁴⁸ Conn. Stat. Sec14-215(b).

¹⁴⁹ Conversation with Charisse Hutton, Director of Support Enforcement Services, March 1, 2005.

¹⁵⁰ The magistrate must enter the order and give the defendant 30 days to pay. If the defendant does not pay, SES must then file an affidavit of noncompliance. At that point, the court order must be filed with the administrative agency and processed.

¹⁵¹ Hutton, March 1, 2005.

¹⁵² "Complaint Tickets Frequently Asked Questions" State of Connecticut Judicial Branch, www.jud.state.ct.us/faq/traffic.html

¹⁵³ "Resolving a Suspension", Connecticut Department of Motor Vehicles, www.ct.gov/dmv/cwp/view.asp?a=813&Q=252580&dmvPNavCtr=#38245

hours. These applications are only processed by mail.¹⁵⁴ All drivers are eligible with the exception of those suspended because of DUI or failure to appear.¹⁵⁵

The special operator's permit is strictly limited to driving to and from work or operating a vehicle in connection with work. The applicant must demonstrate significant hardship, other efforts to obtain transportation, and a lack of public transportation.¹⁵⁶ Use of the vehicle for purposes other than work with this permit can result in fines of up to \$500.¹⁵⁷ Unlike most other states surveyed, Connecticut does not issue special permits to drive to other essential services, like child care or health care.

Programs or policies to address the impact of economic-based license suspension.

While drivers may be able obtain a stay for additional time to pay traffic tickets, this survey did not identify any programs specifically designed to address license suspension.¹⁵⁸

Current state of transportation options for residents of low-income neighborhoods.

General information on transportation as a barrier to employment.

Staff at DSS suggests that high insurance premiums in Connecticut, coupled with property taxes and registration fees, make owning a car quite difficult for the working poor, particularly in urban areas.¹⁵⁹

According to Catholic Charities staff, public transportation in Hartford is fairly comprehensive. In addition, a broad-based consortium of government and community agencies are addressing transportation to work issues. The consortium includes the state Departments of Social Services and Transportation, the Capital Region Council of Governments, and the RideShare Company. Catholic Charities staff believes that low-income workers are more likely to have difficulty finding money for bus fare than finding a bus route to take them to jobs.¹⁶⁰ Still, the city of Hartford is losing jobs while job growth is increasing in the suburbs.¹⁶¹

The Hartford Job Access program provides transportation to Temporary Assistance to Needy Families clients and individuals transitioning from welfare to work. It serves about 3000 people each month, with 37,000 trips.¹⁶²

Hartford has a Good News Garage program, which accepts donated automobiles, refurbishes them, and then offers the cars (for the cost of repairs made to the donated

¹⁵⁴ "Special Operator's Permit to Drive to Work", Connecticut DMV, www.ct.gov/dmv/cwp/view.asp?a=813&Q=245246&dmvPNavCtr=|29000|&dmvPNavCtr=#29006

¹⁵⁵ Conn. Stat. Sec. 14-37a

¹⁵⁶ "Special Permit", DMV online.

¹⁵⁷ Conn. Stat. Sec. 14-37a

¹⁵⁸ Conversation with Marisol Rodriguez, Hartford Assistant State's Attorney's office, March 2, 2005.

¹⁵⁹ Email from Susan Simmat, Department of Social Services, April 25, 2005.

¹⁶⁰ Ray Grasso, March 2, 2005.

¹⁶¹ John Brennan and Edward W. Hill, "Where Are the Jobs?: Cities, Suburbs, and the Competition for Employment", The Brookings Institution, November 1999.

¹⁶² Email from Mario Marrero, Capitol Region Council of Governments, March 10, 2005.

vehicle) to low-income residents to help improve their employment outcomes. The Department of Social Services provides funding for Good News Garage and the program distributed 19 cars in 2004.¹⁶³

To qualify for a car from Good News Garage, an applicant must:

- be a recipient of TFA (temporary family assistance) at the time the application is filed;
- be employed or have a legitimate job offer;
- not own or have insured a vehicle at the time of application;
- not have feasible access to public transit (travel time using public transit must exceed one hour);
- have or expect to have sufficient income to pay for ongoing maintenance, repairs, insurance, and taxes on a vehicle;
- demonstrate the motivation and maturity necessary to own and operate a motor vehicle.

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¹⁶³ Simmat, April 25, 2005.

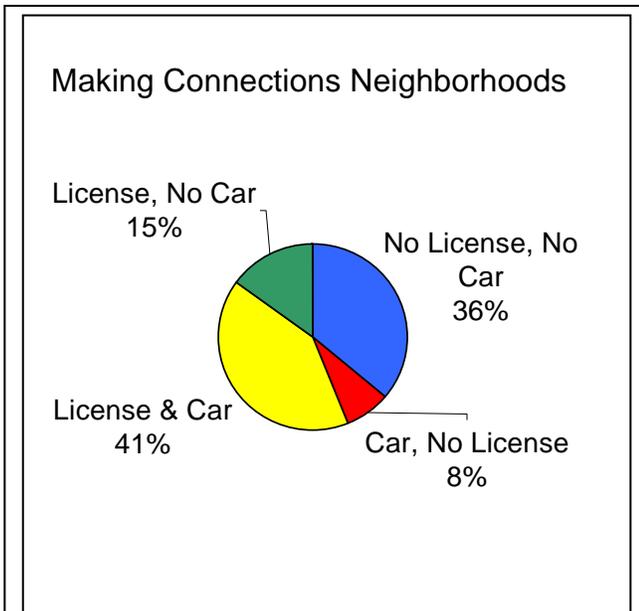
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Access to Private Transportation: *Hartford, Connecticut*

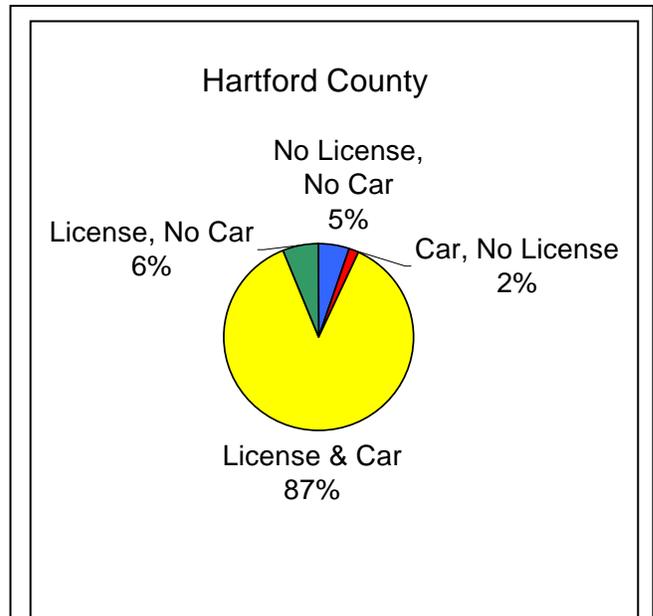
Fig. 1: In Hartford, do respondents have a license? A car?



Making Connections Neighborhoods

- 56% have a valid driver’s license.
- 49% have a reliable car.
- 41% of respondents have a valid driver’s license and a reliable car. 36% have neither.

Fig. 2: In Hartford County, do respondents have a license? A car?



Hartford County

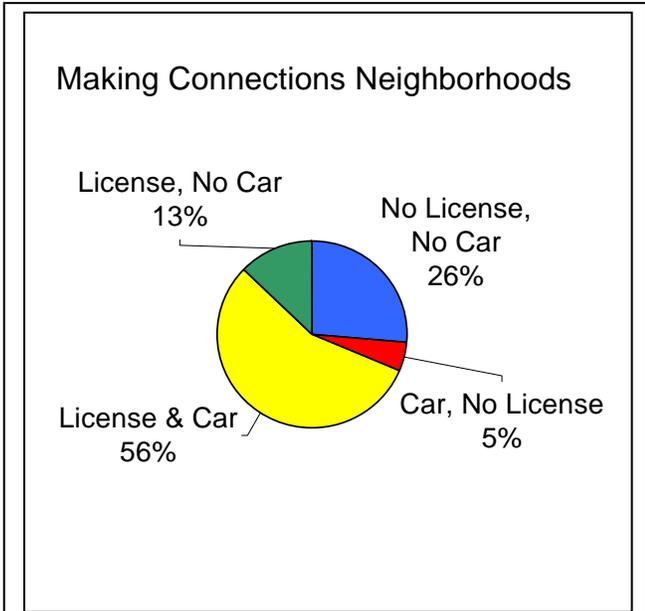
- 93% have a valid driver’s license.
- 89% have a reliable car.
- 87% of respondents have a valid driver’s license and a reliable car. 5% have neither.

Facts about Hartford

Unemployment

- 38% of Making Connections Neighborhood respondents are unemployed.
- 24% of Hartford County respondents are unemployed.

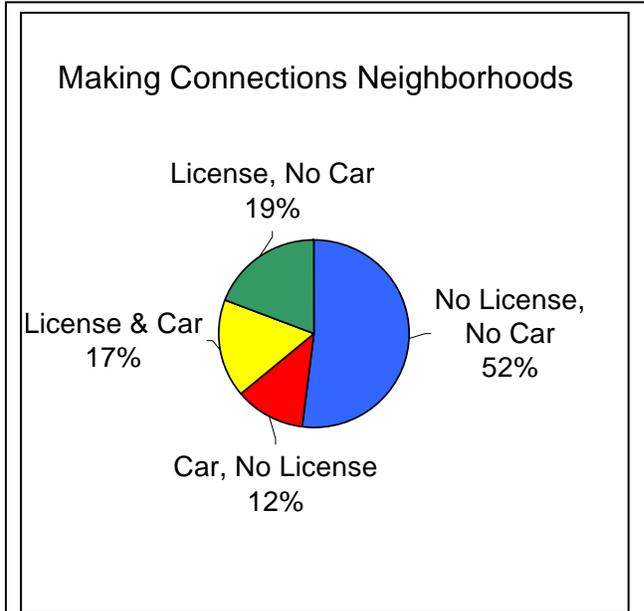
Fig. 3: In Hartford, do *employed* respondents have a license? A car?



Making Connections Neighborhoods

- 69% have a valid driver’s license.
- 61% have a reliable car.
- 56% have a valid driver’s license and a reliable car. 26% have neither.

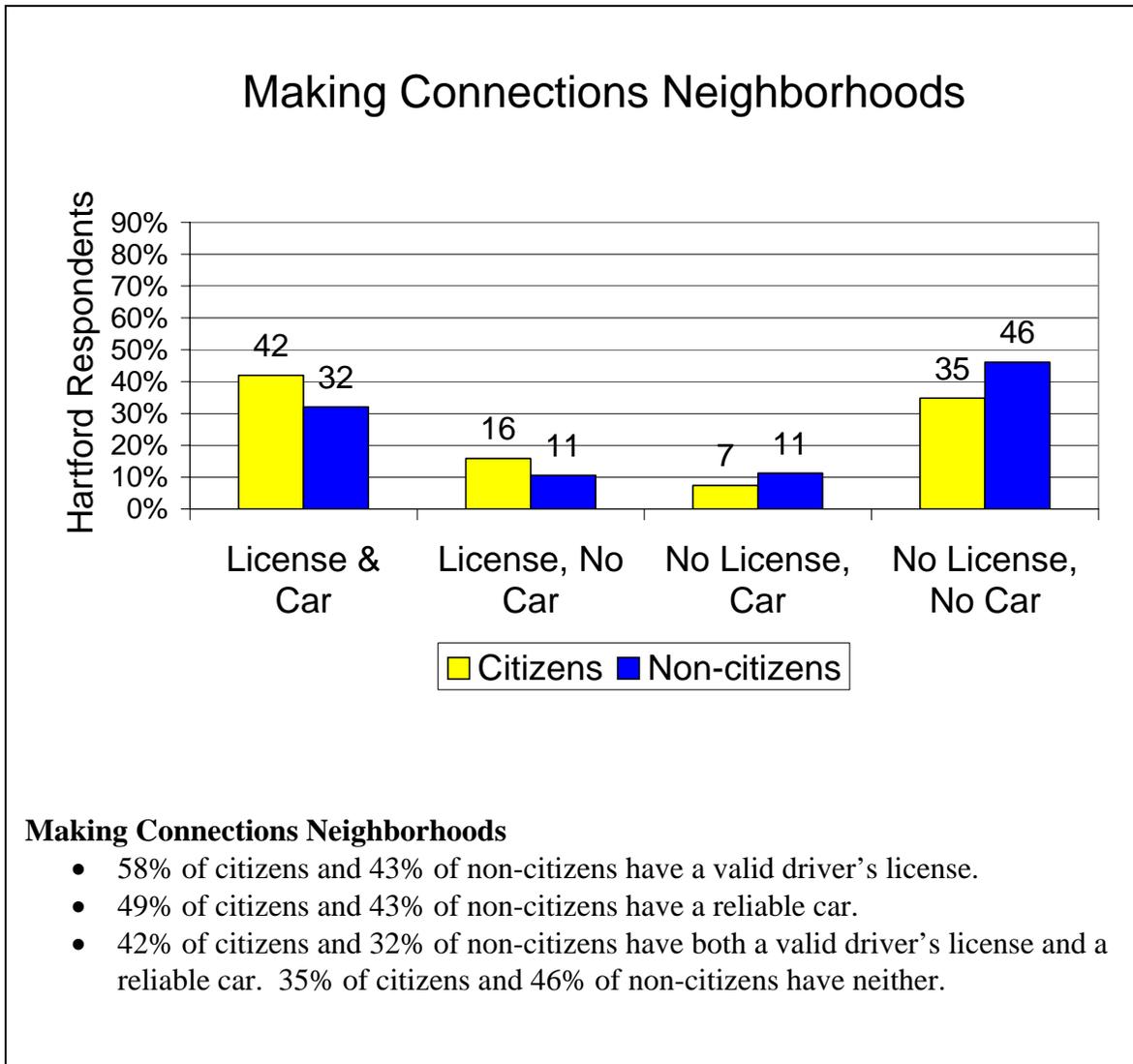
Fig. 4: In Hartford, do *unemployed* respondents have a license? A car?



Making Connections Neighborhoods

- 36% have a valid driver’s license.
- 29% have a reliable car.
- 17% have a valid driver’s license and a reliable car. 52% have neither.

Fig. 5: In Hartford, do respondents who are citizens and respondents who are non-citizens differ in access to a car? A license?



Source: Annie E. Casey Making Connections Cross-Site Survey of target neighborhoods and households living in surrounding counties. Statistics are based on tabulations of data prepared by the Urban Institute.

Fact Sheet: Designed and prepared by Brookings Institution Welfare Reform & Beyond, Visiting Fellow Margy Waller and Research Assistant Jennifer Doleac.

Data are drawn from responses to the following questions:

Reliable car

Does anyone in your household own a car, van or truck?

Is this vehicle dependable?

(Note: In this fact sheet, the “no car” group includes those who say their car is undependable.)

Valid driver’s license

Do you currently have a valid driver’s license?

Employment status

Is the respondent employed?

Citizenship

Are you a citizen of the United States?

INDIANAPOLIS

9/29/05

Indiana license suspension: the numbers.

In 2003, Indiana had 5,159,892 licensed drivers.¹⁶⁴ While officials at the Indiana Bureau of Motor Vehicles (BMV) were unable to provide information on the total number of license suspensions, they did provide some data on particular types of suspensions from 2003 and 2004. The working poor may be more likely to experience these suspensions for economic reasons, due to financial hardship and/or inflexible work schedules:

- failure to maintain insurance (67,831 suspensions in 2003);¹⁶⁵
- failure to appear on a ticket (56,819 in 2004);¹⁶⁶
- failure to pay a ticket (7,395 in 2004);¹⁶⁷
- failure to pay child support (28 suspensions in August 2004).¹⁶⁸

Overview of Indiana's license suspension policies and the legal framework for administering the policies.

The BMV is primarily responsible for suspension of drivers who have violated or otherwise failed to comply with Indiana Motor Vehicle laws. The BMV sends notices to drivers advising them of license status, reinstatement requirements, and term of suspension.¹⁶⁹ In addition, courts have some discretion to impose suspensions for moving violations.

Conditions that lead to drivers' license suspension.

In addition to suspension for typical moving violations, the BMV also suspends licenses under these circumstances that may disproportionately impact the working poor:

- failure to pay for traffic offenses after a judgment has been entered (when the judgment is over \$200);
- failure to meet automobile liability insurance requirements;
- failure to attend school; Indiana law requires school principals to notify BMV if a student under the age of 18 is under an expulsion or second suspension from school, has withdrawn from school (unless due to financial hardship), or is a habitual truant.
- writing a bad check to the BMV;

¹⁶⁴ Indiana BMV would not provide data on the total number of licensed drivers for 2004 despite repeated requests.

¹⁶⁵ Conversations with Adam Garrett, Bureau of Motor Vehicles, January 18, February 10, and February 18 2005.

¹⁶⁶ Ibid.

¹⁶⁷ Ibid.

¹⁶⁸ Conversation with Bill Steffen, Chief Legal Support Counsel, Indiana Child Support Bureau, October 18, 2004.

¹⁶⁹ www.in.gov/bmv/ticketsandsuspensions/driverimprove.html#4

- making graffiti, at the discretion of the court;
- failure to pay child support.¹⁷⁰

Process for license reinstatement.

The BMV notifies drivers of the process for license reinstatement by mail.¹⁷¹ According to Indiana Legal Services counsel, reinstatement can be a complicated process because BMV requirements are strict and often expensive, though the BMV will sometimes offer payment plans.¹⁷²

To obtain reinstatement for writing a bad check, the driver must pay the amount of the check, plus a \$20 administrative fee, and a 5 percent check deception charge. For drivers who didn't pay the initial ticket for economic reasons, these additional costs may be prohibitive. For failure to pay a traffic fine, the license suspension is indefinite and ends only when the person appears or pays the fine, and provides proof of disposition to BMV.¹⁷³

A license suspended for delinquent child support payments will be reinstated once the child support bureau notifies the BMV that the driver has paid the arrearage in full or established a payment plan.¹⁷⁴

Availability of work restricted or conditional licenses.

Indiana has a restricted driver's license available for "hardship". To obtain a restricted license, the driver must petition the circuit court in the county of residence, and show that suspension would be an undue hardship and burden upon the individual's family or dependents because of the impact it would have on the driver's employment. The driver may petition for a restricted license for driving to and from work and in the course of employment,¹⁷⁵

When applying for a hardship license, a petitioner must provide:

- the reason and nature of the hardship or burden upon family or dependents;
- the nature and necessity of the use of a motor vehicle in petitioner's employment;
- and, after June 30, 2005, a certified copy of the petitioner's driving record in Indiana and other states in which the petitioner has held driving privileges, including all states in which the petitioner has held a commercial driver's license.¹⁷⁶

Court costs for the action on the petition are charged against the petitioner. However, even if the court does approve the restricted license, it will not take effect until driving privileges have been suspended for at least 30 days.¹⁷⁷ This is a complicated process requiring additional documentation and added fees (although the inability to pay the

¹⁷⁰ "Indiana Drivers License Manual", www.in.gov/bmv/driverlicense/manual

¹⁷¹ www.in.gov/bmv/ticketsandsuspensions/driverimprove.html#4

¹⁷² Auger, February 1, 2005.

¹⁷³ "Indiana Drivers License Manual".

¹⁷⁴ IC 9-25-6-20

¹⁷⁵ IC 9-24-15

¹⁷⁶ IC 9-24-15-4

¹⁷⁷ Ibid.

original fees may be what caused the suspension). However, according to Legal Services staff, courts are inclined to and generally will approve these applications.¹⁷⁸ Still, this option is not available to drivers who do not have insurance following an accident, fail to satisfy a judgment of damages arising out of a car accident, or have injured or killed someone while operating a vehicle.¹⁷⁹

A restricted driving permit is available to suspended drivers for nonpayment of child support. The petitioner must prove to the court that public transportation is unavailable for travel by petitioner:

- to and from employment;
- in the course of regular employment;
- to and from their place of worship; or
- to participate in visitation with the petitioner's children.¹⁸⁰

Programs or policies to address the impact of economic-based license suspension.

The Indianapolis United Way staff describes reports that funded agencies have identified license suspension among ex-offenders as a community issue.¹⁸¹ Staff at one of the United Way agencies, Fathers and Families Resource Center, says that one-third of the agency's recent intake applicants had a suspended license.¹⁸² This program assists young fathers with employment, transportation, and child care. The staff routinely asks potential participants if they have valid driver's licenses and find the number of suspensions alarming. They will often secure Private Industry Council "barrier busting" vouchers (see below) to help fathers with license reinstatement costs.

Indiana Legal Services (ILS) attorneys in Indianapolis see about six drivers a month whose licenses have been suspended, mostly African American and Hispanic clients. Most of the suspensions are for failure to pay fines, traffic tickets, and lack of insurance.¹⁸³ ILS also distributes a brochure on how to obtain a hardship license. While it provides useful information on eligibility for the special license, the brochure's advice to drivers whose license has been suspended for failure to pay a traffic ticket is not encouraging: "You don't need a hardship license. Pay the ticket..." Drivers whose nonpayment was for economic reasons may not be able to follow this advice.¹⁸⁴ ILS attorneys were not aware of any other organizations working on this issue.

The Neighborhood Christian Legal Clinic takes driver's license suspension cases. In one week in February 2005, over a third of its new applicants were seeking assistance in obtaining a hardship license, or negotiating a child support or judgment payment plan to

¹⁷⁸ Kuzma, February 25, 2005.

¹⁷⁹ IC 9-24-15

¹⁸⁰ IC 9-25-6-19

¹⁸¹ Conversation with Kristin LaEace, United Way, February 16, 2005.

¹⁸² Email from Bob Ripperger, Fathers and Families Resource, February 22, 2005.

¹⁸³ Conversation with Ruben Auger at Indiana Legal Services, February 1, 2005.

¹⁸⁴ www.indianajustice.org/Data/DocumentLibrary/Documents/1069171503.92/view_article_publicweb?topic_id=1930000

reinstate a license. In 2004, over five percent of new cases were traffic-related (44 out of 891), and the majority of these cases were regarding license suspension.¹⁸⁵

The executive director of the Clinic, Abby Kuzma, describes license suspension as a significant barrier to employment for low-income people, particularly minorities, and notes that public transportation in Indianapolis is very limited. Over 40 percent of the clinic's clients are Hispanic. The clinic serves clients applying for hardship licenses, and helps them negotiate payment plans. The clinic staff finds most people are not aware that either option is available to them, do not have the skills or resources to navigate the process, and, particularly with child support cases, need an attorney for the required court appearance. Kuzma believes that prosecutors, the courts, and local agencies need to work together to create a solution to this issue that doesn't involve prosecution. She thinks attorneys and courts would be amenable to such a solution.¹⁸⁶

The Coalition for Homelessness Intervention and Prevention (CHIP) is concerned about this issue, although the organization staff is not actively working on it at this time. They find that providers they work with have identified it as a concern, especially because a license is often required to receive social service benefits. CHIP would like to assist in developing a community-based solution for this problem.¹⁸⁷

The Indianapolis Private Industry Council (IPIC), through a grant from the Lilly Foundation, provides "barrier busting" vouchers to youths between the ages of 18 and 25 to help them overcome barriers to employment. Clients may use these vouchers to pay fines that have resulted in driver's license suspension. The grantee is required to visit the BMV and obtain an itemized list of all outstanding debts owed, including reinstatement fees. IPIC then writes a check in that amount to the BMV on behalf of the grantee. Approximately 20 clients used the grant to address this barrier in 2004. Clients can also use the vouchers for public transportation costs.¹⁸⁸

Current state of transportation options from low-income neighborhoods to areas rich in appropriate jobs. General information on transportation as a barrier to employment.

