



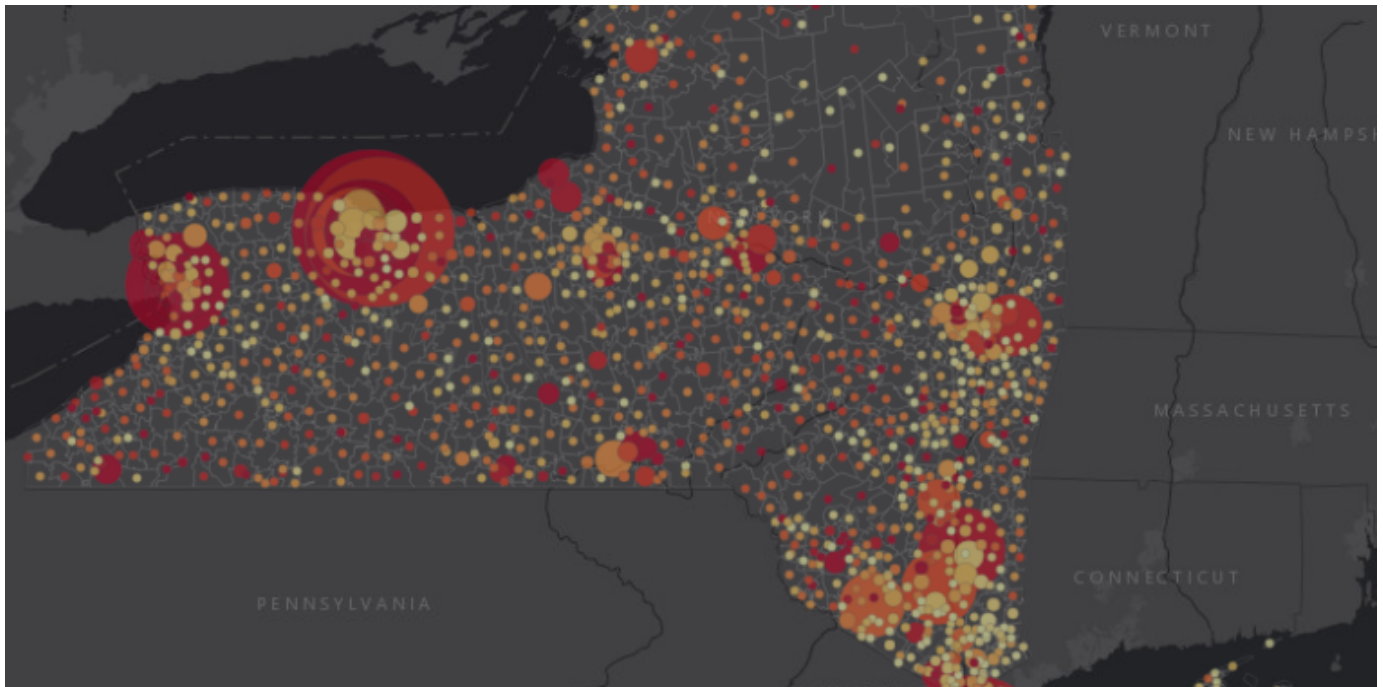
NEW YORK STATE SENATOR

Timothy M. Kennedy

## New York State Legislature Passes Senator Tim Kennedy and Assemblymember Pamela Hunter's Legislation to End Driver's License Suspensions for Unpaid Fines and Fees

TIMOTHY M. KENNEDY July 22, 2020

| ISSUE: **FINES, ECONOMIC JUSTICE, POVERTY, CIVIL RIGHTS**



ALBANY, N.Y. – The New York State Senate and Assembly have passed S.5348B, which repeals state law that allows for the suspension of drivers licenses based on the failure to pay traffic ticket fines or fees. The legislation, which also creates a payment plan system for drivers, is sponsored by Senator Tim Kennedy (D-Buffalo) in the Senate, and by Assemblymember Pamela Hunter (D-Syracuse) in the Assembly. It is part of a larger

national movement seeking to address policies that unfairly impact low-income and minority communities, by creating solutions that correct this injustice thoughtfully and sustainably. Last month, U.S. Senators Chris Coons (D-DE) and Roger Wicker (R-MS), introduced a bipartisan bill titled the “Drive for Opportunity Act,” which would provide \$20 million in new funding to states across the country that specifically remove an ability to suspend drivers licenses based on an individual’s failure to pay a civil or criminal fine or fee.

According to data provided by the Driven by Justice Coalition, during a recent 28-month period, New York issued over 1.6 million driver’s license suspensions related to traffic debt. Driver’s license suspension rates in New York are nearly nine times higher in the ten poorest communities compared to the ten wealthiest. In Upstate New York, communities with the highest percent of people of color receive driver’s license suspensions at rates four times as high as communities with the smallest percent people of color.

“Through this bill, we’re not only lifting the suspensions tied to unpaid traffic fines, but we’re creating a system for New Yorkers to pay these fees efficiently and without fear of losing a job, missing a rent payment, or forfeiting an education due to personal and financial challenges,” said **Senator Tim Kennedy**. “This measure has already been enacted in several states and is currently being considered in many others. New York needs to catch up. I’m pleased to see this reform pass the legislature swiftly upon our return to Albany, and I urge the Governor to sign this important reform into law immediately.”

“As the representative of one of the most impoverished communities of color in the country, I am proud to sponsor this legislation in the Assembly,” said **Assemblymember Pamela Hunter**. “Criminalizing poverty through license suspension further destabilizes vulnerable New Yorkers and undermines their ability to pay. Eliminating debt based license suspensions and implementing a payment plan will help New Yorkers during this difficult time while also generating more revenue for the state through these income based plans.”

In April, Kennedy and Hunter, along with dozens of public advocates across New York, sent a letter to Governor Cuomo, urging him to take seven steps to minimize the compounding and preventable harm caused by fines, fees, and court debt, especially during the duration of the crisis. Citing states like Delaware and Maine, the legislators and community leaders pointed to other examples across the nation in which enforcement for nonpayment of fines, fees, and court debt was stopped while the COVID-19 crisis persisted. Sixty of Kennedy and Hunter's colleagues in the Senate and Assembly signed on to this letter in support.

"Today's vote brings New York closer to ending harmful driver's license suspension policies that fuel mass criminalization, economic inequality, and racial injustice," said Katie Adamides, Driven by Justice Coalition Steering Committee. "Families are increasingly struggling to make ends meet during COVID-19 - now is the time to stop this vicious cycle of poverty and punishment."

"Across the country, the movement against driver's license suspensions that unjustly punish folks simply for being poor is gathering steam," said Rev. George F. Nicholas, M.Div., pastor of Lincoln Memorial United Methodist Church and co-convenor of Buffalo's African American Health Equity Task Force. "Six states have stopped suspending licenses for nonpayment; at least six other states are considering the same reform. We thank Sen. Kennedy and the New York State Senate, as well as the New York State Assembly for passing this reform last session, and we urge the Governor to sign this into law."

The African American Health Equity Task Force, The Bronx Defenders, the Fines and Fees Justice Center, and the National Center for Law and Economic Justice co-lead the Driven by Justice Coalition, a partnership of grassroots, economic justice and civil rights organizations, public defenders, and directly impacted people that