Family Service of Central Indiana, a nonprofit, offers "Ways to Work family loans" which are small, low-interest loans to help qualified parents who cannot get loans elsewhere. Part of the national "Ways to Work" initiative, the loans are for purchases that help parents keep a job or stay in school, such as a used car or car repairs. Up to \$750 can be used for car repairs and up to \$3,500 can be loaned to purchase a car, with a limit of one car per family. However, the applicant must show that she has been in the same

¹⁸⁵ Conversation with Abby Kuzma, Neighborhood Christian Legal Clinic, February 25, 2005.

¹⁸⁶ Kuzma, February 25, 2005.

¹⁸⁷ Conversation with Angela Hoover, Coalition for Homelessness Intervention and Prevention, February 25, 2005.

¹⁸⁸ Conversation with Matthew Rager, Consultant, Indianapolis Private Industry Council, October 8, 2004.

job for at least nine months or is actively enrolled in secondary education.¹⁸⁹ Clients apply approximately 80 percent of all loans to car purchases or repairs.¹⁹⁰

According to Legal Services, a car is essential in Indianapolis, even for people living in center city where bus service is available, because most new jobs are in the suburbs. Public transportation is only available on a very limited basis outside the center city.¹⁹¹ The United Way staff states that the local investment in public transit is not equal to other cities of the same size, the service is infrequent, and coverage is insufficient.^{192, 193} For example, Columbus, Ohio provides a local contribution to transit that is greater than the entire budget of the Indianapolis Public Transportation Corp. (IndyGo).¹⁹⁴

In 2004, Central Indiana Jobs for Justice coordinated a campaign to prevent cuts in bus service. In January of 2004, IndyGo announced a \$4 million budget deficit. Management proposed elimination of several bus routes serving 2,500 citizens. IndyGo research reveals that the average IndyGo rider is a female African American age 35-49 with an average annual household income of \$10,000 to \$20,000. Seventy-five percent of IndyGo riders do not own a vehicle.¹⁹⁵ Jobs for Justice organized many community meetings throughout the city and asked members to call the Mayor's office about the proposal. Eventually Mayor Bart Peterson announced a one-time loan of \$2 million to IndyGo, reducing the impact of the cuts to a loss of service for 500 citizens.¹⁹⁶

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¹⁸⁹ www.family-service-inc.org/Services/familyEmpowerment.asp

¹⁹⁰ Conversation with Emma Sullivan, Family Service, April 22, 2005.

¹⁹¹ Auger, February 1, 2005.

¹⁹² LaEace, February 16, 2005.

¹⁹³ According to a report by The Indianapolis Task Force on public transportation, routes only run every 30 minutes at peak hours and do not operate outside Marion County, where many of the jobs are located.

¹⁹⁴ "Rebuilding Public Transportation in Indianapolis", The Indianapolis Transit Task Force Final Report, August 2004.

¹⁹⁵ www.jwj.org/updates/2004/05-04.htm#bus

¹⁹⁶ Ibid.

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Access to Private Transportation: *Indianapolis, Indiana*

Fig. 1: In Indianapolis, do respondents have a license? A car?

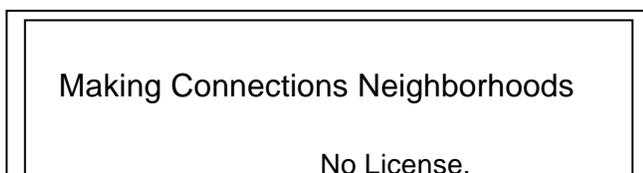
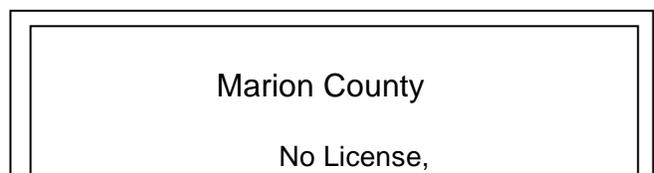


Fig. 2: In Marion County, do respondents have a license? A car?

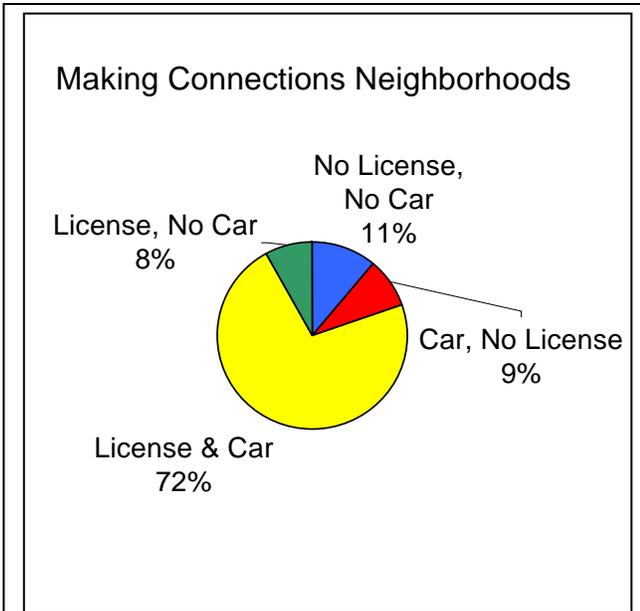


Facts about Indianapolis

Unemployment

- 37% of Making Connections Neighborhood respondents are unemployed.
- 24% of Marion County respondents are unemployed.

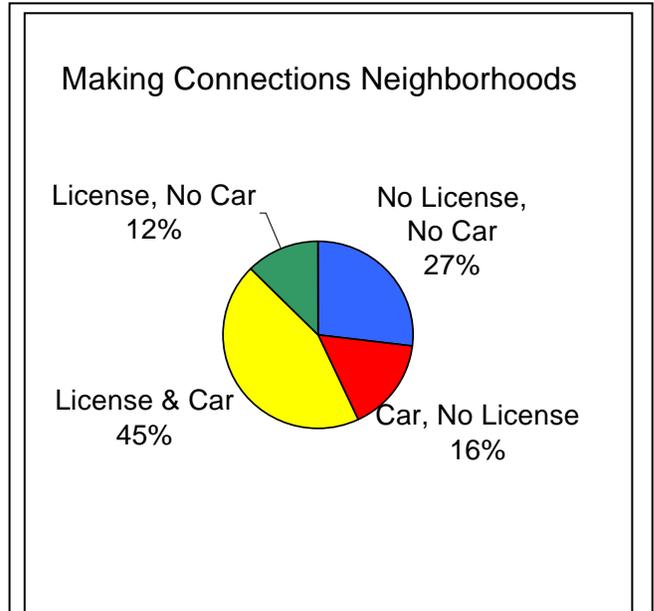
Fig. 3: In Indianapolis, do *employed* respondents have a license? A car?



Making Connections Neighborhoods

- 80% have a valid driver’s license.
- 81% have a reliable car.
- 72% have a valid driver’s license and a reliable car. 11% have neither.

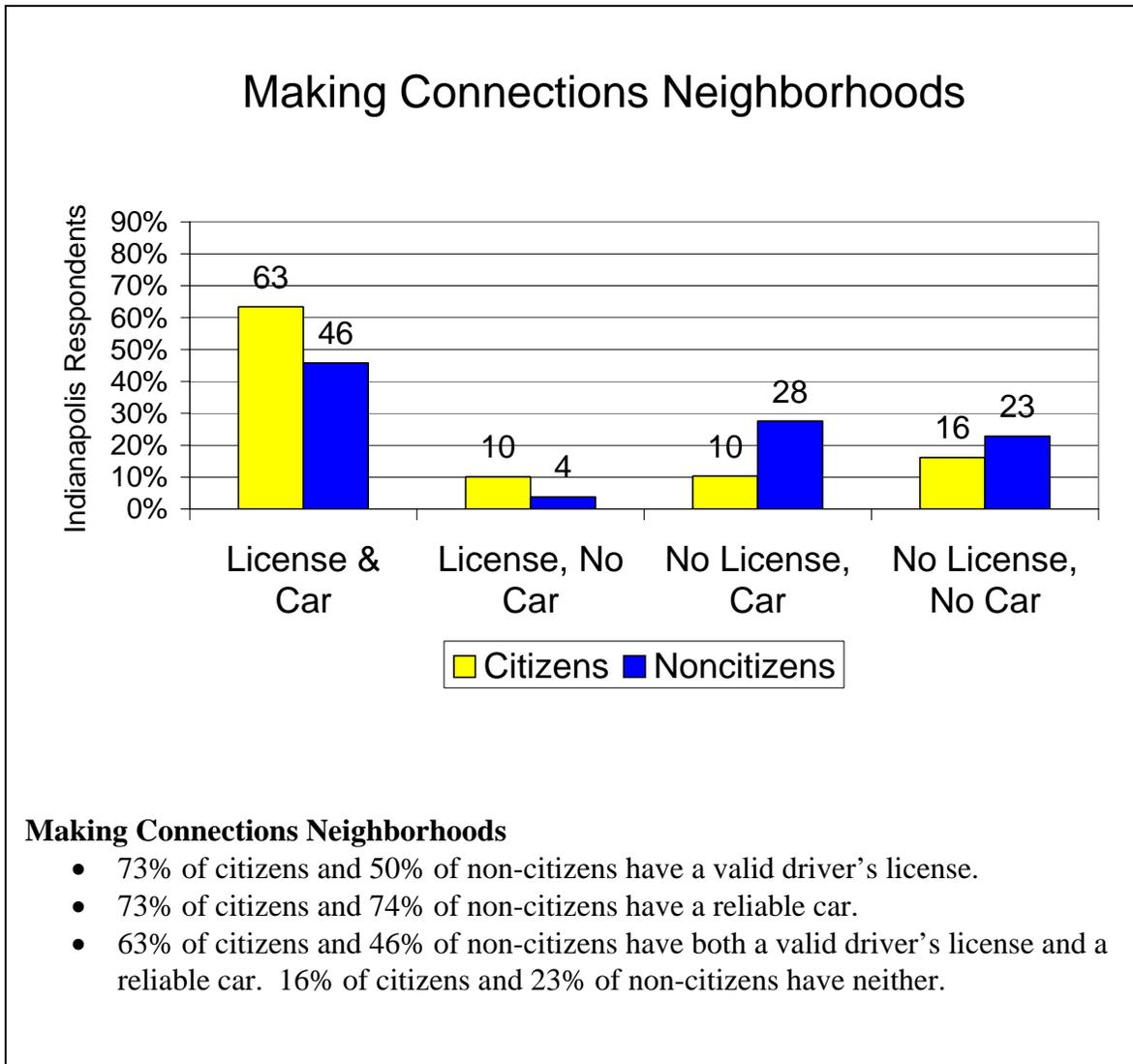
Fig. 4: In Indianapolis, do *unemployed* respondents have a license? A car?



Making Connections Neighborhoods

- 57% have a valid driver’s license.
- 61% have a reliable car.
- 45% have a valid driver’s license and a reliable car. 27% have neither.

Fig. 5: In Indianapolis, do respondents who are citizens and respondents who are non-citizens differ in access to a car? A license?



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Does anyone in your household own a car, van or truck?

Is this vehicle dependable?

(Note: In this fact sheet, the “no car” group includes those who say their car is undependable.)

Valid driver’s license

Do you currently have a valid driver’s license?

Employment status

Is the respondent employed?

Citizenship

Are you a citizen of the United States?

Louisville
9/29/05

Kentucky license suspension: the numbers.

Of the 2,839,632 licensed drivers in Kentucky in 2004, there were 150,308 driver's license suspensions and revocations. The working poor may be more likely to experience these suspensions for economic reasons, due to financial hardship and/or inflexible work schedules:

- failure to satisfy a citation or court summons (44,210 suspensions);
- driving with a suspended license (15,215 suspensions);
- failure to maintain liability insurance (4,262 suspensions);
- failure to satisfy a judgment (1,368 suspensions);
- failure to pay child support (165 suspensions).¹⁹⁷

Overview of Kentucky's license suspension policies and the legal framework for administering the policies.

The Kentucky Transportation Cabinet has authority to suspend driver's licenses but may designate that authority to an agent. The courts have broad authority to suspend licenses for specific violations, like driving while under the influence.

Conditions that lead to driver's license suspension.

In addition to suspension for typical moving violations, Kentucky also suspends licenses under these circumstances that may disproportionately impact the working poor:

- failure to satisfy a citation or court summons;¹⁹⁸
- failure to maintain liability insurance;¹⁹⁹
- failure to satisfy a judgment for damages resulting from a motor vehicle accident;²⁰⁰
- failure to pay child support.²⁰¹
- driving with a suspended license.²⁰²

The Transportation Cabinet will suspend indefinitely the license of an obligor with arrearages of six months or more in child support.²⁰³

Process for license reinstatement.

The Division of Driver Licensing (DL), part of the Transportation Cabinet, will reinstate a license once the court sends proof that the driver has paid the citation or otherwise complied with court requirements. The court clerks can update the driver's record online, at which point DL will immediately reinstate the license. However, if DL has suspended

¹⁹⁷ Email from Sonia Sanders, Division of Driver Licensing, June 3, 2005.

¹⁹⁸ "Kentucky Driver's Manual", www.kentuckystatepolice.ky.gov/data.htm, p. 69

¹⁹⁹ Ibid.

²⁰⁰ Ibid., p.70.

²⁰¹ Kentucky Revised Statutes 186.570 (2)

²⁰² Sanders, June 3, 2005.

²⁰³ Email from Glenda Martin, Division of Child Support, April 20, 2005.

the license for over a year for any reason, the driver must re-take the written exam before reinstatement. DL charges a \$40 fee for reinstatement.²⁰⁴

Once an obligor has paid child support arrearages in full or made payments in compliance with a court order, the Transportation Cabinet will reinstate the license.²⁰⁵ A judge cannot direct DL to reinstate a license suspended for nonpayment of child support; only the Cabinet for Health and Family Services may do so.²⁰⁶

The Transportation Cabinet will reinstate a minor's suspended license once the court is satisfied that the license is needed to meet family obligations or family economic considerations which would otherwise create an undue hardship; the minor is the only licensed driver in the household; or the minor is no longer considered a dropout or academically deficient. Minors do not have to pay any reinstatement fee.²⁰⁷

Availability of work restricted or conditional licenses.

Hardship licenses are available only for suspensions due to driving while under the influence.²⁰⁸

Programs or policies to address the impact of economic-based license suspension.

Visions of Hope, a nonprofit that addresses employment and housing issues for ex-offenders, also provides assistance with license suspension and reinstatement issues. The staff finds that many ex-offenders are released from prison without a driver's license. Some have simply failed to renew an expiring license while they were in prison, and others may have lost the license because they did not pay a fine. Robert Glenn, the executive director, indicated that many ex-offenders require assistance navigating the system to obtain a new license or reinstate an existing one.²⁰⁹

The Louisville Urban League's workforce development program staff sees many clients with suspended and revoked licenses. Staff indicated that they will help these clients identify alternative transportation and may even assist with securing donated or subsidized bus passes. While the Urban League is unable to provide assistance with license reinstatement fees and paying fines, staff directs clients to the appropriate city department for resolution of suspension issues. The Urban League would be interested in providing help with fees and fines if they had the funding to do so.²¹⁰

Current state of transportation options for residents of low-income neighborhoods.

General information on transportation as a barrier to employment.

A 2002 study of transit in the Louisville area compared 10 similarly sized markets nationwide and determined that the Transit Authority of River City (TARC) system, while seventh in service area population, is fourth in total funding and first in local

²⁰⁴ Conversation with Jana Sanchez, Division of Driver Licensing, April 18, 2005.

²⁰⁵ Ibid.

²⁰⁶ Sanchez, April 18, 2005.

²⁰⁷ KRS 159.051 (3)

²⁰⁸ Sanchez, April 18, 2005.

²⁰⁹ Conversation with Robert Glenn, Visions of Hope, April 26, 2005.

²¹⁰ Conversation with Juanita Sands, Louisville Urban League, May 26, 2005.

government funding. Despite these relatively strong ratings, the study also found that in the 2000 census a very small percentage (2-3 percent) of workers use public transportation to commute to work.²¹¹ Job growth in Louisville suburbs is fast outpacing that in the city by over 10 percentage points.²¹² Staff at the Urban League state that new jobs in the service industry are available outside of the urban core and less accessible by public transportation, particularly for nontraditional work shifts.²¹³

According to the Community Resource Network, a consortium of nonprofit organizations and government agencies that collects community data, while only about three percent of workers in metro Louisville use public transportation to get to work, 15 to 32 percent of residents use public transportation in four Making Connections (MC) neighborhoods in the city: California, Phoenix Hill, Smoketown, and Shelby Park.²¹⁴ These are the most economically disadvantaged neighborhoods in the Louisville Metropolitan Area. A 2003 survey that compared transportation to work in MC neighborhoods with that in the Louisville metro area found:

- 95 percent of homeowners in Louisville have access to a car, compared to 75 percent of MC homeowners;
- approximately 40 percent of renters in MC neighborhoods have a vehicle available to them, compared to over three-quarters of Louisville renters;
- almost 20 percent of MC workers over the age of 16 use public transportation to get to work, while less than five percent of Louisville workers use public transit and over 90 percent use a private car.²¹⁵

KEYS Ministry, sponsored primarily by the Southeast Christian Church gives donated vehicles to low-income and otherwise needy people, giving priority to single mothers. A volunteer member of the church manages the program, but the recipient does not have to be a church member.²¹⁶

The Center for Women and Families, which offers an Individual Development Account (IDA) program, holds a workshop on how to buy a used car and a course on car repair and maintenance. Participants may not use IDAs for car purchases. At one time, the Center provided emergency grants for car repairs, but no longer has the funds to do so.²¹⁷

TARC provides a few programs to connect workers to jobs. The Job Hunter Bus will bring groups of 20 potential employees to job fairs throughout the city, at no cost to the

²¹¹ Paul Coomes, "Transit in the Louisville Area", University of Louisville, June 12, 2002.
<http://monitor.cbpa.louisville.edu/transportation/transport.htm>

²¹² John Brennan and Edward W. Hill, "Where are the Jobs?: Cities, Suburbs, and the Competition for Employment", *The Brookings Institution*, November 1999.

²¹³ Sands, May 26, 2005.

²¹⁴ www.crndata.org/datalibrary. The CRN is a consortium of non-profit organizations, individuals, and government agencies that share a belief that both access to information and the tools to use and understand it are fundamental components of a community improvement agenda.

²¹⁵ Ibid.

²¹⁶ www.carsministry.com

²¹⁷ Conversation with Amber Reed, Center for Women and Families, May 4, 2005.

riders.²¹⁸ TARC also offers door-to-door, on-demand service between 11pm and 5 am, seven days a week, for workers commuting between home and office. Riders must pre-arrange the trips and pay a \$2 fee each way.²¹⁹

The Kentuckiana Regional Planning and Development Agency (KIPDA) and TARC together designed a new bus route and developed a coalition of community-based organizations serving Louisville that provided clients for the new route. With funding from a federal demonstration project, JOBLINKS, KIPDA, and TARC designed this service, with the goal of increasing the number of inner-city residents hired at an industrial park by 25 percent. JOBLINKS established an express bus from the inner city to the Bluegrass Industrial Park, reducing a 2-hour commute for inner-city residents to 45 minutes. Although an April 1997 evaluation did not indicate whether the project had met the hiring goal, the evaluator found that 10 percent of businesses in the industrial park hired inner-city employees who used the express service.²²⁰ Express service from downtown to the Bluegrass Industrial Park is now a regular weekday route.²²¹

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²¹⁸ www.ridetarc.org/jobhunterbus.asp

²¹⁹ www.ridetarc.org/gettingtowork.asp

²²⁰

²²¹ Email from Anneta Arno, Community Resource Network, May 26, 2005.

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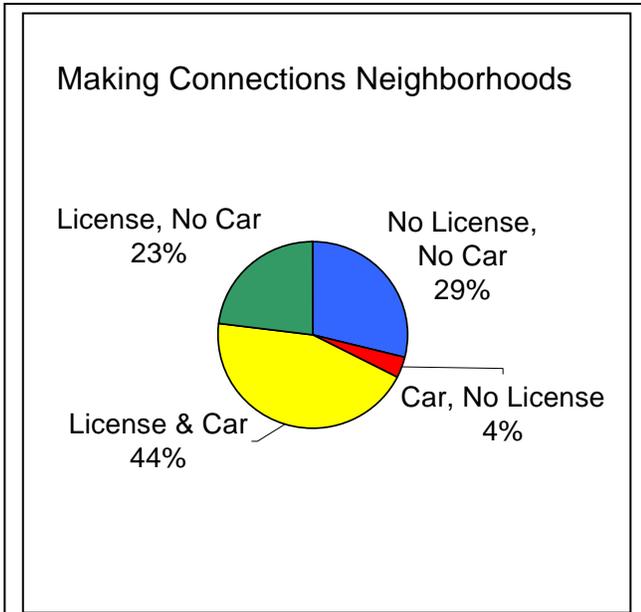
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Access to Private Transportation: *Louisville, Kentucky*

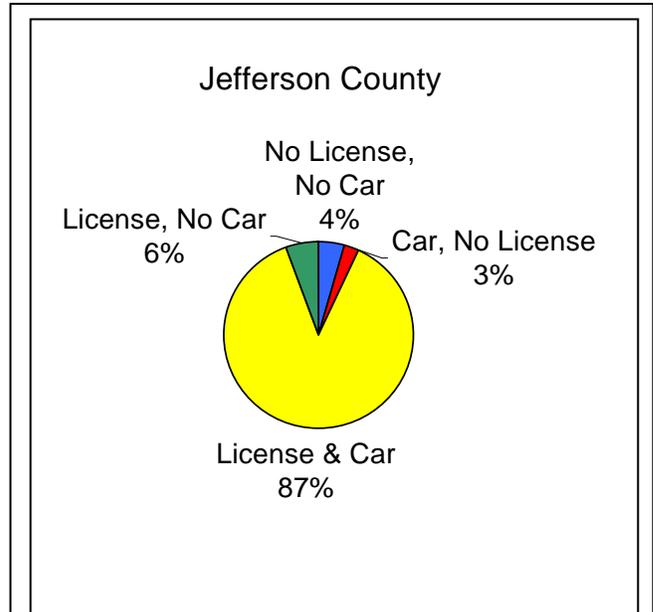
Fig. 1: In Louisville, do respondents have a license? A car?



Making Connections Neighborhoods

- 67% have a valid driver’s license.
- 48% have a reliable car.
- 44% of respondents have a valid driver’s license and a reliable car. 29% have neither.

Fig. 2: In Jefferson County, do respondents have a license? A car?



Jefferson County

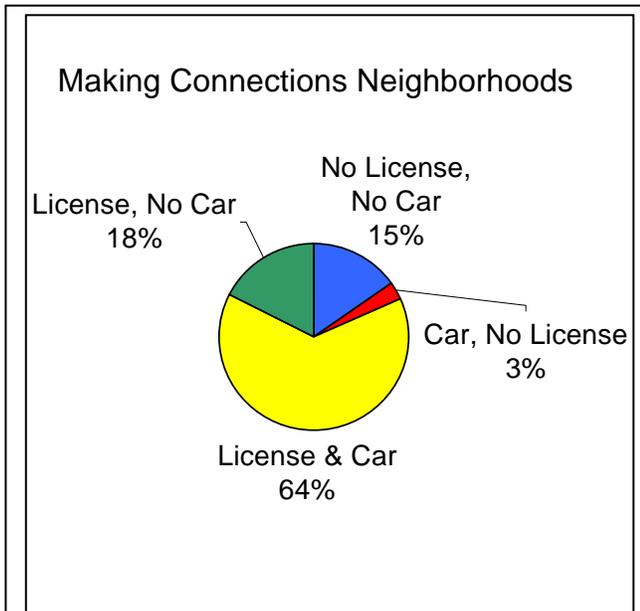
- 93% have a valid driver’s license.
- 90% have a reliable car.
- 87% of respondents have a valid driver’s license and a reliable car. 4% have neither.

Facts about Louisville

Unemployment

- 51% of Making Connections Neighborhood respondents are unemployed.
- 30% of Jefferson County respondents are unemployed.

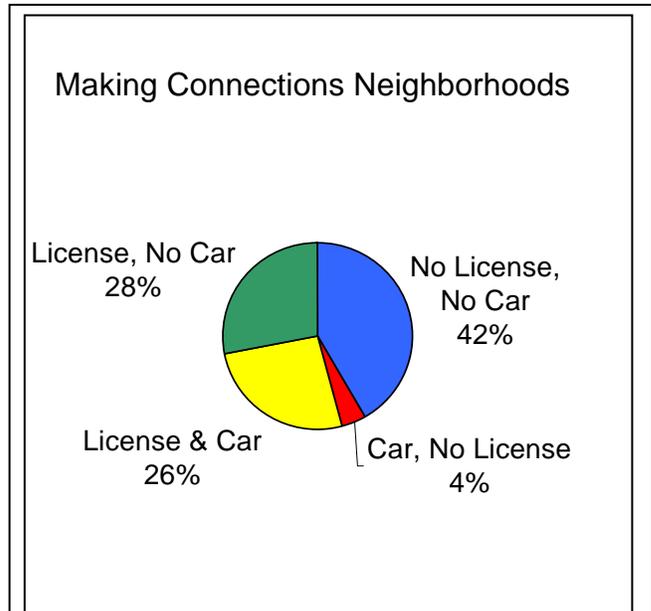
Fig. 3: In Louisville, do *employed* respondents have a license? A car?



Making Connections Neighborhoods

- 82% have a valid driver’s license.
- 67% have a reliable car.
- 64% have a valid driver’s license and a reliable car. 15% have neither.

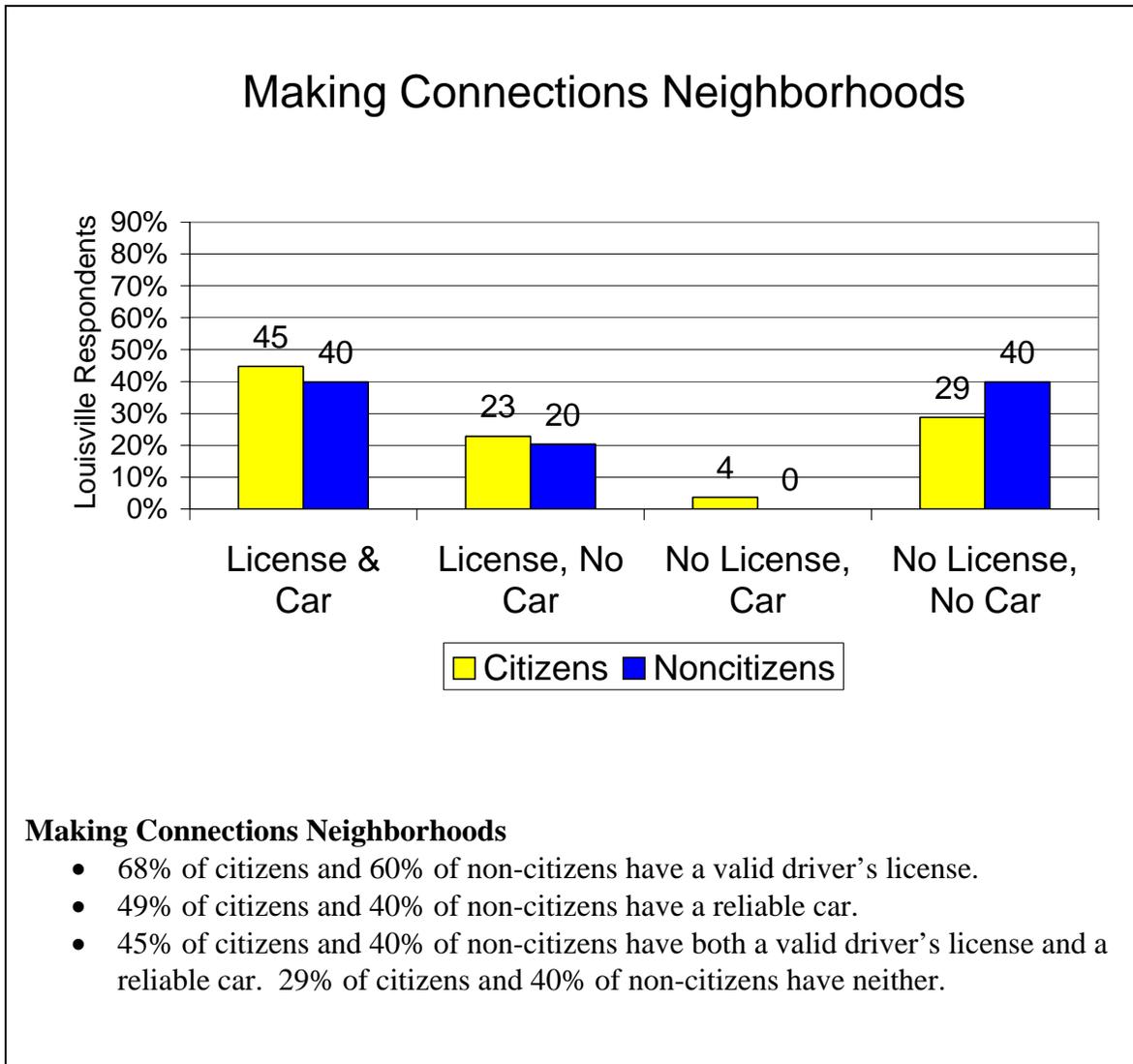
Fig. 4: In Louisville, do *unemployed* respondents have a license? A car?



Making Connections Neighborhoods

- 54% have a valid driver’s license.
- 30% have a reliable car.
- 26% have a valid driver’s license and a reliable car. 42% have neither.

Fig. 5: In Louisville, do respondents who are citizens and respondents who are non-citizens differ in access to a car? A license?



Source: Annie E. Casey Making Connections Cross-Site Survey of target neighborhoods and households living in surrounding counties. Statistics are based on tabulations of data prepared by the Urban Institute.

Fact Sheet: Designed and prepared by Brookings Institution Welfare Reform & Beyond, Visiting Fellow Margy Waller and Research Assistant Jennifer Doleac.

Data are drawn from responses to the following questions:

Reliable car

Does anyone in your household own a car, van or truck?

Is this vehicle dependable?

(Note: In this fact sheet, the “no car” group includes those who say their car is undependable.)

Valid driver’s license

Do you currently have a valid driver’s license?

Employment status

Is the respondent employed?

Citizenship

Are you a citizen of the United States?

MILWAUKEE

9/29/05

Wisconsin and Milwaukee license suspension: the numbers.

Of the 3.8 million licensed drivers in Wisconsin at the end of 2002,²²² there were 411,617 license suspensions.²²³ The working poor may be more likely to experience these suspensions for economic reasons, due to financial hardship and/or inflexible work schedules:

- failure to pay traffic citation/fine²²⁴ (187,805 suspensions; the most common cause of license suspension);
- failure to pay traffic citation—juvenile (24,901 suspensions);
- driving with a suspended license (15,681 suspensions);
- failure to pay non-traffic fine (1328 suspensions);
- truancy (1179 suspensions);
- failure to pay child support (1130 suspensions).²²⁵

The Employment and Training Institute at the University of Wisconsin-Milwaukee has analyzed state data on driver's license suspensions and has been producing reports on this issue for several years. According to a recent study on indicators of employment and economic well-being in central Milwaukee, failure to pay traffic tickets is the most common reason for driver's license suspension.²²⁶ This isn't new: In 2002, suspension orders issued for failure to pay tickets totaled 51,135--more than in any other year during the 1992-2002 study period. The zip code area studied also showed "four times as many central city residents losing their licenses over fines than for traffic violations, driving while intoxicated, and drug convictions combined."²²⁷ The study authors recommend that "further initiatives are needed to restore valid driver's licenses to city residents and to enforce municipal fine collections through means that do not restrict workers' access to jobs. The lack of a valid driver's license continues to prevent many central city workers from accessing available jobs in the suburban and exurban areas and draws residents (and particularly African American males) into the court system."²²⁸

The Institute has also found that only one in three African American males between the ages of 18 and 35 has a valid license.²²⁹ Then-state senator Gwendolynne Moore successfully advocated for passage of a 1999 law that prevented judges from suspending

²²² *Transportation at a Glance*, Wisconsin DOT, November 10, 2003.

www.dot.wisconsin.gov/about/glance.htm

²²³ *Revocations or Suspensions by Reason of Conviction* January – October 2004. Wisconsin DOT.

www.dot.wisconsin.gov/drivers/drivers/revoke/revsus.htm

²²⁴ The legal term in Wisconsin is failure to pay forfeiture.

²²⁵ *Revocations or Suspensions by Reason of Conviction*

²²⁶ John Pawasarat and Lois M. Quinn, *Employment and Economic Well-Being of Families*, Employment and Training Institute, University of Wisconsin-Milwaukee, 2004.

www.uwm.edu/Dept/ETI/pages/indxx.htm

²²⁷ Lois Quinn and John Pawasarat, *2004 Milwaukee Neighborhood Indicators: Recommendations*, Employment and Training Institute, University of Wisconsin-Milwaukee.

²²⁸ *Ibid.* www.uwm.edu/DEPT/ETI/Indicators2004/indyrecs.htm

²²⁹ Conversation with John Pawasarat, Director, Employment and Training Institute, January 20, 2005.

licenses of juveniles solely for the failure to pay fines or citations related to non-driving municipal violations (such as for curfew violations, underage drinking, or jaywalking). After significant backlash from judges, the legislature rescinded the law.²³⁰

Another Institute report from 2000 found that teenagers in Milwaukee County and central city Milwaukee entering the labor market without a driver's license or access to a car were at a significant disadvantage.²³¹ Many of the job openings are in counties not accessible by bus or public transportation, yet in Milwaukee County the Department of Motor Vehicles (DMV) suspended the licenses of nearly 10,000 youth, with close to 70 percent of suspensions issued to teens from central city neighborhoods.²³² Because the state can place holds on driver's license applications as well, 93 percent of suspensions were for teens without a driver's license.²³³ In fact, more Milwaukee teens had a suspension than a valid driver's license.²³⁴

Overview of Wisconsin's license suspension policies and the legal framework for administering the policies.

Courts or the state Department of Transportation (DOT) can order suspensions for single offenses, depending on the type of violation. The DMV takes action when the suspension is the result of multiple offenses. In all cases, the DMV issues the suspension order.

Conditions that lead to driver's license suspension.

In addition to suspension for typical moving violations, the DMV also suspends licenses under these circumstances that may disproportionately impact the working poor:

- juvenile delinquency, habitual truancy, or dropping out of school;
- failure to pay judgment;²³⁵
- failure to pay traffic citation;²³⁶
- failure to pay child or family support;²³⁷
- driving with a suspended license.²³⁸

Process for license reinstatement.

Once a suspension period ends, a driver can mail a \$50 check or money order to the state DOT to reinstate his or her license. The driver may also need to present proof of insurance. The license becomes valid when the DOT receives the payment. Drivers are encouraged to contact the DMV to confirm that the suspension has been lifted.

²³⁰ Pawasarat, January 20, 2005.

²³¹ John Pawasarat, *Removing Transportation Barriers to Employment: The Impact of Driver's License Suspension Policies on Milwaukee County Teens*, Employment and Training Institute, University of Wisconsin-Milwaukee, February 2000. www.uwm.edu/Dept/ETI/barriers/teensdot.htm

²³² Ibid.

²³³ Ibid.

²³⁴ Ibid.

²³⁵ *Driver License Withdrawals*, Wisconsin DOT, Division of Motor Vehicles, Bureau of Driver Services, p.5. www.dot.wisconsin.gov/drivers/drivers/enforce/withdrawals.htm Suspension for failure to pay judgment occurs only in cases of a motor vehicle violation.

²³⁶ Ibid., p. 4.

²³⁷ Ibid.

²³⁸ *Driver License Withdrawals*, p.8.

Statewide, only about 40 percent of the people whose licenses are suspended for failure to pay citations reinstate their licenses within four years.²³⁹ In the study of Milwaukee teens, a review of those whose licenses were suspended when they were 16 or 17 found that two years later only 8 percent of the teens had a valid driver's license.²⁴⁰ Many of these teens drove anyway, resulting in additional suspensions or revocations.²⁴¹

Availability of work restricted or conditional licenses.

The state issues occupational licenses that permit the driver to go to and from work, church, or other places indicated on the license, during specific times of the day. Drivers may not use the license for recreational purposes and are limited to 12 hours of driving per day, up to 60 total hours per month.²⁴² Occupational licenses are available immediately for licenses suspended for failure to pay child support and after 15 days for operating with a suspended license. Licenses suspended for failure to pay a traffic fine or failure to pay a judgment and restitution are not eligible for an occupational license.²⁴³ It seems to be incumbent on drivers to contact the Driver Information Section to determine if they are eligible for an occupational license. They must complete an application form at the local DMV service center. It takes approximately two hours to process an application and costs \$40. Service centers process most applications immediately and some drivers receive the license on the day they apply.²⁴⁴

Programs or policies to address the impact of economic-based license suspension.

In February 2004 the Milwaukee Municipal Court—in partnership with Making Connections Milwaukee, which provided outreach; the Wisconsin DOT; and other community-based agencies—sponsored a pilot license recovery project for drivers with suspensions for failure to pay fines. The program specifically targeted the working poor, acknowledging the importance of a driver's license for getting to jobs not accessible by public transit or keeping a job that requires a license.

Under the rules of the program, participants had their suspensions lifted for 120 days, during which they were to clear any problems with their license not related to the fine (such as securing insurance). Once these other issues were resolved, the DOT would temporarily reinstate the license. At the end of the 120-day grace period, a judge would permanently stay half of the original fine if the participant paid the other half on a scheduled court date.

By the end of the program in August 2004, approximately one quarter of the original 4300 applicants for reinstatement succeeded.²⁴⁵ A Milwaukee community organization is currently analyzing data from the pilot program and conducting interviews with

²³⁹ Letter from State Senator Gwen Moore to the Milwaukee Municipal Court, November 24, 1999.

²⁴⁰ Pawarasat, *Teens*.

²⁴¹ *Ibid.*

²⁴² www.dot.wisconsin.gov/drivers/drivers/revoke/occllic.htm

²⁴³ *Driver License Withdrawals*, pg. 4-5.

²⁴⁴ www.dot.wisconsin.gov/drivers/drivers/revoke/occ-apply.htm

²⁴⁵ Conversation with Louise Lapine, Milwaukee Planning Council for Health and Human Services, May 23, 2005.

participants and staff. Milwaukee Planning Council for Health and Human Services plans to complete a report on pilot outcomes in mid-2005.

**Current state of transportation options for residents of low-income neighborhoods.
General information on transportation as a barrier to employment.**

Most low-income workers live in northern Milwaukee while most new entry-level full and part-time jobs are located in the surrounding suburbs and counties of Milwaukee.²⁴⁶ Public transportation is very limited or simply unavailable in these areas.²⁴⁷

Esperanza Unida, a nonprofit group on Milwaukee's south side, takes donated cars and rebuilds them in its auto repair job-training program. It then sells them on the open market, but also offers the cars to graduates of its training programs at a 50 percent discount once they get a job. The YWCA and Family Services had car ownership programs in the past, but do not currently.

The state's welfare-to-work program, Wisconsin Works (W-2), funds transportation programs across the state, including van pools, volunteer driver programs, and employer-based transportation programs. W-2 also offers a Job Access Loans program that provides short term, no-interest loans for emergency needs in obtaining or maintaining employment. These loans may include car loans for transportation to work.

The Private Industry Council of Milwaukee (PIC) coordinates transportation services that support workforce development goals. PIC administers the JobRide Transportation program, which provides access to employment for job seekers and new workers not adequately served by public transportation systems. Only people with permanent, full-time jobs or W-2 employment positions are eligible for JobRide.

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²⁴⁶ John Pawasarat, "Survey of Job Openings in the Milwaukee Metropolitan Area: Week of October 20, 2003, Employment and Training Institute, University of Wisconsin-Milwaukee.

²⁴⁷ John Pawasarat and Frank Stetzer, "Removing Transportation Barriers to Employment: Assessing Driver's License and Vehicle Ownership Patterns of Low-Income Populations", Employment and Training Institute, University of Wisconsin-Milwaukee, July 1998.

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Access to Private Transportation: *Milwaukee, Wisconsin*

Fig. 1: In Milwaukee, do respondents have a license? A car?

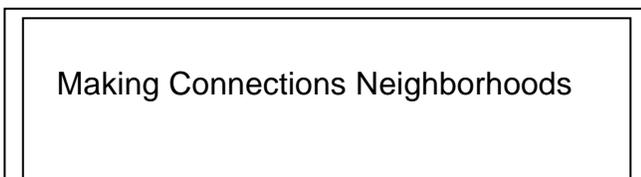
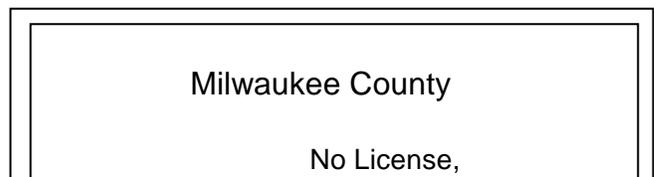


Fig. 2: In Milwaukee County, do respondents have a license? A car?



Facts about Milwaukee

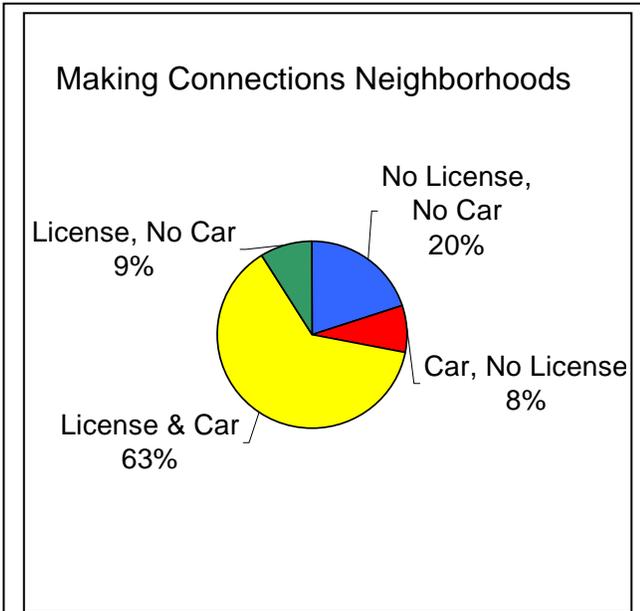
Unemployment

- 42% of Making Connections Neighborhood respondents are unemployed.
- 25% of Milwaukee County respondents are unemployed.

Citizenship

- 4% of Making Connections Neighborhood respondents are non-citizens.
- 5% of Milwaukee County respondents are non-citizens.

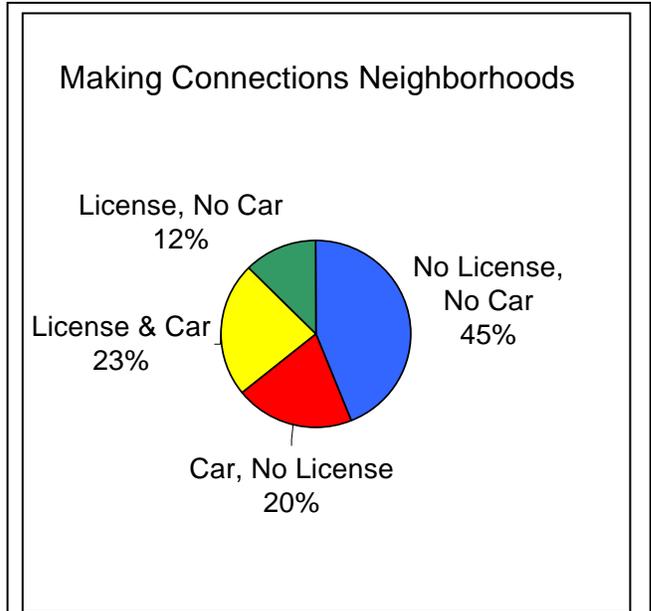
Fig. 3: In Milwaukee, do *employed* respondents have a license? A car?



Making Connections Neighborhoods

- 72% have a valid driver's license.
- 71% have a reliable car.
- 63% have a valid driver's license and a reliable car. 20% have neither.

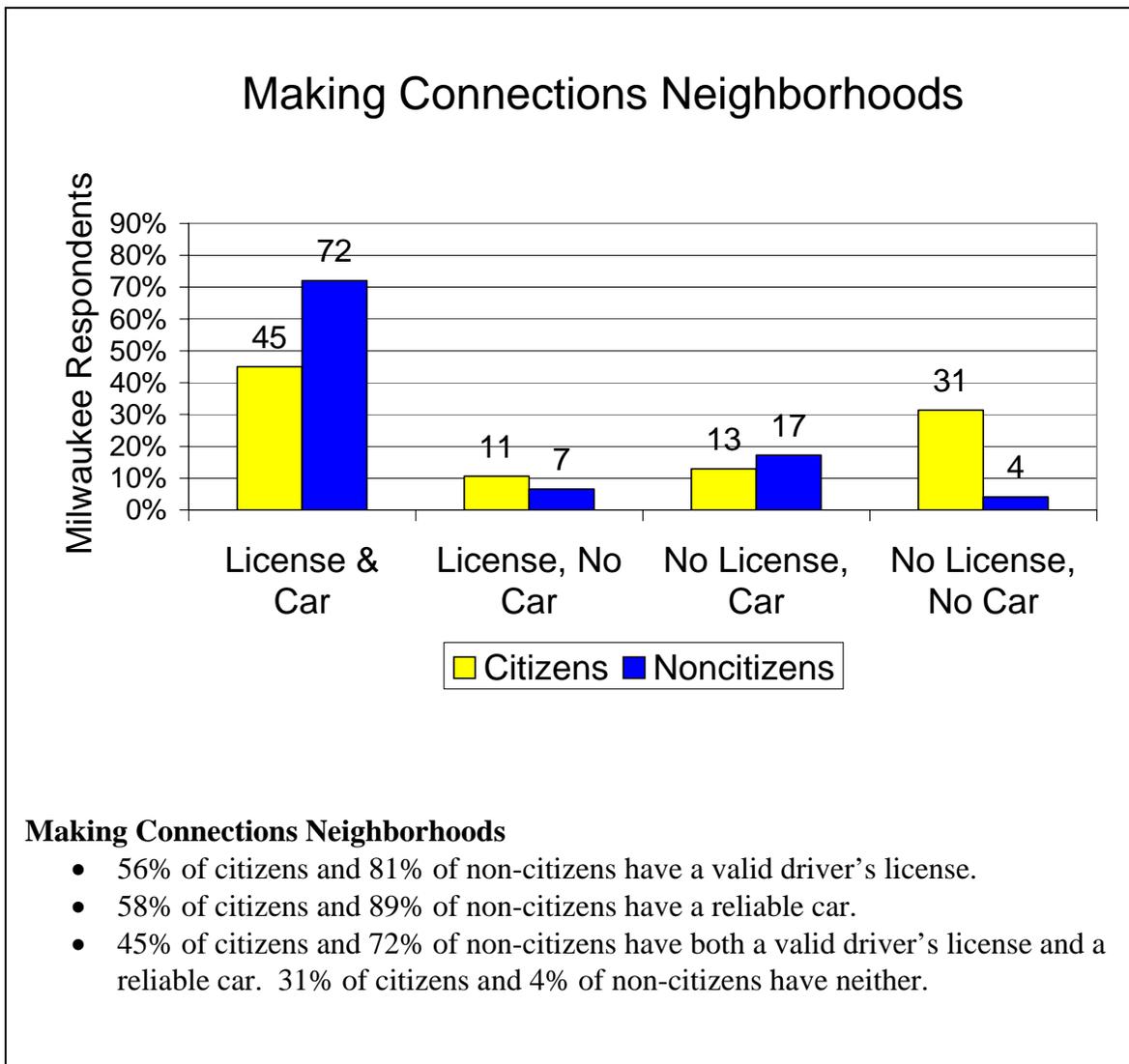
Fig. 4: In Milwaukee, do *unemployed* respondents have a license? A car?



Making Connections Neighborhoods

- 35% have a valid driver's license.
- 43% have a reliable car.
- 23% have a valid driver's license and a reliable car. 45% have neither.

Fig. 5: In Milwaukee, do respondents who are citizens and respondents who are non-citizens differ in access to a car? A license?



Source: Annie E. Casey Making Connections Cross-Site Survey of target neighborhoods and households living in surrounding counties. Statistics are based on tabulations of data prepared by the Urban Institute.

Fact Sheet: Designed and prepared by Brookings Institution Welfare Reform & Beyond, Visiting Fellow Margy Waller and Research Assistant Jennifer Doleac.

Data are drawn from responses to the following questions:

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Does anyone in your household own a car, van or truck?

Is this vehicle dependable?

(Note: In this fact sheet, the “no car” group includes those who say their car is undependable.)

Valid driver’s license

Do you currently have a valid driver’s license?

Employment status

Is the respondent employed?

Citizenship

Are you a citizen of the United States?

New Haven
9/29/05

Connecticut license suspension: the numbers.

Of the 2,348,305 licensed drivers in Connecticut in 2004, there were 83,972 driver's license suspensions and revocations while another 3,547 drivers were issued special operator's permits licenses. The working poor may be more likely to experience these suspensions for economic reasons, due to financial hardship and/or inflexible work schedules:

- failure to appear or pay on a traffic citation (38,918 suspensions);
- failure to maintain adequate insurance coverage (2,379 suspensions);
- failure to pay child support (7 suspensions).²⁴⁸

Overview of Connecticut's license suspension policies and the legal framework for administering the policies.

The Connecticut Department of Motor Vehicles (DMV) administers all license suspensions. The local Superior Courts set all fines for motor vehicle infractions and violations.

Conditions that lead to driver's license suspension.

In addition to suspension for typical moving violations, the DMV also suspends licenses under these circumstances that may disproportionately impact the working poor:

- failure to maintain adequate insurance coverage;
- driving without a license or registration;²⁴⁹
- failure to appear on or pay a traffic infraction;²⁵⁰
- failure to pay child support.²⁵¹

Driving without insurance may also lead to vehicle seizure or impoundment, as well as registration cancellation.²⁵² To obtain a new registration, the owner must pay a restoration fee of between \$250 and \$545.²⁵³ Unpaid property tax on a motor vehicle may also result in registration cancellation and requires a \$125 restoration fee (in addition to paying taxes owed) for a new registration.²⁵⁴

Driving with a suspended license can lead to a maximum license suspension of up to five years—four years longer than for most other moving violations.²⁵⁵ Driving while a license

²⁴⁸ Letter from Connecticut Department of Motor Vehicles, June 3, 2005.

²⁴⁹ "Complaint Tickets Frequently Asked Questions" State of Connecticut Judicial Branch, <http://www.jud.state.ct.us/faq/traffic.html>

²⁵⁰ Conn Stat. Sec14-140(b).

²⁵¹ www.dss.state.ct.us/csre/csre.htm

²⁵² Conn Stat. Sec.14-12g.

²⁵³ Conn SC Sec 14-12(h)(2)(c)

²⁵⁴ "Resolving Registration Suspension for Unpaid Property Tax", Connecticut Department of Motor Vehicles, www.ct.gov/dmv/cwp/view.asp?a=813&Q=245244&dmvPNavCtr=|29000|#29007

²⁵⁵ "Complaint Tickets Frequently Asked Questions".

is suspended or revoked may also result in fines of \$150 to \$200 or jail for up to 90 days.²⁵⁶

Connecticut courts rarely suspend driver's licenses as a sanction for nonpayment of child support. The courts have authority to suspend driver's licenses (as well as professional and occupational licenses) for this reason, but staff at Support Enforcement Services (SES), the child support enforcement agency within the Connecticut Judicial Branch, indicated that this enforcement remedy is rarely used. Connecticut's child support enforcement program is judicially-oriented (as opposed to administratively-oriented); the state cannot impose license suspension on a delinquent obligor without going to court. According to staff at SES, because the family support magistrates (the trier of fact in child support cases) must make the same findings to support the suspension of a driver's license as for a contempt of court finding (resulting in incarceration), they are more likely to use the latter as an enforcement tool. SES staff believes that, as an enforcement tool, the threat of a night or longer in jail (immediately ordered) is much more effective than license suspension.²⁵⁷

Many SES staff perceive license suspension as ineffective because they believe it does not prevent driving. Also, court-ordered suspension is not automatic in these cases²⁵⁸ and can take three months or longer under the system for the license suspension. As a result, the director of support enforcement does not view driver's license suspension as a barrier to employment, at least for the population she works with, simply because it is so rarely utilized.²⁵⁹

Process for license reinstatement.

To reinstate a license for failure to pay traffic infractions, individuals are required to pay a reopening fee of \$60 to the court, the original traffic fine, and sometimes a \$125 fee to the DMV.²⁶⁰ Drivers must mail the fee, as well as proof that they paid the fine to the DMV.²⁶¹ The DMV directs any questions to a toll-free number that leads to a hard-to-navigate voice mail system.

Availability of work restricted or conditional licenses.

Connecticut offers a special operator's permit to drive to work. Drivers may download the application for the permit online or the DMV will mail it upon request within 48

²⁵⁶ Conn. Stat. Sec14-215(b).

²⁵⁷ Conversation with Charisse Hutton, Director of Support Enforcement Services, March 1, 2005.

²⁵⁸ The magistrate must enter the order and give the defendant 30 days to pay. If the defendant does not pay, SES must then file an affidavit of noncompliance. At that point, the court order must be filed with the administrative agency and processed.

²⁵⁹ Hutton, March 1, 2005.

²⁶⁰ "Complaint Tickets Frequently Asked Questions" State of Connecticut Judicial Branch, www.jud.state.ct.us/faq/traffic.html

²⁶¹ "Resolving a Suspension", Connecticut Department of Motor Vehicles, www.ct.gov/dmv/cwp/view.asp?a=813&Q=252580&dmvPNavCtr=#38245

hours. These applications are only processed by mail.²⁶² All drivers are eligible with the exception of those suspended because of DUI or failure to appear.²⁶³

The special operator's permit is strictly limited to driving to and from work or operating a vehicle in connection with work. The applicant must demonstrate significant hardship, other efforts to obtain transportation, and a lack of public transportation.²⁶⁴ Use of the vehicle for purposes other than work with this permit can result in fines of up to \$500.²⁶⁵ Unlike most other states surveyed, Connecticut does not issue special permits to drive to other essential services, like child care or health care.

Programs or policies to address the impact of economic-based license suspension.

Drivers may seek a stay of the suspension in order to obtain additional time to pay the traffic tickets.²⁶⁶ The Auto Emergency Fund (listed below) provides financial assistance to clients who need to pay driver's license or auto *fees* (such as insurance and registration), but will not pay *fines*. The organization might provide assistance with payment of fines if it receives additional funding.²⁶⁷ This survey did not identify any programs specifically designed to address license suspension.

Current state of transportation options for residents of low-income neighborhoods. General information on transportation as a barrier to employment.

Staff at DSS suggests that high insurance premiums in Connecticut, coupled with property taxes and registration fees, make owning a car quite difficult for the working poor, particularly in urban areas.²⁶⁸

In New Haven, a broad-based group of organizations is working together to provide transportation for low-income workers, including RideWorks, the Connecticut Department of Social Services and Department of Transportation, the Workforce Development Board, and the Regional Growth Connection (RGC). This consortium lobbied the public bus system to extend hours to weekends, late evenings, and early mornings to accommodate workers in non-traditional shifts. RGC, a nonprofit transportation network funded primarily by federal and state grants, provides access to jobs in areas not served by public transportation and has several programs which serve several thousand clients each year, including:

- Job Starter Program: Two monthly bus passes are available to TANF and TANF eligible clients starting a new job.
- Auto Emergency Fund: Individuals with cars used for employment-related activities receive up to \$600 for repairs and fees, including licenses, emissions, registration, and insurance.

²⁶² "Special Operator's Permit to Drive to Work", Connecticut DMV, www.ct.gov/dmv/cwp/view.asp?a=813&Q=245246&dmvPNavCtr=|29000|&dmvPNavCtr=#29006

²⁶³ Conn. Stat. Sec.14-37a

²⁶⁴ "Special Permit", DMV online.

²⁶⁵ Conn. Stat. Sec. 14-37a

²⁶⁶ Conversation with Marisol Rodriguez, Hartford Assistant State's Attorney's office, March 2, 2005.

²⁶⁷ Conversation with Mike Krauss, Regional Growth Commission, March 4, 2005.

²⁶⁸ Email from Susan Simmat, Department of Social Services, April 25, 2005.

In 2005, DSS restricted assistance to households eligible for Temporary Assistance to Needy Families (TANF), for both programs described above. The Auto Fund served 85 people in 2004, but staff expects to serve far fewer in 2005 under the new income restriction.²⁶⁹

- Expanded Van Service: When public transit is not available, RGC may be able to subsidize vanpools for employment opportunities.

New Haven has a Good News Garage program that accepts donated automobiles, refurbishes them, and then offers the cars (for the cost of repairs made to the donated vehicle) to low-income residents to help improve their employment outcomes. Funding for Good News Garage is provided by the Empowerment Zone program and DSS, with the latter program funding the distribution of 19 cars in 2004.²⁷⁰ The number of Empowerment Zone-funded cars was not available.

To qualify for a car from Good News Garage, an applicant must:

- be a recipient of TFA (temporary family assistance) at the time the application is filed;
- be employed or have a legitimate job offer;
- not own or have insured a vehicle at the time of application;
- not have feasible access to public transit (travel time using public transit must exceed one hour);
- have or expect to have sufficient income to pay for ongoing maintenance, repairs, insurance, and taxes on a vehicle;
- demonstrate the motivation and maturity necessary to own and operate a motor vehicle.

Some low-income residents may lose access to automobiles for failure to pay property taxes. In January of 2005, New Haven officials started sending car owners with unpaid property taxes notices of possible impoundment of the vehicle. City officials state that about one-fourth of owners of 55,000 cars registered in the city owe back taxes.²⁷¹

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²⁶⁹ Beginning this year, RGC is only permitted to serve TANF and TANF eligible clients with federal funding.

²⁷⁰ Simmat, April 25, 2005.

²⁷¹ Mark Zaretsky, "Parishioners vehicles towed during Mass in Fair Haven", *New Haven Register*, March 7, 2005.

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**Brookings Institution Welfare Reform & Beyond Initiative
Driver's License Suspension Policies
Oakland
9/29/05**

California license suspension: the numbers.

Of the nearly 29 million drivers in California in 2004, there were 1.5 million driver's license suspensions. The working poor may be more likely to experience these suspensions for economic reasons, due to financial hardship and/or inflexible work schedules:

- failure to appear on a ticket and failure to pay a fine (530,649 suspensions combined);
- failure to maintain insurance coverage (185,478 suspensions);
- failure to pay child support (86,303 suspensions);
- failure to pay a judgment (7,121 suspensions).²⁷²

A 2002 study of license suspensions showed that failure to appear violations were the number one cause of suspensions (37% of all suspensions).²⁷³ Officials at the Department of Motor Vehicles (DMV) indicated that this was likely true for 2004 as well, although they do not have a comparable study of that year's data.

Overview of California's license suspension policies and the legal framework for administering the policies.

The California DMV administers all license suspensions. Courts may "impound" a driver's license for no more than 30 days for failing to appear or pay on a ticket, as well as order the person not to drive or otherwise limit driving privileges.²⁷⁴ Impounding is the same as license suspension, but a violation of the order does constitute contempt of court. Courts may also suspend licenses for various moving violations (such as speeding).²⁷⁵

Conditions that lead to driver's license suspension.

In addition to suspension for typical moving violations, the DMV also suspends licenses under these circumstances that may disproportionately impact the working poor:

- failure to maintain insurance;²⁷⁶
- failure to appear on a ticket;²⁷⁷
- failure to pay a fine;²⁷⁸
- failure to pay a judgment resulting from a motor vehicle accident;²⁷⁹
- vandalism, for adults and minors;²⁸⁰
- engaging in lewd conduct or prostitution in a vehicle within 1000 feet of a residence;²⁸¹
- truancy.²⁸²

²⁷² Email from Helen Tashima, CA Department of Motor Vehicles, April 28, 2005.

²⁷³ Michael A. Gebers and David J. DeYoung, "An Examination of the Characteristics and Traffic Safety Risk of Drivers Suspended/Revoked for Different Reasons", November 2002. DMV can not say for certain that the number one cause for suspension was failure to appear in 2004.

²⁷⁴ California Vehicle Code 40508(d)

²⁷⁵ CVC 13200

²⁷⁶ "California Drivers Handbook 2005", p. 60, www.dmv.ca.gov/pubs/pubs.htm

²⁷⁷ Ibid., p. 68.

²⁷⁸ Ibid..

²⁷⁹ California Vehicle Code 16370

²⁸⁰ "California Drivers Handbook", p. 70.

²⁸¹ Ibid., p.71.

California police will impound cars when unlicensed drivers operate them, regardless of whether the driver is the owner of the car.²⁸³ They will also do so if the driver cannot show proof of insurance once highway patrol issues a citation. The impounding agency official will not release the car until the driver reinstates his or her driver's license and/or acquires a driver's license and proper insurance.²⁸⁴

The DMV may not suspend the license of a driver for failure to appear or pay until 60 days pass after DMV receives notice from the court of the failure. Thereafter, DMV must suspend the license indefinitely until the court clears the driver's record of violations.²⁸⁵

The DMV suspends licenses of child support obligors who fall 30 days or more behind in child support payments. After four months of nonpayment, the state will revoke the license. When the DMV sends notice to the obligor of the suspension, it also issues a 150-day temporary license to allow the obligor to contest the suspension or work out a payment plan with the local child support agency.²⁸⁶

According to the former head of California Child Support Services, Alameda County is one of the better-performing programs in the state.²⁸⁷ Officials at the Alameda County Department of Child Support Services (DCSS) indicated that they provide significant outreach to noncustodial parents, including a comprehensive financial screening to assess their ability to pay support and to ensure the order is appropriate for their income.²⁸⁸ If the DMV has already suspended the license when the noncustodial parent contacts Alameda County DCSS, the department reviews each case. Depending on the individual's financial circumstances, staff at Alameda County DCSS may direct the DMV to release the license without any payment required. Typically, staff will request that drivers make a token payment if they have no ability to pay the full amount. These cases are reviewed after six to nine months for a change in circumstances. If there is an ability to pay at the time of review, the department will seek ongoing compliance with the support order. It is the policy of Alameda County not to withhold a license if the noncustodial parent must use the license in his employment or to seek employment.²⁸⁹

Staff at Alameda County DCSS believes the threat of license suspension is an effective enforcement tool; parents who have not responded to other requests for an appearance meet with the DCSS staff for the first time after the notice of possible suspension. Often these parents experienced a reduction in their earnings. In this situation, Alameda County DCSS can provide the parent with a support order review and adjustment request

²⁸² CVC 13202.7

²⁸³ "California Drivers Handbook", p. 14.

²⁸⁴ CVC 14602.6(d)(1)(D)

²⁸⁵ CVC 13365

²⁸⁶ "Child Support and Your Driver's License", National Center for Youth Law, May 2000.

www.youthlaw.org/noncustodial.htm

²⁸⁷ Conversation with Curt Child, National Center on Youth Law, May 17, 2005.

²⁸⁸ Conversation with Paul Stewart, Alameda County Department of Child Support Services, May 18, 2005.

²⁸⁹ Email from Paul Stewart, Alameda County Department of Child Support Services, May 31, 2005.

forms that, once returned to the county, will be filed with the courts to readjust the child support order accordingly.²⁹⁰ Parents may avoid the license suspension by following this procedure.

Process for license reinstatement.

The reinstatement process differs depending on the violation:

- The DMV reinstates licenses suspended for failure to appear or pay a fine for a fee of \$55, once the driver pays the ticket in full or the court clears the violation.²⁹¹
- The DMV reinstates licenses suspended for nonpayment of judgment when the driver pays it in full or the court orders payment in installments and sends proof of the order to the DMV.²⁹²
- The DMV will reinstate a license suspended for nonpayment of child support once the obligor makes child support payment arrangements with Alameda County DCSS. The local DCSS will then direct State DCSS by mail to release the suspension. State DCSS will immediately forward the order for release to the DMV.²⁹³ The DMV must then release the driver's license within five business days of receipt.

Availability of work restricted or conditional licenses.

A driver convicted of failure to maintain insurance faces a license suspension of not less than one year.²⁹⁴ For the period of suspension, California law permits the driver to use a restricted medical treatment license, for a fee of \$250 if the suspended driver has serious health problems, or a family member with serious health problems. The license permits driving to receive medical or mental health treatments but is available only if there are no other means of transportation. In the required application, the petitioner must state the nature of the health problem, treatments required, location of treatments, and schedule for visits. The applicant must submit documentation signed by a physician or other health care practitioner.²⁹⁵

In lieu of suspending the license, and for a penalty fee of \$250, the DMV can restrict driving privileges to either or both of the following: to and from employment and in the course of employment; and transporting a minor dependent on the person's immediate family to school (when no public transportation is available). This restricted license will last the length of the suspension and during this time, the driver must maintain insurance.²⁹⁶

Restricted licenses are not available for any of the following violations: failure to appear or pay on a ticket, failure to pay a judgment, and failure to pay child support.²⁹⁷ However, California county child support departments may conditionally release a suspended

²⁹⁰ Ibid.

²⁹¹ "California Drivers Handbook", pg 68. CVC 13365

²⁹² CVC 16379 (a)

²⁹³ Stewart, May 31, 2005.

²⁹⁴ CVC 16072 (a)

²⁹⁵ CVC 16077

²⁹⁶ CVC 16072 (a)

²⁹⁷ Email from Patrick Barrett, CA Department of Motor Vehicles, May 2, 2005.

license and monitor future compliance with a child support order. Many of the releases in Alameda County are conditional pending future compliance. Assuming the obligor has the ability to meet the court-ordered payment, failure to comply can lead to an end to the conditional release and a resumption of the suspension.²⁹⁸

Programs or policies to address the impact of economic-based license suspension.

California law provides that any driver convicted of an infraction punishable by a fine may also have the option of making the payment by a specified date or in specified installments. In these cases, courts may consider the defendant's ability to pay, which must include the driver's present financial situation, future earning capacity (up to six months from the date of the hearing), and the likelihood that the defendant will find employment during the next six months. However, courts may also order imprisonment for any conviction resulting in a fine, not to exceed one day for every \$30 of the fine.²⁹⁹ The court may also offer payment plans for drivers who lose their licenses because of failure to pay a judgment.³⁰⁰

If the court decides to impound a driver's license for 30 days, the driver may show that the impoundment will affect his or her livelihood. The court shall then order the person to limit his driving to and from employment if other means of transportation are not reasonably available.³⁰¹

In 2002 California studied the traffic risks (total crashes, fatal/injury crashes, and total crashes plus convictions) created by a sample of drivers who later received suspension for a variety of violations. The study found that the state developed policies based on an erroneous assumption that this is a homogenous group of high-risk drivers.³⁰² Instead, there are multiple subgroups of drivers, suspended for different reasons, and falling into various demographics.³⁰³ This diversity has occurred over time as additional violations—many of which are not driving related—have become eligible for suspension.³⁰⁴ The study's authors conclude that suspension for non-driving related violations (like nonpayment of child support) does not further the purposes of increasing traffic safety and therefore is not a punishment that fits the crime.³⁰⁵

The researchers also found that most drivers suspended for economic reasons (with the exception of driving without insurance) are not at high risk for automobile accidents. In fact, drivers suspended for non-driving-related violations had the lowest total crash rate, not much higher than that of the validly licensed group. Drivers convicted of failure to

²⁹⁸ Stewart, May 31, 2005.

²⁹⁹ CVC 42003

³⁰⁰ CVC 16379

³⁰¹ CVC 40508(d)

³⁰² Gebers and DeYoung. The study reviewed the driving records of drivers suspended in 2001 for the three years prior to suspension action.

³⁰³ Ibid, pg 2.

³⁰⁴ Ibid, pg 3.

³⁰⁵ Ibid., pg 3-4.

appear had the second lowest rate, again only marginally higher than the validly licensed group.³⁰⁶

The Oakland Private Industry Council (PIC) provides outreach services to parolees to help with license reinstatement. Many parolees lost their licenses for child support arrears. PIC staff addresses approximately three to four hundred parolees each month at various reentry orientations, finding that nearly all of them need assistance with license reinstatement. Most of the jobs for which ex-offenders apply require a valid driver's license, thus these suspensions create a barrier to employment for many parolees.³⁰⁷

PIC staff works with the Alameda County Department of Child Support Services staff to provide a weekly orientation for parolees. DCSS staff helps parolees develop a plan to reduce child support arrears assessed while in jail and get their licenses reinstated for failure to pay child support while in prison. PIC staff will often assist parolees with license reinstatement and associated fees utilizing Workforce Investment Act funding, since a license is essential to obtaining employment.

PIC, as part of the Community Reentry Services Providers Network (a collaboration of community-based and government agencies) is currently seeking funding to create a one-stop center for parolees to help them address multiple issues, including license reinstatement. Staff at PIC indicated that it is nearly impossible for parolees to navigate the DMV without assistance. While the DMV will not forgive fines or tickets, it will refer parolees to local agencies for assistance.³⁰⁸

Current state of transportation options for residents of low-income neighborhoods. General information on transportation as a barrier to employment.

In April of 2005, several Alameda County transit riders filed a racial discrimination suit against the Metropolitan Transportation Commission (MTC), seeking to reorder the commission's priorities from trains to buses. The plaintiffs claim that the Bay Area spends significantly more on the rail system for predominantly white, affluent communities, while spending progressively less on the bus system that serves most low-income people of color. They assert that reduced funding for buses has led to shortened or eliminated routes forcing them to endure longer commutes.³⁰⁹

The MTC staff has worked with social service agencies and local transit providers to develop transportation services for residents of low-income communities through the Low Income Flexible Transportation (LIFT) Program. To date, MTC has invested in 32 projects and contributed \$1 million a year for five years through this program.³¹⁰ The LIFT program has also received funding from Congestion Mitigation and Air Quality Funds and Job Access Reverse Commute Funds.

³⁰⁶ Ibid., pg 13.

³⁰⁷ Conversation with Charles Turner, Oakland Private Industry Council, May 4, 2005.

³⁰⁸ Turner, May 4, 2005.

³⁰⁹ Bob Egelko, "Getting on the bus is half the story", *San Francisco Chronicle*, April 20, 2005.

³¹⁰ "Low Income Flexible Transportation Program". www.mtc.ca.gov/planning/welfare_to_work/lift.htm

According to a 2004 study of transportation expenditures and costs in the Bay Area, vehicle ownership is prohibitive for many low-income residents.³¹¹ In the Bay Area only 73 percent of low-income households have access to a car compared to 94 percent of higher income households, one of the most striking disparities uncovered in the study.³¹² When broken out for Alameda County, there is an even wider, 23-percentage point, difference in vehicle access rates.³¹³ While the number of households with a car and the number with a worker with a driver's license are about the same in higher income households, there is a 12-point difference in lower income households--85 percent with a license compared to 73 percent with a car.³¹⁴ The study also found that low-income commuters were twice as likely as those from the higher-income group to take public transit.³¹⁵

An earlier study analyzed public transit options for low-income residents of Alameda County.³¹⁶ The study found that low-income job seekers must make at least three or four transfers between home areas rich in entry-level jobs.³¹⁷ These complex trips take far more time and present many more challenges in getting to work on time than "the 'one leg, home to work' trip that is the basis of most transportation planning".³¹⁸ The Oakland school system does not provide bus service, further complicating trips to work since many parents must first take their children to school on public buses.³¹⁹

Additionally, many of the bus lines that these residents take run infrequently or not at all in the evenings, making return trips from late night shifts very difficult. This is a serious problem as eight of the ten largest entry-level job sectors in Alameda County have night and weekend shifts.³²⁰ Most new jobs in the region are created in the southern and eastern parts of the county while most low-income residents live in Oakland and the north county. Major bus lines do not serve any of the seven main job centers, making these jobs nearly impossible for low-income residents to access without a car.³²¹

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³¹¹ Lorien Rice, "Transportation Spending by Low-Income California Households, Lessons for the San Francisco Bay Area", Public Policy Institute of California, 2004.

³¹² Ibid., pg 65.

³¹³ Ibid., pg 77.

³¹⁴ Ibid., pg. 65.

³¹⁵ Ibid., Pg. 63.

³¹⁶ "Clearing the Road to Work: Developing a Transportation Lifeline for Low-Income Residents of Alameda County". Transportation Choices Forum, January 2000.

³¹⁷ Ibid., pg. 6.

³¹⁸ Ibid.

³¹⁹ Ibid., pg. 7.

³²⁰ Ibid., pg. 8.

³²¹ Ibid., pg. 10.

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Access to Private Transportation: *Oakland, California*

Fig. 1: In Oakland, do respondents have a license? A car?

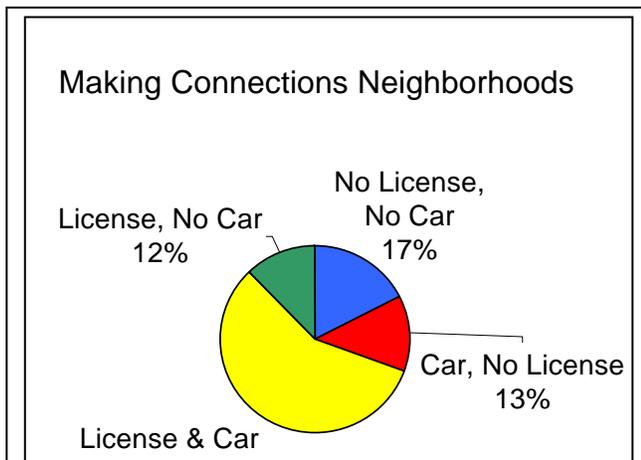
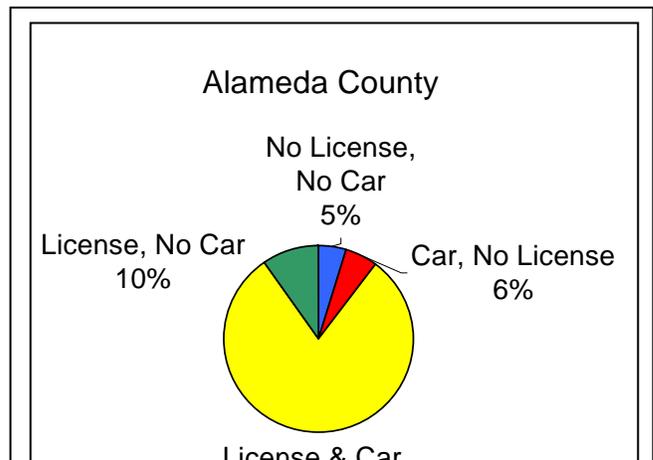


Fig. 2: In Alameda County, do respondents have a license? A car?



Facts about Oakland

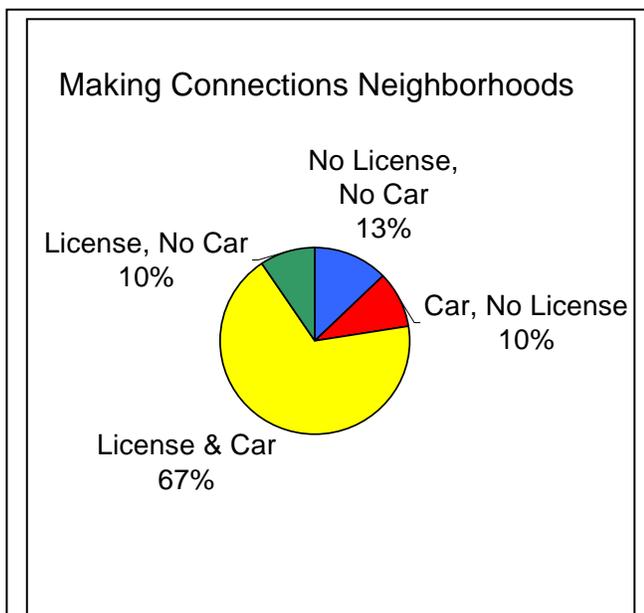
Unemployment

- 34% of Making Connections Neighborhood respondents are unemployed.
- 26% of Alameda County respondents are unemployed.

Citizenship

- 35% of Making Connections Neighborhood respondents are non-citizens.
- 16% of Alameda County respondents are non-citizens.

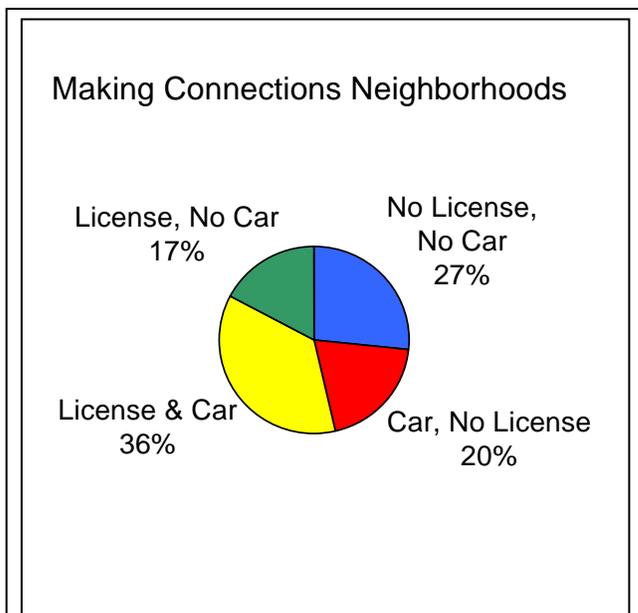
Fig. 3: In Oakland, do *employed* respondents have a license? A car?



Making Connections Neighborhoods

- 77% have a valid driver's license.
- 77% have a reliable car.
- 67% have a valid driver's license and a reliable car. 13% have neither.

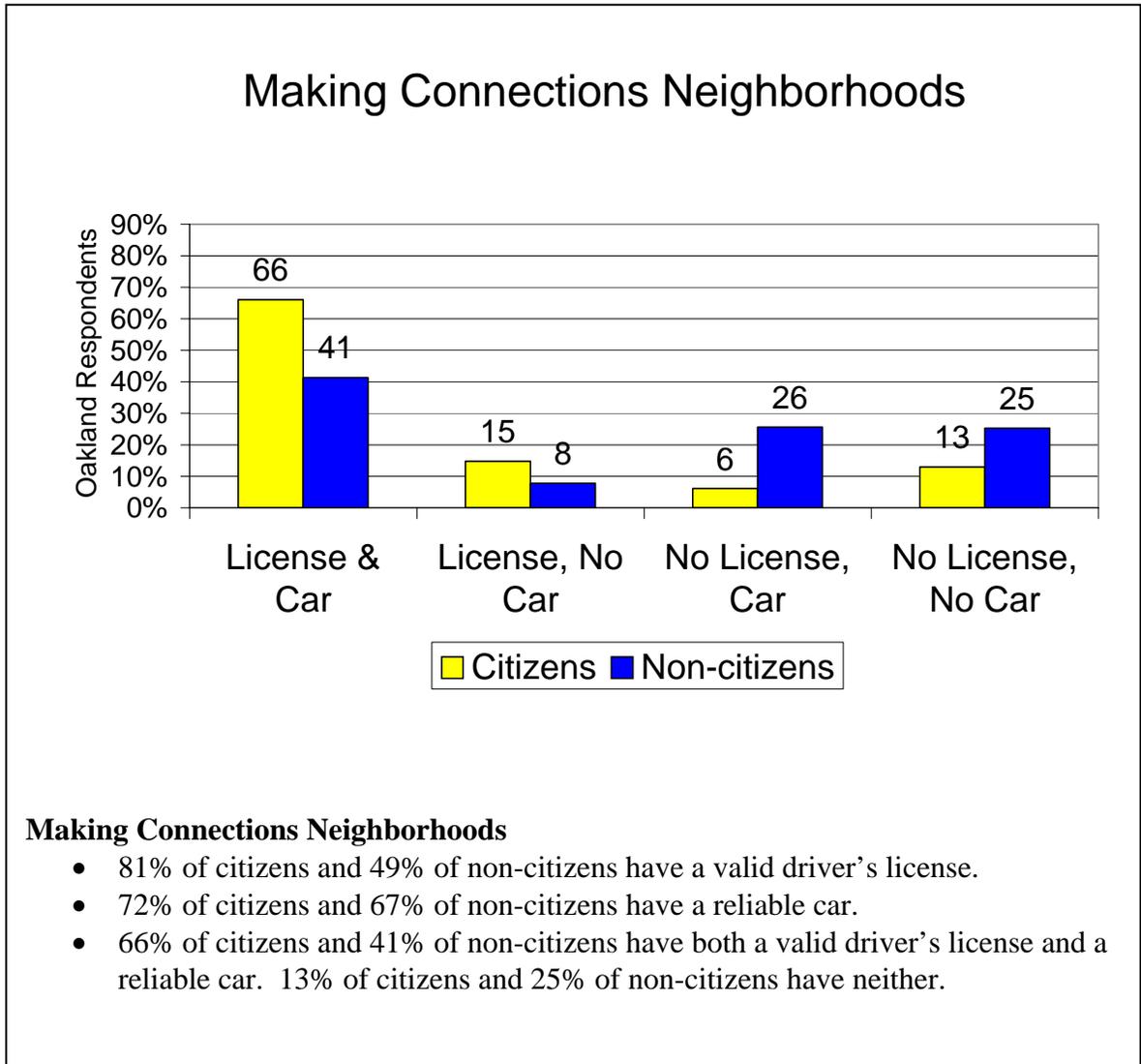
Fig. 4: In Oakland, do *unemployed* respondents have a license? A car?



Making Connections Neighborhoods

- 53% have a valid driver's license.
- 56% have a reliable car.
- 36% have a valid driver's license and a reliable car. 27% have neither.

Fig. 5: In Oakland, do respondents who are citizens and respondents who are non-citizens differ in access to a car? A license?



Source: Annie E. Casey Making Connections Cross-Site Survey of target neighborhoods and households living in surrounding counties. Statistics are based on tabulations of data prepared by the Urban Institute.

Fact Sheet: Designed and prepared by Brookings Institution Welfare Reform & Beyond, Visiting Fellow Margy Waller and Research Assistant Jennifer Doleac.

Data are drawn from responses to the following questions:

Reliable car

Does anyone in your household own a car, van or truck?

Is this vehicle dependable?

(Note: In this fact sheet, the “no car” group includes those who say their car is undependable.)

Valid driver’s license

Do you currently have a valid driver’s license?

Employment status

Is the respondent employed?

Citizenship

Are you a citizen of the United States?

PROVIDENCE

9/29/05

Rhode Island license suspension: the numbers.

Of the 700,000 licensed drivers in Rhode Island, there are between 8,000 and 10,000 license suspensions each year.³²² The number one reason for license suspension is failure to appear or answer on a violation. The working poor may be more likely to experience these suspensions for economic reasons, due to financial hardship and/or inflexible work schedules.³²³

Overview of Rhode Island's license suspension policies and the legal framework for administering the policies.

The state department of motor vehicles has jurisdiction over license suspension.

In 2004, Rhode Island began cross-checking state databases and then refusing to renew a professional or driver's license if the person had unpaid income tax or court fines. In fall 2004 the administration began warning drivers to settle their state bills. By early February 2005, the state had already collected \$4.4 million.³²⁴

In the governor's budget proposal for 2006, the state identifies the collection of outstanding court fines and raising fees at the DMV as a major source of revenue. Fees for licenses for first time drivers will increase from \$12 to \$25. To help collect the outstanding court fines, the governor is proposing to suspend not only the license of the driver, but also the registration of the car used in the offense, even if someone other than the person charged in the case owns the car.³²⁵

Conditions that lead to driver's license suspension.

In addition to suspension for moving violations, the DMV may suspend a license once a court finds that the driver has committed an offense that results in mandatory suspension or revocation. The following offenses that trigger mandatory suspensions may disproportionately impact the working poor:

- failure to deposit security (following an accident);³²⁶
- nonpayment of judgment (also results in suspension of registration);³²⁷
- failure to answer or appear on a violation;³²⁸

³²² The office of Operator Control of the Rhode Island Department of Motor Vehicles (DMV) maintains all data on license suspension. The data system is currently going through an upgrade and, except for the facts presented here, specific data are not available.

³²³ Conversation with Dennis Gertsmeier, Office of Operator Control, April 1, 2005. Gertsmeier indicated that once the new system is running smoothly (likely in a few months), additional data should be available.

³²⁴ Liz Anderson. "Mixed Results so far from Tax Scofflaws", The Providence Journal, February 22, 2005.

³²⁵ Liz Anderson; Katherine Gregg; Scott Mayerowitz. "Budget 2006: Carcieri's Balancing Act", The Providence Journal, January 28, 2005.

³²⁶ RI GL 31-31-9

³²⁷ RI GL 31-32-10

³²⁸ RI GL 31-41.1-5

- failure to pay fine or costs imposed for a violation;³²⁹
- nonpayment of child support;³³⁰
- driving with a suspended license (also a misdemeanor and a \$250 to \$500 fine).³³¹

At the request of a municipality, the DMV may also suspend the registration of any vehicle once the owner accumulates at least \$200 in parking fines. A second law allows the DMV to suspend the driver's license of the registered owner of a vehicle that has only one unpaid ticket, again at the request of the city or town.³³² According to Operator Control, DMV has never requested these actions.³³³ This could change. In 2003, the mayor of Providence began targeting an \$18.6 million backlog of uncollected parking tickets to address a budget shortfall. Fines for parking tickets can become quite high in Providence if they go unpaid, doubling after 14 days and tripling after 28 days. The mayor's administration intended to ask the DMV to block violators from renewing their vehicle registrations.³³⁴

The Rhode Island Child Support agency serves notice upon non-custodial parents who owe 90 days worth of child support payments that the agency will be submitting their name for license revocation or suspension. When the obligors receive the notice, they may request a hearing at the Rhode Island Family Court within 20 days. The court may grant a "stay" or stop the license suspension. Upon receiving the notice, the non-custodial parent must pay all past due child support or enter into a written payment agreement with the agency to avoid the suspension.³³⁵

Process for license reinstatement.

Drivers must apply to the DMV to have their licenses restored. The fee for reinstatement is \$75, which they may pay in person, over the phone, or by mail. To then get their license returned, they must go in person to a DMV branch office with the reinstatement notice and identification.³³⁶ Reinstatement is immediate once this process is complete.³³⁷

The DMV will not reinstate a license it has suspended for an unsatisfied judgment until the court stays the judgment, the driver pays it in full or proves the ability to pay.³³⁸ A driver may also apply to the court for payment in installments.³³⁹

For licenses suspended due to nonpayment of child support, once an obligor is in compliance with the support order, the DMV will reinstate the license within five business days.³⁴⁰

³²⁹ RI GL 31-11-25

³³⁰ RI GL 15-11.1-7

³³¹ RI GL 31-11-18 (b)

³³² Smith, June 1, 2003.

³³³ Gertsmeier, April 1, 2005.

³³⁴ Gregory Smith. "Unpaid Fines a Potential Windfall", The Providence Journal, June 1, 2003.

³³⁵ www.cse.ri.gov/services/enforcement.php

³³⁶ www.dmv.state.ri.us/licenses/reinstatement.php

³³⁷ Gertsmeier, April 1, 2005.

³³⁸ RI GL 31-32-14

³³⁹ RI GL 31-32-17

Availability of work restricted or conditional licenses.

Rhode Island does not issue conditional licenses for any reason.³⁴¹ The unavailability of such a license can be a significant barrier to employment for the working poor. The financial inability to pay a fine can cause a downward spiral to a loss of license that in turn leads to unemployment. This scenario plays out repeatedly. Efforts to introduce legislation to create these licenses have been unsuccessful (see below).

Programs or policies to address the impact of economic-based license suspension.

According to the Rhode Island Department of Corrections, the DMV suspends the licenses of many prison inmates either before or during their time incarcerated. As part of the inmates' discharge plans, Corrections urges inmates to pay the license reinstatement fees and assists them with writing to the court to request payment plans or amnesty.³⁴² The Family Life Center, a community-based agency for ex-offenders and their families, notes that license suspension is an issue of concern to many of its clients and it is seeking solutions.³⁴³

Rhode Island Legal Services represents approximately 500-600 clients at any time who owe back child support. Rhode Island has suspended nearly all of the clients' licenses, and staff has found such suspensions to be a serious roadblock to finding and keeping full-time jobs. Many judges are not sympathetic to these parents and will refuse to reinstate a license even though it may be critical to finding work. At times, judges may reinstate the license for a short time period (usually three months) and review the case again to track the obligor's progress in finding a job. Legal Services staff has approached members of the general assembly to consider introducing legislation for work-restricted licenses to no avail. They find elected officials are reluctant to advocate for a population stigmatized as "deadbeat dads".³⁴⁴

Current state of transportation options from low-income neighborhoods to areas rich in appropriate jobs. General information on transportation as a barrier to employment.

According to the United Way of Rhode Island, the state is currently considering cutting fifty-three routes on the Providence bus line. Further complicating transportation to work, many new entry-level and service jobs are outside of the Providence city limits where public transportation is already limited. This has had a negative impact on employability of low-income workers. This scan did not identify any car ownership programs in Providence.³⁴⁵

Impact on Minority Populations

³⁴⁰ RI GL 15-11.1-7

³⁴¹ Conversation with Mike DeLauro, Rhode Island Public Defender's Office, October 24, 2004.

³⁴² Conversation with Roberta Richmond, Rhode Island Department of Corrections, October 25, 2004.

³⁴³ Conversation with Sol Rodriguez, Family Life Center, October 25, 2004.

³⁴⁴ Conversation with Karl Beauregard, Rhode Island Legal Services, April 6, 2005.

³⁴⁵ Ibid. and Conversation with Allan Stein, United Way of Rhode Island, March 15, 2005.

As of 2003, Rhode Island requires that individuals have a social security number in order to receive a license; previously, individual taxpayer identification numbers had been sufficient. New legislation has been introduced this year to allow for alternatives to social security numbers on licenses. A local agency, Progreso Latino, considers this a human rights issue since immigrants (like everyone else) need licenses to drive to work, transport their children to school, and access health care.³⁴⁶

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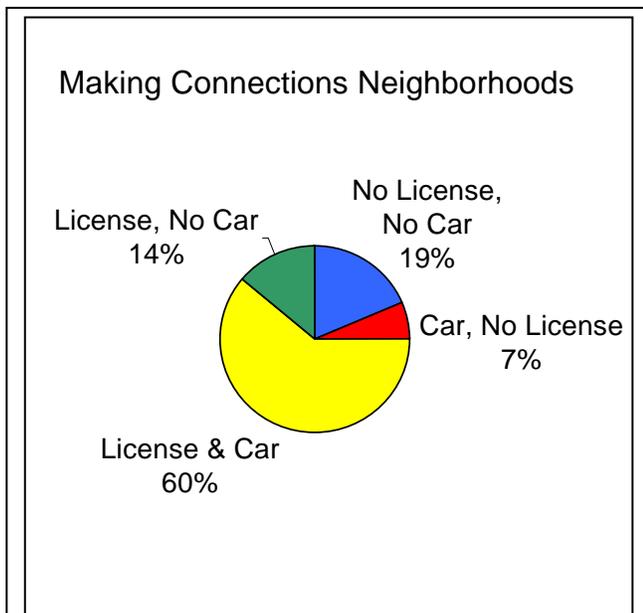
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³⁴⁶ Karen Lee Ziner. "Advocates say all immigrants should be eligible to drive", The Providence Journal, February 6, 2005.

Access to Private Transportation:
Providence, Rhode Island

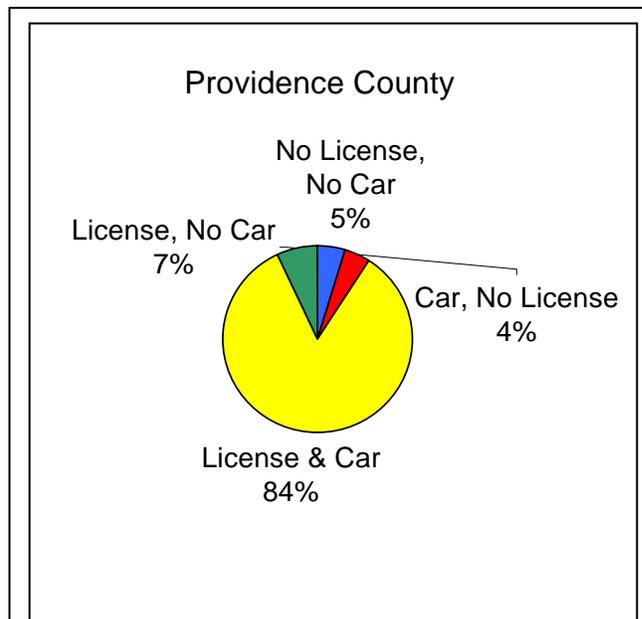
Fig. 1: In Providence, do respondents have a license? A car?



Making Connections Neighborhoods

- 74% have a valid driver’s license.
- 67% have a reliable car.
- 60% of respondents have a valid driver’s license and a reliable car. 19% have neither.

Fig. 2: In Providence County, do respondents have a license? A car?



Providence County

- 91% have a valid driver’s license.
- 88% have a reliable car.
- 84% of respondents have a valid driver’s license and a reliable car. 5% have neither.

Facts about Providence

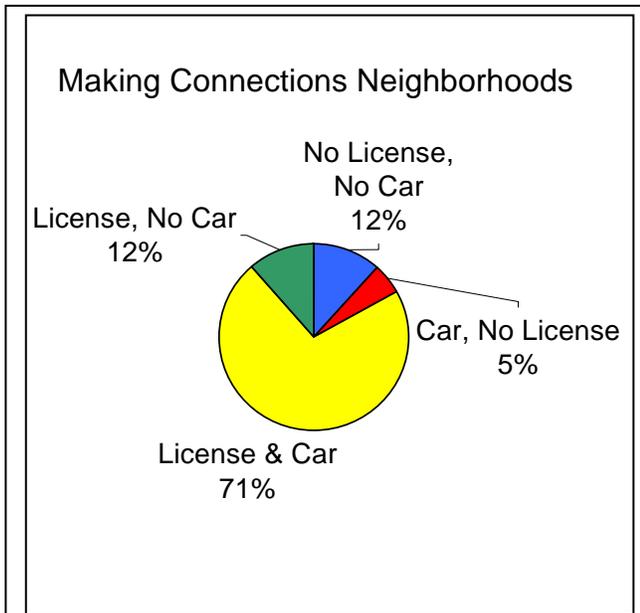
Unemployment

- 34% of Making Connections Neighborhood respondents are unemployed.
- 27% of Providence County respondents are unemployed.

Citizenship

- 35% of Making Connections Neighborhood respondents are non-citizens.
- 7% of Providence County respondents are non-citizens.

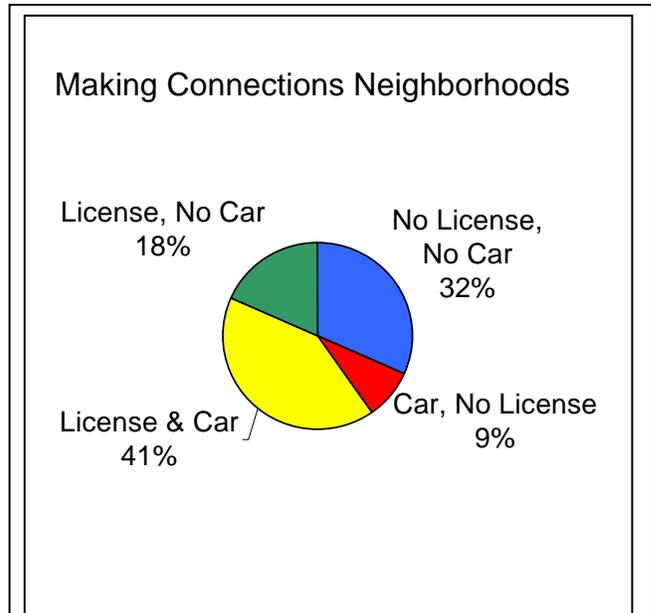
Fig. 3: In Providence, do *employed* respondents have a license? A car?



Making Connections Neighborhoods

- 83% have a valid driver’s license.
- 76% have a reliable car.
- 71% have a valid driver’s license and a reliable car. 12% have neither.

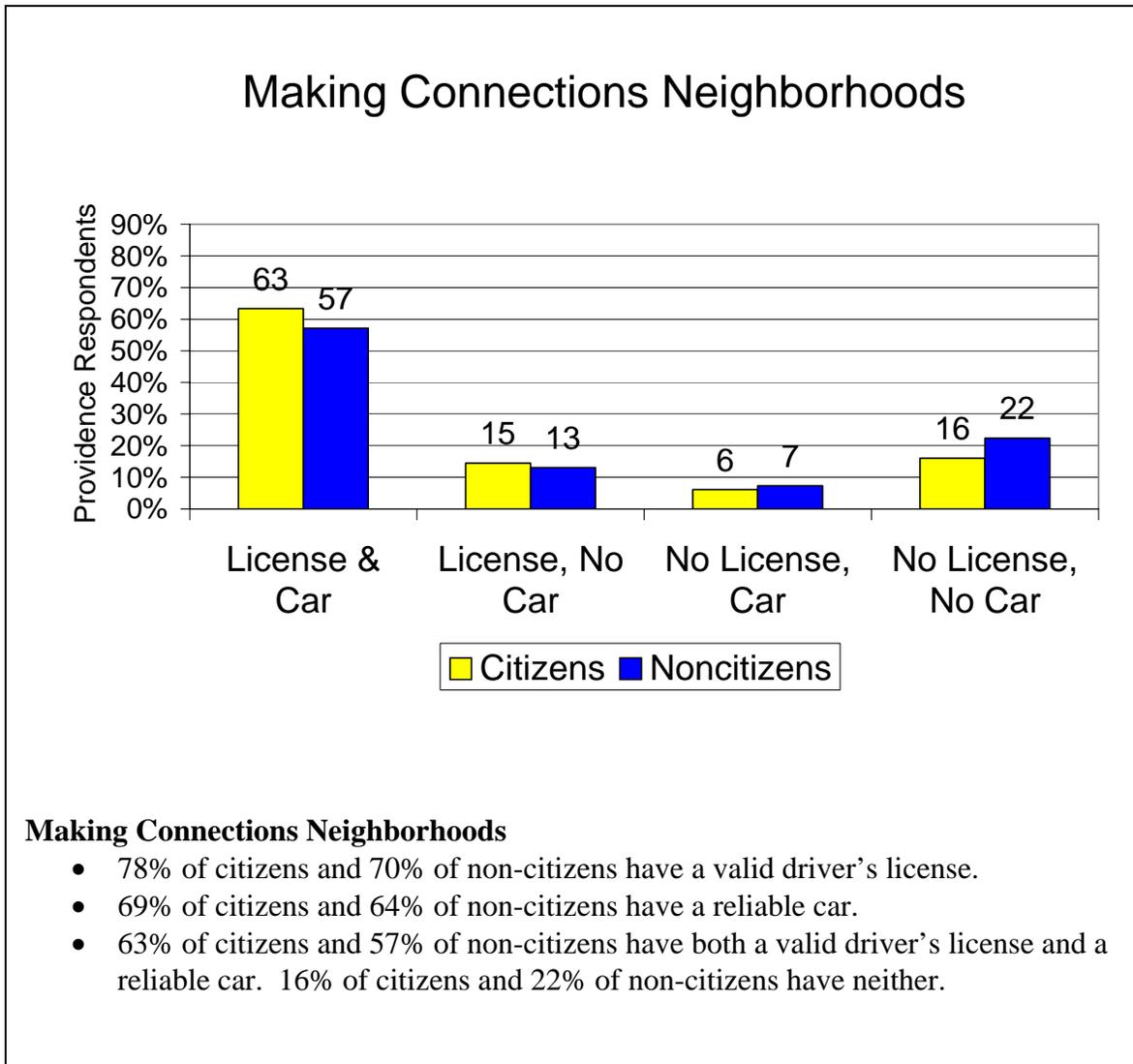
Fig. 4: In Providence, do *unemployed* respondents have a license? A car?



Making Connections Neighborhoods

- 59% have a valid driver’s license.
- 50% have a reliable car.
- 41% have a valid driver’s license and a reliable car. 32% have neither.

Fig. 5: In Providence, do respondents who are citizens and respondents who are non-citizens differ in access to a car? A license?



Source: Annie E. Casey Making Connections Cross-Site Survey of target neighborhoods and households living in surrounding counties. Statistics are based on tabulations of data prepared by the Urban Institute.

Fact Sheet: Designed and prepared by Brookings Institution Welfare Reform & Beyond, Visiting Fellow Margy Waller and Research Assistant Jennifer Doleac.

Data are drawn from responses to the following questions:

Reliable car

Does anyone in your household own a car, van or truck?

Is this vehicle dependable?

(Note: In this fact sheet, the “no car” group includes those who say their car is undependable.)

Valid driver’s license

Do you currently have a valid driver’s license?

Employment status

Is the respondent employed?

Citizenship

Are you a citizen of the United States?

Driver's License Suspension Policies
San Antonio
9/29/05

Texas license suspension: the numbers

Of the nearly 16 million drivers in Texas in 2004, there were over 408,670 driver's license suspensions while another 12,900 drivers were issued occupational licenses. The working poor may be more likely to experience these suspensions for economic reasons, due to financial hardship and/or inflexible work schedules:

- driving without liability insurance, second offense (106,161 suspensions);
- failure to pay a judgment from a traffic accident (4,631 suspensions);
- driving with a suspended license (2,820 suspensions);
- failure to pay child support (476 suspensions);
- failure to repay an overpayment of food stamps or financial assistance (102 suspensions);
- failure to pay a fine or surcharge (data not available).³⁴⁷

Texas does not suspend a license for failure to appear in court for traffic and non-traffic violations but it will deny driver's license renewals for those violations.³⁴⁸ In 1998, about 70,000 drivers were identified as failing to appear.³⁴⁹

Overview of Texas's license suspension policies and the legal framework for administering the policies.

The Department of Public Safety (DPS) administers license suspensions. The courts may direct the DPS to suspend a driver's license for delinquent child support, failure to repay an overpayment of food stamps, and failure to renew registration as a sex offender.³⁵⁰

Conditions that lead to driver's license suspension.

In addition to suspension for typical moving violations, the DPS also suspends licenses under these circumstances that may disproportionately impact the working poor:

- driving with a suspended license;³⁵¹
- driving without liability insurance (second offense),³⁵²
- failure to pay a judgment from a traffic accident;³⁵³
- failure to pay child support.³⁵⁴
- making graffiti;³⁵⁵
- truancy or delinquent conduct by a minor;³⁵⁶

³⁴⁷ Email from Rick Ragland, Department of Public Safety, May 11, 2005.

³⁴⁸ Texas State Statutes 521.317

³⁴⁹ "Fast Facts from the DPS", DPS Public Information Office, November 2001.

³⁵⁰ "Texas Drivers Handbook". p. 1-25, October 2004.

³⁵¹ www.txdps.state.tx.us/administration/driver_licensing_control/faq/answers_sus.htm#q9

³⁵² Ibid.

³⁵³ Ibid.

³⁵⁴ www.txdps.state.tx.us/administration/driver_licensing_control/faq/answers_sus.htm#q9

³⁵⁵ "Texas Drivers Handbook", p. 1-22, October 2004.

- failure to repay an overpayment of food stamps or financial assistance;³⁵⁷
- failure to renew annually as a classified sex offender.³⁵⁸
- failure to pay a fine or surcharge.³⁵⁹

Driving with a suspended license is subject to a fine of \$100 to \$500, as well as jail for at least 72 hours and as long as 6 months.³⁶⁰ The Municipal Court in San Antonio charges an additional fine of \$211 for failure to appear.³⁶¹

The DPS suspends child support obligors' licenses when they are at least three months in arrears or if they have failed to comply with a court support order.³⁶² The state may suspend a driver's license only after it has provided the obligor an opportunity to set up a payment plan for the arrears.³⁶³

The number one cause of license suspension in Texas is driving without insurance. One state legislator reported there is an estimate suggesting at least three million drivers are uninsured in the state.³⁶⁴

Though Texas law requires minimum automobile liability insurance, it also allows insurance companies to sell monthly policies (coverage lasting only 30 days). This option makes it possible for drivers to comply with the law for the month in which they must provide proof of insurance for vehicle registration or inspection and then to subsequently cancel the insurance.³⁶⁵

In 2003, the Texas legislature created the Texas Driver Responsibility Program to fund trauma and emergency care centers with increased surcharges and fees for certain moving violations. The program also levies a \$250 surcharge each year for three years against drivers convicted of driving without insurance and \$100 for drivers without a valid driver's license. These surcharges are in addition to reinstatement fees and court costs typically assessed for these violations.³⁶⁶

Process for license reinstatement.

The Department of Public Safety will automatically reinstate a driver's license once the suspension period is over, though staff at DPS recommend that drivers contact them to

³⁵⁶ Ibid., p. 1-23.

³⁵⁷ Ibid. p, 1-25.

³⁵⁸ Ibid.

³⁵⁹ Conversation with Butch Corder, Department of Public Safety, April 28, 2005.

³⁶⁰ Ibid., p.1-26

³⁶¹ Traffic Fine Schedule, San Antonio Municipal Court. www.sanantonio.gov/court/trafficfine.asp

³⁶² "Child Support Frequently Asked Questions", Texas Office of the Attorney General.

www.oag.state.tx.us/child/faq.shtml#license

³⁶³ Texas Family Code 232.003

³⁶⁴ Constance Parten, "Insurance Committee Tackles Tough Issues at Initial Hearing", *Insurance Journal*, February 19, 2001.

³⁶⁵ "Being Responsible", *San Antonio Business Journal*, December 21, 2001.

³⁶⁶ "Driver Responsibility Program", Information for the News Media, DPS Public Information Office. August 19, 2003 Press Release.

www.txdps.state.tx.us/director_staff/public_information/

ensure they have lifted the suspension.³⁶⁷ The fee for reinstatement is approximately \$100.

Availability of work restricted or conditional licenses.

Texas offers an occupational license for certain suspensions, including those for failure to maintain insurance, though it is not available for suspensions due to nonpayment of child support. According to staff at the Department of Public Safety, the suspended driver must take the initiative to request an occupational license from the court. The driver must then attend a hearing to present reasons for requesting the license.³⁶⁸ The court may authorize the operation of a vehicle in connection with the driver's occupation, for educational purposes, and/or in the performance of essential household duties.³⁶⁹ The DPS charges a \$10 fee for this license.

Programs or policies to address the impact of economic-based license suspension.

The San Antonio Municipal Court offers community service in lieu of payment of fines. Judges make independent determinations as to whether a driver can afford to pay a fine. According to the court manager, the court has offered community service for over 10 years and the program is well known and frequently utilized.³⁷⁰

Texas Rio Grande Legal Aid occasionally assists clients with facilitating payment plans for license suspension in Municipal Court, but does not represent obligors in child support cases. According to Legal Aid staff, driving without insurance is likely the most significant motor vehicle-related problem for the working poor in Texas.³⁷¹

Current state of transportation options for residents of low-income neighborhoods. General information on transportation as a barrier to employment.

San Antonio is one of a handful of metropolitan areas in which job growth in the city is outpacing that in the suburbs.³⁷² According to staff at several community-based organizations, transportation to jobs is a significant issue for the working poor. Access to a vehicle is important in Texas where public transportation is not comprehensive, even in urban areas. A recent study of public transit from the west side of San Antonio (where many of the poor reside) to a major medical center found that the trip required three bus transfers. However, the tourism industry employs large numbers of the working poor and some hotels provide van service to employees.³⁷³

San Antonio passed a referendum in 2004 that will allow the city's public transportation system, VIA Metropolitan Transit, to provide "night owl" service.³⁷⁴

³⁶⁷ Conversation with Bill Nasch, Department of Public Safety, April 28, 2005.

³⁶⁸ Conversation with Bill Nasch, Department of Public Safety, April 28, 2005.

³⁶⁹ www.txdps.state.tx.us/administration/driver_licensing_control/faq/answers_dl_id.htm#q42

³⁷⁰ Conversation with David Preciado, Interim Court Clerk, May 2, 2005.

³⁷¹ Conversation with Brendan Gill, staff attorney, Texas Rio Grande Legal Aid, April 29, 2005.

³⁷² John Brennan and Edward W. Hill, "Where Are the Jobs?: Cities, Suburbs, and the Competition for Employment", The Brookings Institution, November 1999. www.brookings.edu/es/urban/hillexsum.htm. San Antonio is the only city in this survey where job growth outpaced that in the suburbs.

³⁷³ Conversation with Toni Van Buren, United Way of San Antonio, May 12, 2005.

³⁷⁴ Conversation with Irene Morris, VIA Metropolitan Transit, May 24, 2005.

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Access to Private Transportation: *San Antonio, Texas*

Fig. 1: In San Antonio, do respondents have a license? A car?

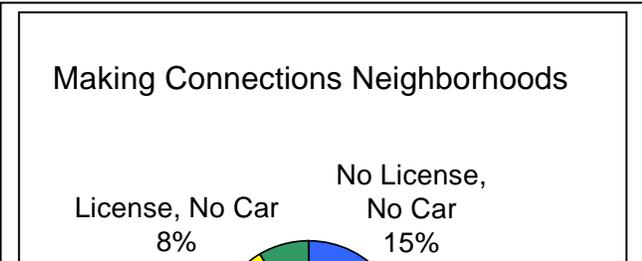
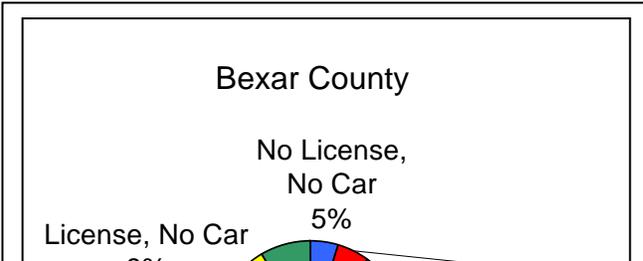


Fig. 2: In Bexar County, do respondents have a license? A car?



Facts about San Antonio

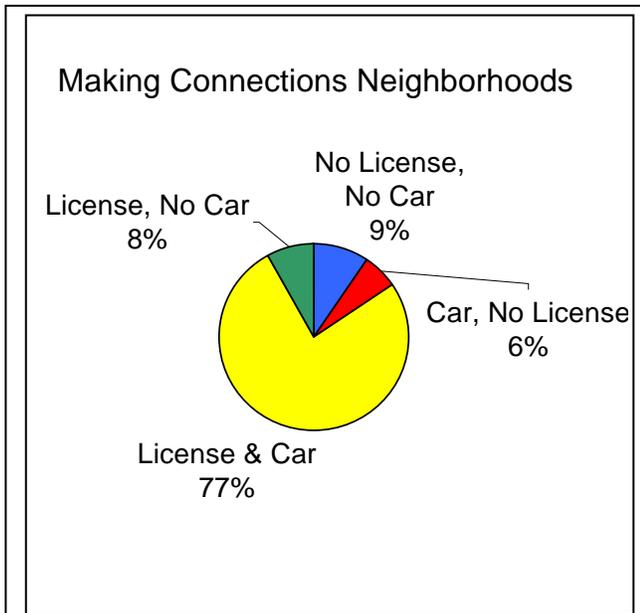
Unemployment

- 41% of Making Connections Neighborhood respondents are unemployed.
- 25% of Bexar County respondents are unemployed.

Citizenship

- 14% of Making Connections Neighborhood respondents are non-citizens.
- 7% of Bexar County respondents are non-citizens.

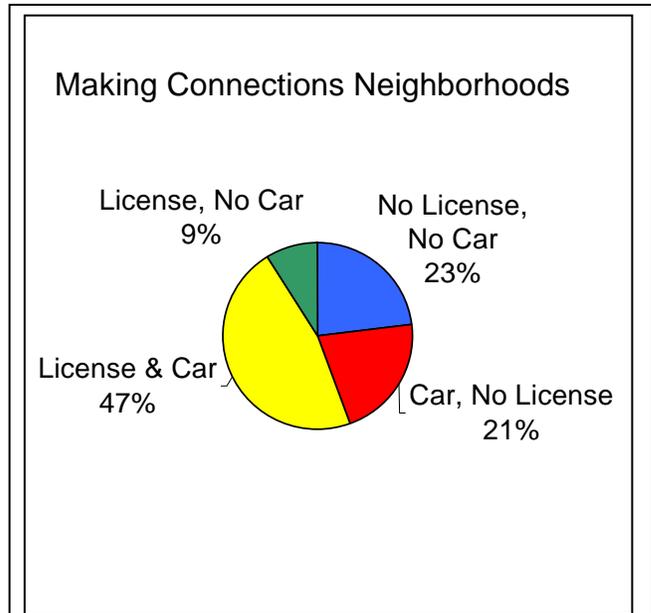
Fig. 3: In San Antonio, do *employed* respondents have a license? A car?



Making Connections Neighborhoods

- 85% have a valid driver’s license.
- 83% have a reliable car.
- 77% have a valid driver’s license and a reliable car. 9% have neither.

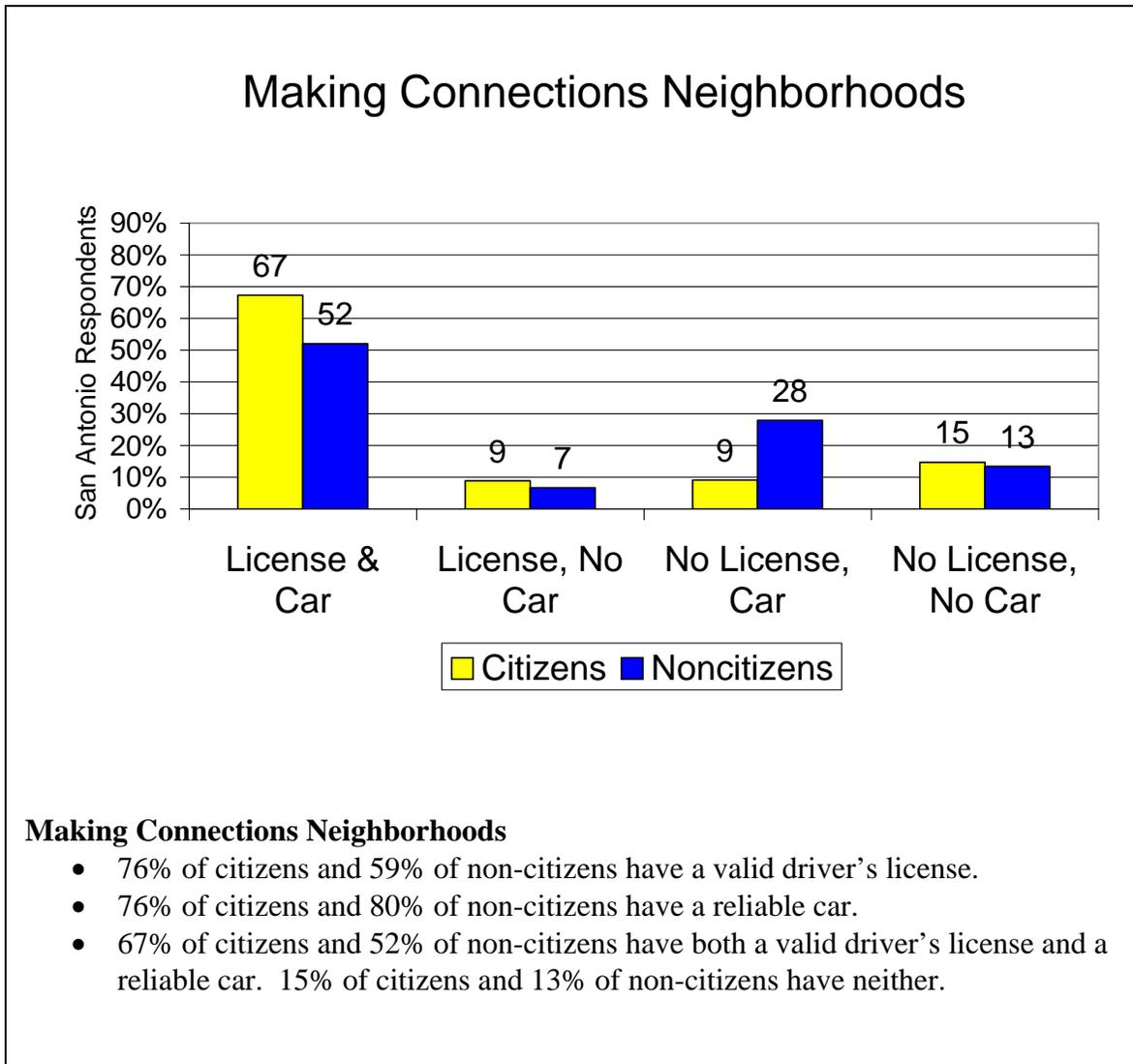
Fig. 4: In San Antonio, do *unemployed* respondents have a license? A car?



Making Connections Neighborhoods

- 56% have a valid driver’s license.
- 68% have a reliable car.
- 47% have a valid driver’s license and a reliable car. 23% have neither.

Fig. 5: In San Antonio, do respondents who are citizens and respondents who are non-citizens differ in access to a car? A license?



Source: Annie E. Casey Making Connections Cross-Site Survey of target neighborhoods and households living in surrounding counties. Statistics are based on tabulations of data prepared by the Urban Institute.

Fact Sheet: Designed and prepared by Brookings Institution Welfare Reform & Beyond, Visiting Fellow Margy Waller and Research Assistant Jennifer Doleac.

Data are drawn from responses to the following questions:

Reliable car

Does anyone in your household own a car, van or truck?

Is this vehicle dependable?

(Note: In this fact sheet, the “no car” group includes those who say their car is undependable.)

Valid driver’s license

Do you currently have a valid driver’s license?

Employment status

Is the respondent employed?

Citizenship

Are you a citizen of the United States?

SEATTLE
9/29/05

Washington license suspension: the numbers.

Of the nearly four and a half million licensed drivers in February 2005, there were 158,218 license suspensions and revocations while another 2,837 drivers were issued occupational/restricted licenses.³⁷⁵

In 2004, before the Department of Licensing (DOL) released failure to appear suspensions³⁷⁶ (see below), there were over 350,000 records showing a revocation or suspension.³⁷⁷ The release significantly reduced that number, but “failure to appear” remains the number one cause for suspension. Meanwhile failure to pay child support led to 13,089 suspensions.³⁷⁸ The working poor may be more likely to experience these suspensions for economic reasons, due to financial hardship and/or inflexible work schedules.

Overview of Washington’s license suspension policies and the legal framework for administering the policies.

The state Department of Licensing (DOL) is the agency responsible for administering suspensions.

Conditions that lead to driver's license suspension.

In addition to suspension for typical moving violations, DOL also suspends licenses under the following circumstances that may disproportionately impact the working poor:

- failure to pay or appear on a traffic citation (on hold until the state enacts a new law, see below);³⁷⁹
- found delinquent;³⁸⁰
- habitually truant or dropped out of school;³⁸¹
- failure to pay child support.³⁸²

Penalties for traffic violations increased significantly in Washington State in the 1990s, with fines for driving without insurance and driving without a valid license at about \$500

³⁷⁵ Emails from Doralyn LeGarde, Department of Licensing, February 9 and April 25, 2005

³⁷⁶ In June 2004, the Washington State Supreme Court ruled that the law that authorizes the state’s Department of Licensing (DOL) to suspend a driver’s license for failing to pay, respond to or comply with a traffic infraction notice without an administrative hearing does not meet due process requirements. As a result, the state is releasing all failure to pay suspensions until the legislature acts to address this.

³⁷⁷ Heath Foster, “Seattle City Council Revisits Impound Law”, Seattle Post-Intelligencer, May 17, 2004.

³⁷⁸ LeGarde, April 25, 2005.

³⁷⁹ “DOL Suspension/Revocation FAQs,” Washington State Department of Licensing, <http://www.dol.wa.gov/ds/susprevoc.htm#1>

³⁸⁰ “Driver License Withdrawals” Division of Motor Vehicles, March 10, 2004, pg.1.

³⁸¹ Ibid.

³⁸² Email from Susan Paine, Seattle Municipal Court, February 1, 2005.

each, making paying the fines prohibitively expensive for low-income drivers.³⁸³ The courts may send a driver's unpaid tickets to a collection agency, which may in turn charge high interest rates on outstanding balances.³⁸⁴ Even the insurance commissioner noted that most people who do not have insurance have opted not to purchase any because the annual costs are simply too high (\$700 in the late 1990s).³⁸⁵

Process for license reinstatement.

Once a driver meets all financial obligations for an infraction, court clerical staff issues a "certificate of adjudication". The defendant must bring that certificate to the local DOL office and DOL will then clear those tickets as paid in full. The driver's license will be re-issued at that point. However, it can take a few days for the DOL to clear adjudicated tickets from the database so DOL advises drivers to carry the certificate of adjudication for about a week.³⁸⁶

The Seattle Municipal Court also has a "Re-licensing Initiative" to help drivers reinstate their licenses. See below for more detail.

Availability of work restricted or conditional licenses.

Washington State offers an "Occupational/Restricted Driver License (ORL)", in some cases, which can take 7 to 10 working days to process after receipt of the application.³⁸⁷ DOL places restrictions on hours of the day for driving, not to exceed 12 hours, the days of the week, and general driving routes. Applying for the ORL requires a non-refundable \$100 application fee that the DOL will not waive, making it prohibitively expensive for many of those unable to afford their original fines or tickets. The DOL issues conditional licenses for the reasons listed below; drivers must submit an additional application for each condition, adding layers of complexity and bureaucracy:

- employment;
- health care needs, or caretaking if a driver has responsibility for another person's health care;
- education, if the driver is pursuing a degree;
- court-ordered community service;
- Work First (a welfare-to-work program), apprenticeship, or on-the-job training;
- substance abuse treatment, or 12-step meetings (unless transit service is available).³⁸⁸

The DOL will not issue a restricted license for certain suspensions, including those that have resulted from failure to pay child support,³⁸⁹ habitual truancy or delinquency.³⁹⁰

³⁸³ Heath Foster, "City's Tow-Truck Justice: Unfair Tool or Deterrent?", Seattle Post-Intelligencer. July 20, 1999.

³⁸⁴ Email from Lisa Daugaard, The Defender Association, May 24, 2005.

³⁸⁵ Ibid.

³⁸⁶ Paine, February 2, 2005.

³⁸⁷ "DOL Suspension/Revocation FAQs,"

³⁸⁸ "Occupational/Restricted Driver License", www.dol.wa.gov/ds/ordl.htm

³⁸⁹ Ibid.

³⁹⁰ "Driver License Withdrawals", pg. 1.

Programs or policies to address the impact of economic-based license suspension.

Seattle Municipal Court

The Seattle Municipal Court (SMC) began re-licensing efforts in the late 1990s.³⁹¹ The Defender Association’s Racial Disparity Project and CAMP (Central Area Motivation Program, a nonprofit) collaborated with Larry Gossett (a King County council member), and Judge Judith Hightower (the presiding judge) to establish a comprehensive re-licensing program. The initiative includes the Driving Calendar, the Call Reminder program, an ombudsperson, time payments, and license counseling with community-based organizations. With the program, the court intended to increase re-licensing and to provide other resources to help suspended drivers deal with related socio-economic issues.

An evaluation of the initiative drew a “correlation between defendants who struggle with economic issues and the amount of punishment they receive, suggesting that they are subject to more punishment than those who can afford the fines associated with the costs of an impound and the accompanying infraction(s).³⁹²

A detailed report of this program is attached; some of the key findings, recommendations, and programs are detailed below.³⁹³

Driving Calendar

In November 2000, the court began consolidating all “driving while license suspended in the third degree” (DWLS 3, or driving while license suspended for failure to pay) cases onto one weekly court calendar, referred to as the “Driving Calendar.” The SMC decided to schedule all license violation intakes at this hearing. By dedicating the calendar and separating these cases from other misdemeanors like assault, “the Court could offer specialized services to defendants with similar needs”.³⁹⁴ The Driving Calendar is held at night to improve accessibility.

The SMC will dismiss cases for first-time offenders if they take part in driver’s license counseling. Defendants may also consult with a public defense attorney and various court staff to assist them with addressing their unpaid traffic infractions and license reinstatement.

Call Reminder Program/Time Payments

According to the evaluation, a defendant’s failure to appear (FTA) at a scheduled hearing can be costly to the court and can have significant legal repercussions for the defendant. In 1998 fifty-three percent of drivers in DWLS 3 cases failed to appear in court, automatically resulting in an arrest warrant.³⁹⁵ A Call Reminder Program uses court staff

³⁹¹ Conversation with Lisa Daugaard, The Defender Association, February 10, 2005.

³⁹² “Re-licensing Evaluation,” Seattle Municipal Court, March 2002, pg. 3.
<http://www.cityofseattle.net/courts/PDF/RelicensingEval.pdf>.

³⁹³ Ibid, page 3.

³⁹⁴ Ibid., pg. 7.

³⁹⁵ Foster, July 20, 1999.

to call offenders twice before the defendant's intake hearing. After a pilot FTA reduction program which tested call reminders on the Driving Calendar, the overall appearance rate increased six percent, from 56 percent to 62 percent.³⁹⁶

The SMC staff works with offenders to establish monthly time-payment agreements based on individual circumstances or offer community service hours for those who are not able to afford cash payments. A reduction or waiver of the fine may also be recommended.³⁹⁷

Community Based Programs

The SMC contracted with three community agencies to supplement the re-licensing efforts: Central Area Motivation Program (CAMP), Northwest Labor and Employment Law Office (LELO), and Apprenticeship & Non-Traditional Employment for Women and Men (ANEW).

During its first two years the SMC awarded \$150,000 in contracts to community-based agencies for the Re-licensing Initiative.³⁹⁸ The agencies played a pivotal role in the program providing "re-licensing services... job training and placement, training and education to enhance life skills, interpreting services, [and] assistance in obtaining social services."³⁹⁹ These organizations also advised drivers with tickets in other Seattle courts.⁴⁰⁰ Court personnel attend orientations held by CAMP and LELO to provide individualized services and to set up payment plans in other courts.

Data

Between November 2000 and September 2001, outcomes of the Re-licensing Initiative included:

- Sixty-one percent of defendants who utilized re-licensing services offered by SMC or community agencies obtained valid driver's licenses, compared to 25 percent of the control group;⁴⁰¹
- Eighty-eight percent of defendants who had received re-licensing services offered by SMC or community groups were "compliant with payment obligations or community service hours assigned in lieu of payment of fines," 24 percent higher than the control group;⁴⁰²

The Re-licensing Initiative has also saved the city money. In the first year that SMC offered payment plans (in late 1998), revenues increased by \$2 million.⁴⁰³ The report also identifies other benefits that are harder to quantify, like reduced jail costs for FTA

³⁹⁶ Re-licensing Evaluation, pg. 9.

³⁹⁷ Ibid., og. 11.

³⁹⁸ Ibid., pg. 4.

³⁹⁹ Ibid.

⁴⁰⁰ Ibid.

⁴⁰¹ Ibid. at pg. 11.

⁴⁰² Ibid. at pg. 4.

⁴⁰³ Boruchowitz and Bonner, February 7, 2001.

offenders as they “are more than twice as likely to go to jail than offenders who appear”.⁴⁰⁴

After a Supreme Court ruling that the state’s Department of Licensing (DOL) may not suspend a driver’s license for failure to pay a traffic infraction notice without an administrative hearing (see addendum), SMC discontinued its Driving Calendar on October 13, 2004. The Call Reminder Program is still operating for other types of court cases.⁴⁰⁵

According to SMC staff, the court’s focus has shifted to community education and outreach, implemented by partnering with local organizations to encourage formerly suspended drivers to apply to DOL for reinstatement. The court staff indicated they are committed to continuing this focus and will publish the next Re-licensing RFP shortly after the conclusion of the 2005 legislative session.⁴⁰⁶

King County District Court

The King County prosecutor and the King County District Court, working with public defenders and with the support of the county executive, developed a diversion program modeled on the SMC which it also called the Re-licensing Project. The court sought to reduce the costs to the court of the high number of DWLS 3 cases (over one third of all state criminal filings) and the impact of suspensions on the poor. Court prosecutors and judges found that suspensions for traffic violations have a profound effect on the poor who cannot pay their tickets, lose their license, and then are arrested for driving without one. A press release announcing this project describes a “downward spiral of suspension” that results in fines, fees, and additional charges making license reinstatement nearly impossible.⁴⁰⁷

Further, the court has concluded that prosecution of DWLS 3 cases does not seem to increase the collection of fines for traffic violations, yet creates significant costs for the court. Meanwhile, license suspensions for this violation pose a barrier to low-income drivers seeking to find and maintain employment.⁴⁰⁸

The report also determined that the primary reasons people fail to pay fines are:

- “financial hardship, and lack of a customized payment plan tailored to ability to pay;
- “lack of alternatives, such as community service, to financial penalties;
- “lack of a unified payment system that covers the various jurisdictions to which drivers may owe fines;
- “lack of information about existing alternatives to paying the entire fine on a traffic infraction in full immediately.”⁴⁰⁹

⁴⁰⁴ Re-licensing Evaluation, pg. 9.

⁴⁰⁵ Paine, February 10, 2005.

⁴⁰⁶ Ibid.

⁴⁰⁷ “Relicensing Project” Press Release, King County District Court, undated.

www.metrokc.gov/kcdc/dwls3pr.htm

⁴⁰⁸ Ibid.

⁴⁰⁹ Ibid.

**Current state of transportation options for residents of low-income neighborhoods.
General information on transportation as a barrier to employment.**

According to community-based activists, public transportation is inadequate in many ways: it is prohibitively expensive for low-income workers; many bus lines in low-income neighborhoods do not run 24 hours a day, making commutes to non-standard shifts difficult; and the transportation routes do not link many of those neighborhoods to areas with jobs.⁴¹⁰

King County created a Metro Jobs Access Transportation Program to:

- make transit affordable for low-income and welfare recipients;
- improve access to information about transportation options, especially for non-English speaking clients;
- provide personalized services to help individuals join or form carpools and vanpools.
- develop transportation alternatives that better link low-income individuals to job centers;
- subsidize leased vans or establish vanpools with community agencies;
- partner with employers, jurisdictions, housing authorities and social service agencies.⁴¹¹

Working Wheels, a program of The Office of Port JOBS, is a comprehensive transportation-to-work program. It combines credit repair and asset maintenance training to help clients become successful borrowers and car owners. Eligible clients, most of whom are former welfare recipients, purchase a vehicle for an average of \$1,500 when they qualify for a loan through a partnership with a local credit union. In its first year of operation, Working Wheels sold 75 cars.⁴¹²

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⁴¹⁰ Conversation with Lynn Domingo, Northwest Labor and Employment Law Office, February 4, 2005

⁴¹¹ www.transit.metrokc.gov/tops/jobaccess/jobseeker.html

⁴¹² www.portjobs.org/working_wheels.htm

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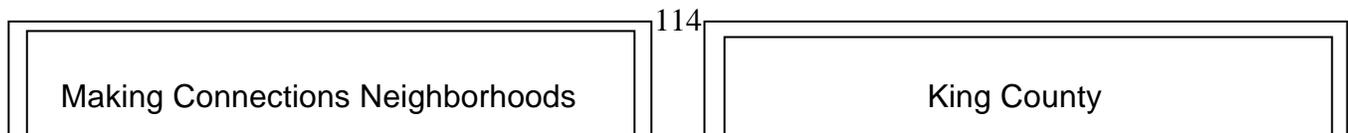
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Access to Private Transportation: *Seattle, Washington*

Fig. 1: In Seattle, do respondents have a license? A car?

Fig. 2: In King County, do respondents have a license? A car?



Facts about Seattle

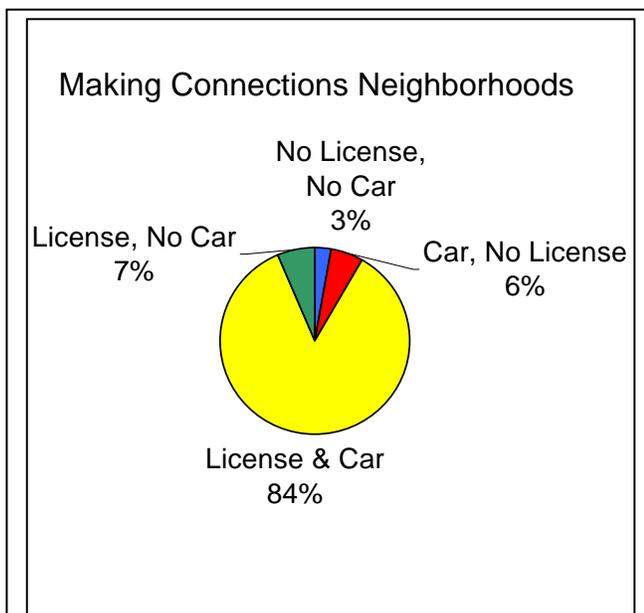
Unemployment

- 27% of Making Connections Neighborhood respondents are unemployed.
- 25% of King County respondents are unemployed.

Citizenship

- 15% of Making Connections Neighborhood respondents are non-citizens.
- 9% of King County respondents are non-citizens.

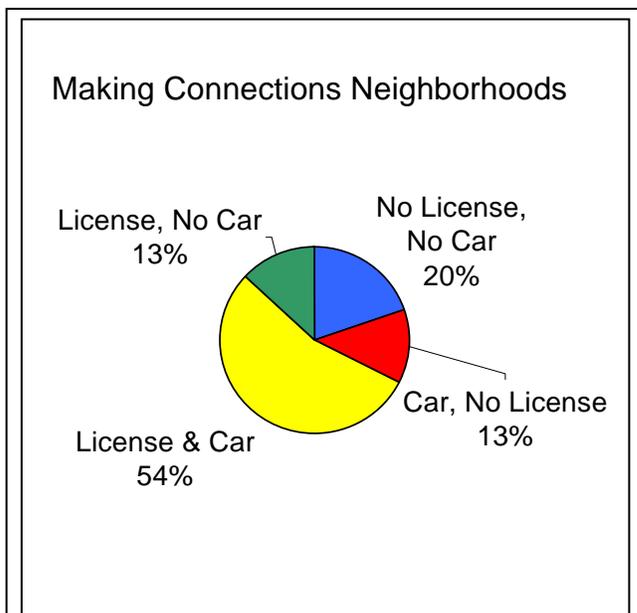
Fig. 3: In Seattle, do *employed* respondents have a license? A car?



Making Connections Neighborhoods

- 91% have a valid driver's license.
- 90% have a reliable car.
- 84% have a valid driver's license and a reliable car. 3% have neither.

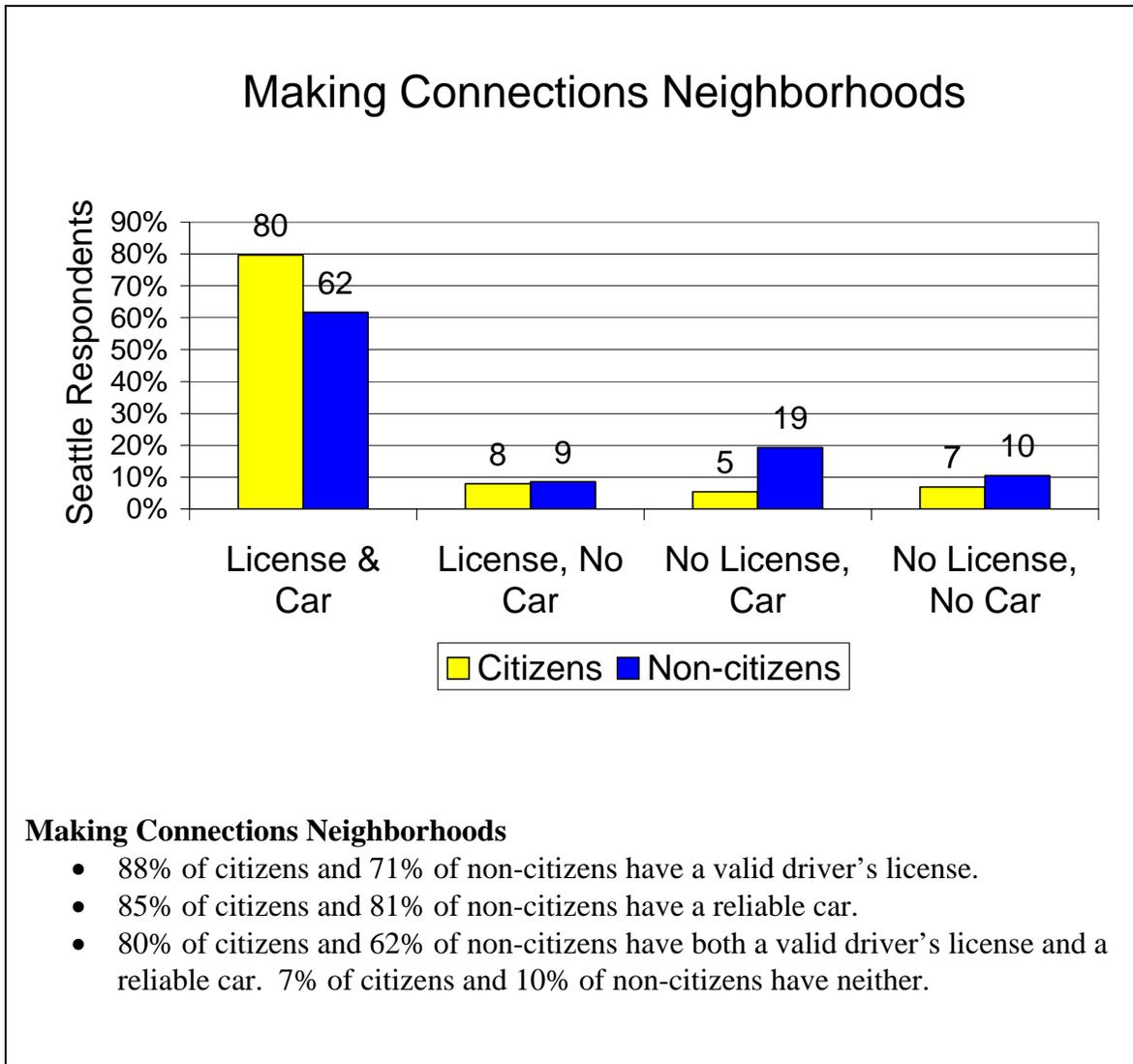
Fig. 4: In Seattle, do *unemployed* respondents have a license? A car?



Making Connections Neighborhoods

- 67% have a valid driver's license.
- 67% have a reliable car.
- 54% have a valid driver's license and a reliable car. 20% have neither.

Fig. 5: In Seattle, do respondents who are citizens and respondents who are non-citizens differ in access to a car? A license?



Source: Annie E. Casey Making Connections Cross-Site Survey of target neighborhoods and households living in surrounding counties. Statistics are based on tabulations of data prepared by the Urban Institute.

Fact Sheet: Designed and prepared by Brookings Institution Welfare Reform & Beyond, Visiting Fellow Margy Waller and Research Assistant Jennifer Doleac.

Data are drawn from responses to the following questions:

Reliable car

Does anyone in your household own a car, van or truck?

Is this vehicle dependable?

(Note: In this fact sheet, the “no car” group includes those who say their car is undependable.)

Valid driver’s license

Do you currently have a valid driver’s license?

Employment status

Is the respondent employed?

Citizenship

Are you a citizen of the United States?

SEATTLE: Addendum to Final Report

9/29/05

Washington Driver's License Suspension Policies

Recent judicial and legislative decisions have changed key license suspension policies in Seattle. In June 2004, the Washington State Supreme Court ruled that the state's Department of Licensing (DOL) may not suspend a driver's license for failure to pay, respond to, or comply with a traffic infraction notice without an administrative hearing.⁴¹³ The decision found that to do so would violate the plaintiff's right to due process. Staff at the Seattle Municipal Court expects that the 2005 State Legislature will address the Supreme Court decision.⁴¹⁴ However, until the legislature provides guidance, the DOL will not suspend driver's licenses for failure to pay or appear. For now, the DOL has released thousands of so-called failure to appear (FTA) suspensions and the associated FTA reissue fee; however, the notation will remain on the driver's record.⁴¹⁵

One month before the Supreme Court ruling, Seattle rescinded a controversial 1999 ordinance that authorized law enforcement personnel to impound vehicles when they found that a driver did not have a valid driver's license. Several months before the rescission, the state Supreme Court ruled that the impoundment statute had vested some discretion in police officers regarding whether to impound a car and that the officers were to exercise that discretion on a case-by-case basis. Administratively, however, the Washington state patrol had adopted regulations that made impoundment mandatory. Seattle police claimed after the ruling that the policy had been discretionary all along. Ultimately, a Seattle law firm agreed to represent drivers who had had their cars impounded under the mandatory policy in a class action lawsuit. The court certified the class early in 2005 and the case is in discovery.⁴¹⁶

Impound Policy

The issue of license suspension has been at the forefront of public discourse in Seattle for several years. Seattle's impound ordinance received significant press, and many in the community opposed it, including a member of the City Council, The Defender Association (TDA), and neighborhood activists who demanded its repeal. The City Attorney, Mark Sidran, who advocated for passage of the ordinance, argued that people who drive without licenses and without insurance are dangerous to the public.⁴¹⁷ Yet 89 percent of the cars police impounded in the first year were taken because the drivers had suspended licenses for nonpayment of fines, mostly for minor traffic and vehicle equipment violations.⁴¹⁸ The DOL classifies driving under this type of suspension as a misdemeanor violation called Driving While License Suspended in the 3rd degree (DWLS

⁴¹³ City of Redmond v. Moore #72614-1, <http://www.mrsc.org/mc/courts/slip/supreme/726141MAJ.html>

⁴¹⁴ Email from Susan Paine, Seattle Municipal Court, February 1, 2005.

⁴¹⁵ FTA. www.dol.wa.gov/news/ftaNews.htm. In June 2004, of 387,000 DWLS 3 drivers the DOL released 200,000 from their suspension.

⁴¹⁶ Conversation with Lisa Daugaard, The Defender Association, February 10, 2005.

⁴¹⁷ The city bolstered its argument by citing two studies in Ohio and California as supporting its claim that driving with a suspended license was dangerous and deadly. Yet the Ohio study included only licenses revoked because of driving under the influence, and the California study grouped drivers with serious driving violations with those who had only minor traffic infractions.

⁴¹⁸ Lisa Daugaard "Impound Policy Goes after the Poor", *Seattle Post-Intelligencer*, August 17, 1999.

3). Seventy percent of the drivers police apprehended were not even driving their own cars.⁴¹⁹ Furthermore, a 2003 evaluation of the impound ordinance found “no evidence the law has deterred unlicensed driving”.⁴²⁰ In fact, the Washington State Traffic Commission has estimated that 75 percent of the people with suspended licenses continue to drive.⁴²¹

Under the leadership of TDA, license suspensions and mandatory impoundments became a civil rights issue for the poor in Seattle. In 1999, TDA’s Racial Disparity Project (RDP)⁴²², after consulting with community groups, chose to focus on this issue. By meeting with press, gaining the trust and support of local community leaders, and encouraging victims of license suspension to become grassroots activists, the RDP created a grassroots effort with widespread and diverse support—so much so that it became a case study for a 2004 law review article on the need for a more community-oriented practice by public defenders.⁴²³

The RDP sought to create systemic change and reached out to community organizations representing constituencies negatively impacted by discriminatory criminal justice policies.⁴²⁴ Lisa Daugaard, a staff attorney at TDA, knew the executive director of the Central Area Motivation Program (CAMP), a Seattle social services agency, and facilitated a meeting to discuss the RDP. CAMP had recently completed a survey of its ex-offender program clients on the major barriers to obtaining and retaining jobs. CAMP identified the top two barriers as a client’s ex-offender status and license suspension. Since TDA, and Daugaard in particular, had experience representing individuals in suspension cases, they chose to focus on these cases within the RDP. TDA found that it had great success in individual cases of license suspension and impoundment, often making the connection between race and racial profiling in the initial stops.⁴²⁵ Yet, these cases represented only a small percentage of the total, and did not contribute to the larger systemic change TDA sought.

The RDP changed tactics, and began to take individual cases of people who could become, with sufficient support, activists and organizers in their communities.⁴²⁶ The RDP also began holding a series of trainings with CAMP on applying for time-payment plans for unpaid tickets, which the court had the discretion to offer, but rarely did.⁴²⁷ TDA had discovered that when courts offered drivers this option, which included

⁴¹⁹ Heath Foster. “City’s Tow-Truck Justice: Unfair Tool or Deterrent”, Seattle Post-Intelligencer, July 20, 1999.

⁴²⁰ Heath Foster, “Seattle City Council Revisits Impound Law”, Seattle Post-Intelligencer, May 17, 2004.

⁴²¹ Foster, July 20, 1999.

⁴²² In 1999, TDA applied for and received a \$146,000 grant from the US Department of Justice to establish this project with the goal of reducing racial disparity and racial bias in the criminal justice system. The project grew out of TDA’s view that defenders could play a role in shaping policy and in advocating for their clients in a broader political context by working closer with communities.

⁴²³ Kim Taylor-Thompson, “Taking it to the Streets”, NYU School of Law Review of Law and Social Change, 2004, page 12.

⁴²⁴ Conversation with Daugaard, February 10, 2005.

⁴²⁵ Taylor-Thompson, 2004, page 15.

⁴²⁶ Ibid.

⁴²⁷ Ibid, pg 16.

immediate license reinstatement, drivers were more likely to pay their fines.⁴²⁸ When officials at the Seattle Municipal Court (SMC) became aware of the trainings, they were concerned about a possible sudden increase in the number of drivers seeking payment plans that it was not staffed to handle. After negotiations with the presiding judge to assuage her concerns, the SMC began working with TDA. With \$300,000 that the King County Council secured, the court launched its Re-licensing Initiative. (See final report).⁴²⁹

TDA also succeeded in advocating for the collection and release of data on the race of drivers whose cars the police impounded.⁴³⁰ Among other things, the data show that African Americans made up forty percent of those drivers, but only 10 percent of Seattle's population.⁴³¹ Further, black residents in Seattle were six times more likely than white residents to have their cars impounded. This same disparity did not exist for other minority populations.⁴³² The city also has anecdotal evidence that DWLS 3 violations disproportionately impacted the working poor, the unemployed, and indigent populations.⁴³³ Several months after the impound ordinance went into effect, a survey of 184 people with suspended licenses found that on average the driver had \$2,095 in unpaid fines and a monthly income of \$810; among repeat offenders it was closer to \$4,000 in fines.⁴³⁴ The policy required that the owner could not retrieve the car until after the conclusion of the impoundment period. Drivers then had to pay an "administrative fee, the cost of removal, towing, and storage, in addition to the fines for the underlying traffic offenses".⁴³⁵

Community organizations, TDA clients, and the RDP strongly opposed Operation Impound, believing that its main impact was not on dangerous drivers, but on the poor.⁴³⁶ In fact, TDA staff reported that nearly half of the drivers they represented with impounded cars had incomes under \$13,000 a year.⁴³⁷

Grassroots Campaign

In 1999, the RDP initiated a grassroots campaign to repeal the impound ordinance with community organizations like CAMP, the Northwest Labor and Employment Office, and a member of the city council. With local activists, particularly those who had compelling stories that the press might cover, it embarked on a campaign to demonstrate the adverse impacts of this policy on working individuals and families.⁴³⁸ The local activists ultimately formed their own campaign, Drive to Survive.⁴³⁹ This resident-led campaign

⁴²⁸ Conversation with Daugaard, February 10, 2005.

⁴²⁹ Ibid.

⁴³⁰ Taylor-Thompson, pg. 17.

⁴³¹ *City Hall column*, Seattle Weekly, January 1 – 7, 2003.

⁴³² Foster, July 20, 1999.

⁴³³ Email from Betty McNeely, Seattle Municipal Court, February 2, 2005.

⁴³⁴ Foster, July 20, 1999. "Re-licensing Evaluation," Seattle Municipal Court, March 2002, pg. 6.

⁴³⁵ Taylor-Thompson, page 15.

⁴³⁶ Daugaard, August 17, 1999.

⁴³⁷ Bobbi Nodell, "Steering Help in Right Direction: UW law students rescue impounded cars". The Seattle Times, September 30, 2002.

⁴³⁸ Ibid.

⁴³⁹ Taylor-Thompson, pg. 18.

addressed issues related to the impound policy and enlisted more activists in the process.⁴⁴⁰ Four years later city council rescinded the impound policy.

Brookings Institution Welfare Reform & Beyond Initiative
Driver's License Suspension Policies
Washington, DC
9/29/05

Washington, DC license suspension: the numbers.

Of the over 300,000 licensed drivers in Washington, DC in 2004, there were 19,941 driver's license suspensions and revocations. The working poor may be more likely to

⁴⁴⁰ Ibid.

experience these suspensions for economic reasons, due to financial hardship and/or inflexible work schedules:

- failure to pay a ticket (15,109 suspensions);
- failure to maintain insurance (32 suspensions);
- driving with a suspended license (124 suspensions);⁴⁴¹
- failure to pay child support (970 suspensions as of March, 2005).⁴⁴²

Overview of Washington DC's license suspension policies and the legal framework for administering the policies.

The Department of Motor Vehicles (DMV) administers all license suspensions.⁴⁴³

Conditions that lead to driver's license suspension.

In addition to suspension for typical moving violations, the DMV also suspends licenses under these circumstances that may disproportionately impact the working poor:

- failure to pay child support;⁴⁴⁴
- failure to pay outstanding traffic tickets (uncontested and unpaid after 30 days);⁴⁴⁵
- failure to maintain insurance;⁴⁴⁶
- driving with a suspended license.⁴⁴⁷

The DMV, will suspend the license of an obligor who is more than 60 days in arrears, once the Child Support Services Division (CSSD) refers the case to the DMV.⁴⁴⁸ A noncustodial parent has at least 45 days to set up a support payment plan before the DMV will suspend the license. A parent can avoid suspension or qualify for reinstatement of a license if any of the following apply:

- If the party is currently working, the party must make a one-time lump sum payment in an amount determined by CSSD in accordance **with his/her child support obligation amount** AND must submit to on-going wage withholding and/or a payment plan. The lump sum payment formula requires a minimum payment of \$500, but may be reduced depending on individual circumstances.
- The party was released from a penal institution within the last 120 days.
- The party is in an employment training program – written documentation from the training program is required.
- The party is disabled and unable to work – written documentation from a treating doctor is required.

⁴⁴¹ Letter from Glenn Dubin, Department of Motor Vehicles, May 4, 2005.

⁴⁴² Email from Jennifer Longmeyer-Wood, Child Support Services Division, June 3, 2005. Washington DC Department of Motor Vehicles began suspending licenses for nonpayment of child support in 2005.

⁴⁴³ Letter from Janis Hazel, Department of Motor Vehicles, May 27, 2005.

⁴⁴⁴ "FAQ's How Can a Driver's License be Suspended?" Child Support Services Division. www.csed.dc.gov/csed/cwp/view.a,3,q,514811.asp

⁴⁴⁵ Dubin, May 4, 2005.

⁴⁴⁶ Ibid.

⁴⁴⁷ Ibid.

⁴⁴⁸ "FAQ's How Can a Driver's License be Suspended?"

- The party is unemployed – a non-monetary determination letter from the Department of Employment Services is required.
- The party is currently receiving TANF
- The party is in bankruptcy.
- The party has requested an administrative hearing on the revocation issue and it remains unresolved after the hearing.⁴⁴⁹

The CSSD is developing a brochure about the license revocation process to advise the public about these rules and the process for revocation and reinstatement. The CSSD staff expects that the brochure will be available in the summer of 2005.

Process for license reinstatement.

To reinstate a license suspended for failure to pay a parking ticket, a driver must pay the ticket in full as well as the reinstatement fee.⁴⁵⁰

All license reinstatements require payment of a \$98 fee. In rare circumstances, CSSD will request that DMV waive the fee.

Until recently, an obligor had to pay current child support, 25 percent of arrears through wage withholding, and a lump-sum payment, to reinstate his license. The CSSD would then issue a license suspension compliance letter to the parent who must take it to the DMV and pay a reinstatement fee for the license.⁴⁵¹ In some cases, the CSSD offers payment plans that will also permit obligors to have their licenses reinstated without making a hefty up-front payment.⁴⁵²

Availability of work restricted or conditional licenses.

Washington does not offer restricted licenses.⁴⁵³

Programs or policies to address the impact of economic-based license suspension.

Washington offers a one-time payment plan option to settle outstanding tickets or insurance fines. The DMV offers the driver six months to pay the fines and during that time will provide the driver with a temporary license. To be eligible for the payment plans, drivers must:

- owe at least \$250;
- deposit at least 25 percent of the total amount owed at the onset of the plan;
- waive the right to a hearing once the payment plan has started;

⁴⁴⁹ Longmeyer-Wood, June 3, 2005.

⁴⁵⁰ Hazel, May 27, 2005.

⁴⁵¹ “FAQ’s How Can I get my Driver’s License Reinstated?”, Child Support Enforcement Division. www.csed.dc.gov/csed/cwp/view.a.3.q.514804.asp

⁴⁵² Acree, May 13, 2005.

⁴⁵³ Hazel, May 27, 2005.

- pay in full and on time any tickets issued after the payment plan begins.⁴⁵⁴

Staff at several community-based organizations expressed frustration in dealing with the DMV to determine the cause of a client's license suspension, concluding that it is nearly impossible for individuals to navigate the system without an advocate.

Even when a client was aware of the cause of the suspension, he often did not have the funds to pay the outstanding fines. However, these were mostly residents seeking social service benefits that required a driver's license or similar form of identification. Instead of addressing the license suspension, the organizations were more likely to help the client procure another acceptable form of identification⁴⁵⁵.

This survey did not identify any programs addressing license suspension.

Current state of transportation options for residents of low-income neighborhoods... General information on transportation as a barrier to employment.

A study of 2000 Census data found that residents of neighborhoods with high rates of poverty were much more likely to use public transportation to get to work (52 percent) than were those of neighborhoods in low poverty census tracts (eight percent).⁴⁵⁶ Throughout the city, over one third of residents used public transportation to get to work; similarly one-third did not have access to a car.⁴⁵⁷ Another study in the mid-1990s found that Washington was one of about 25 cities losing jobs in the central metropolitan area but gaining employment in the suburbs.⁴⁵⁸

The social services organization staff interviewed did not consider access to a vehicle to be essential for transportation to work in Washington.⁴⁵⁹ Staff at the DC Employment Justice Center found that car or truck ownership is most important for certain low-income individuals who have set up their own small businesses in demolition. Staff at the center have worked with people who have lost their cars and businesses due to economic hardship (either the car was repossessed or they could not afford necessary repairs). These former business owners would then typically go back to work for someone else in the industry and take public transportation to work.⁴⁶⁰

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⁴⁵⁴ "Payment Plans", Department of Motor Vehicles.

www.dmv.washingtondc.gov/serv/ticket/installment_plans.shtm

⁴⁵⁵ Conversation with Anne Gerber, Bread for the City, May 6, 2005.

⁴⁵⁶ Noah Sawyer, "Transportation to and from Work", The Urban Institute, April 2003.

⁴⁵⁷ 2000 US Census data, www.transportation.org/ctpp

⁴⁵⁸ John Brennan and Edward W. Hill, "Where Are the Jobs?: Cities, Suburbs, and the Competition for Employment", The Brookings Institution, November 1999.

⁴⁵⁹ Conversation with Heidi Goldeberg, Wider Opportunities for Women, May 18, 2005. Email from Kerry O'Brien, DC Employment Justice Center, May 20, 2005.

⁴⁶⁰ O'Brien, May 20, 2005.

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License Suspension Policies in 14 Cities

City	Total licensed drivers in state	License suspensions per year in state (est.) ¹	% with no license in MC site ²	% with no license in MC county ²	Grounds for license suspension that may disproportionately affect the working poor:						
					Failing to maintain insurance	Failure to appear on a ticket or other hearing	Failure to pay a traffic fine	Failure to pay non-traffic fine	Failure to pay child support	Driving with suspended license	Truancy
<i>Atlanta</i>	N/A	N/A	N/A	N/A	X	X	X		X	X	
<i>Baltimore</i>	pending	pending	N/A	N/A		X	X		X	X	
<i>Denver</i>	3,000,000+	264,640	30%	8%	X	X	X		X	X	
<i>Des Moines</i>	2,000,000+	37,018	20%	9%		X	X	X	X	X	X
<i>District of Columbia</i>	300,000	19,941	N/A	N/A	X		X		X	X	
<i>Hartford</i>	2,348,305	83,972	44%	7%	X	X	X		X	X	
<i>Indianapolis</i>	5,159,892	N/A	29%	7%	X	X	X		X		X
<i>Louisville</i>	2,839,632	150,308	33%	7%	X	X	X		X	X	
<i>Milwaukee</i>	3,800,000	411,617	43%	13%			X	X	X	X	X
<i>New Haven</i>	2,348,305	83,972	N/A	N/A	X	X	X		X	X	
<i>Oakland</i>	29,000,000	1,500,000	30%	11%	X	X	X		X		X
<i>Providence</i>	700,000	8,000-10,000	26%	9%		X	X		X	X	
<i>San Antonio</i>	16,000,000	408,670	27%	11%	X		X	X	X	X	X
<i>Seattle</i>	4,500,000	350,000	14%	8%	X	X	X		X	X	

¹ Each

driver may have more one suspension.

² Source: Making Connections Cross-Site Survey

Addressing Suspension and Other Transportation Barriers

<i>City</i>	<i>Provisional licenses available?</i>	<i>Requirements for provisional license, if available</i>	<i>Process for License Reinstatement</i>	<i>Community service option available?</i>	<i>Programs or policies to address economic suspensions</i>	<i>Attempts to improve access to public transit</i>	<i>Attempts to improve car ownership</i>
<i>Atlanta</i>	Yes	Very few granted. Habitual violators can receive probationary license if license is revoked for 5+ years, once 2 years have passed.	Pay fine, plus a \$35 reinstatement fee. For child support nonpayment, pay amount owed or arrange payment plan.	No	None identified.	Coalition of non-profits is working to decrease cuts in MARTA funding.	None identified.
<i>Baltimore</i>	Yes	Demonstrate need to drive to work or school, and pay \$30 fee. Local child support offices may have additional requirements.	Pay \$30 reinstatement fee at end of suspension period. For nonpayment of child support, must pay arrearages in full, establish payment plan, or prove hardship.	No	Abell Foundation funds multi-year project to address barriers to employment for noncustodial parents, as well as research relationship between license suspensions and employment outcomes. Occasional amnesty programs for those owing back child support payments.	None identified.	Vehicles for Change assists low-income residents build credit, secure bank loans for car purchases, and sells refurbished cars.

<i>Denver</i>	Yes	Pay all tickets. For child support nonpayment, nonrenewable 90-day probationary license available for work-related driving; must bring letter from employer, show proof of insurance, and pay \$5.	Provide proof of insurance; pay restoration fee of \$60. Also, if suspended for nonpayment of child support, Child Support Enforcement must issue notice of compliance.	No	Department of Corrections assists ex-offenders with license reinstatement.	Rail will be extended to surrounding counties by 2013; light rail to Denver Tech Center by 2006.	Human Services, Inc., provides low-interest loans for car purchases to applicants who are employed or in school.
<i>Des Moines</i>	Yes	Show proof of employment, or "need" to get to child or health care. Suspension is stayed during processing.	Varies by offense; for nonpayment of fine, must establish payment plan. \$20 reinstatement fee + \$200 civil penalty.	No	Little-known law allows offender to request stay of suspension due to economic hardship, though does not eradicate fine. Polk County helps arrange payment plans.	DMMTA offers reduced bus fares, as well as van-based service.	Institute for Social and Economic Development administers IDAs good for car purchases, available to refugees only. Move the Mountain Leadership Center helps improve overall economic circumstances--including car ownership--of target families.
<i>District of Columbia</i>	No		Pay ticket in full, plus \$98 reinstatement fee. CSSD recently began offering payment plans for child support arrears.	No	One-time payment plan option for outstanding tickets/insurance fines: 6 months to pay fines, and comply with requirements.	None identified.	None identified.

<i>Hartford</i>	Yes, unless suspended for DUI or failure to appear.	Download application online, processed by mail. Available for work only. Must demonstrate significant hardship, other efforts to obtain transportation, and lack of public transit.	Pay traffic fine, \$60 reopening fee, and sometimes additional \$125 fee.	No	None identified.	Harford Job Access program provides transportation to TANF clients.	Good News Garage refurbishes donated vehicles and sells them to low-income residents at cost.
<i>Indianapolis</i>	Yes	Provide: Nature of hardship or burden upon family; necessity of vehicle in employment; certified copy of petitioner's driving record in all applicable states. Pay for court costs. If granted, restricted license takes effect 30 days into suspension.	For bad check: pay amount of check, plus \$20 fee and 5% deception charge. For unpaid traffic fine: pay the fine and provide proof of disposition. For nonpayment of child support: pay arrearage in full or establish payment plan.	No	"Barrier busting" vouchers to youths ages 18-25 for help overcoming barriers to employment, including fines resulting in license suspensions. Several organizations provide info on and/or assistance with hardship licenses or license reinstatement.	Jobs for Justice successfully pushed to limit scheduled cuts in public transit service in 2004.	Family Services provides "Ways to Work" loans for car purchases to applicants who are employed or in school.
<i>Louisville</i>	Yes, but only for DUI.		Pay citation and/or comply with court requirements, plus \$40 reinstatement fee. Pay child support arrearages or required payments. For minors: Satisfy court that license is necessary for family obligations or economic hardship, or show that no longer academically deficient; no reinstatement fee.	No	Visions of Hope assists ex-offenders with license suspension/reinstatement. Urban League assists in finding alternate transportation for suspendees, and provides direction for suspension issues.	TARC's Job Hunter Bus brings groups of 20 to job fairs at no cost, as well as door-to-door service between 11pm and 5am, 7 days/week, for commuters. JOBLINKS established express bus from inner city to industrial park.	KEYS Ministry gives donated vehicles to low-income/needy people, prioritizing single mothers and not restricted to church members. Center for Women and Families has provided workshops on buying used cars and a course on car repair/maintenance.

<i>Milwaukee</i>	Yes, unless suspended for failure to pay fine.	Occupational licenses for maximum of 12 hours/day, up to 60 hours/month; \$40 fee charged. Available immediately after suspension for failure to pay child support, after 15 days for driving while suspended.	Driver must pay \$50 reinstatement fee and sometimes provide proof of insurance.	No	Pilot license recovery project for suspensions due to nonpayment of fines: Suspensions were lifted for 120 days, at the end of which drivers were expected to pay 50% of fines owed. Approximately 1/3 of applicants complied and had their licenses reinstated.	Wisconsin Works funds van pools, volunteer driver programs, and employer-based transit programs. Private Industry Council provides rides to new workers & job-seekers not served by public transit.	Esperanza Unida rebuilds and sells donated cars. Wisconsin Works provides short-term loans that can be used to buy cars for work.
<i>New Haven</i>	Yes, unless suspended for DUI or failure to appear.	Download application online, processed by mail. Available for work only. Must demonstrate significant hardship, other efforts to obtain transportation, and lack of public transit.	Pay traffic fine, \$60 reopening fee, and sometimes additional \$125 fee.	No	May seek stay for additional time to pay tickets. Auto Emergency Fund helps clients pay fees, but not fines.	Consortium of organizations lobbied to extend weekend, evening, and morning hours on public bus. Regional Growth Connection has several programs to provide access to jobs out of public transit's reach.	Good News Garage refurbishes donated vehicles and sells them to low-income residents at cost.
<i>Oakland</i>	Yes, unless suspended for failure to appear, pay a ticket/judgment, or pay child support.	Pay \$250, demonstrate need for employment, transporting minor to school, or health care. If demonstrate hardship, 30-day impoundments can be limited to allow transportation to work.	Pay ticket/clear court violation, plus \$55 fine. Pay judgment in full or arrange payment plan. Arrange child support payments with DCSS.	No	Drivers may pay fines by specific date or in installments, considering ability to pay. Private Industry Council helps parolees with reinstatement.	MTC improves transit services for low-income communities, via LIFT program.	None identified.

<i>Providence</i>	No	Not available.	\$75 reinstatement fee. Offender must pay fines or set up installment plan. For nonpayment of child support, must be in compliance with court order.	No	Department of Corrections assists ex-offenders with license reinstatement.	None identified.	None identified.
<i>San Antonio</i>	Yes, unless suspended for failure to pay child support.	Attend hearing to prove need, for work, education, or essential household duties. \$10 fee.	Pay \$100 reinstatement fee at end of suspension period.	Yes	Community service in lieu of paying fines. Legal Aid facilitates payment plan arrangements.	2004 referendum will allow the public transit system to provide "night owl" service.	None identified.
<i>Seattle</i>	Yes, unless suspended for failure to pay child support.	\$100 application fee. Must submit separate application for each use of restricted license.	Driver must pay all fines.	Yes	Seattle re-licensing program, including Driving Calendar, Call Reminder program, ombudsman, time payments, & license counseling.	Metro Jobs Access Transportation Program is comprehensive effort to improve transit access to the working poor, providing better info, affordable fares, and transportation alternatives.	Working Wheels provides credit counseling and sells donated government fleet cars to promote car ownership.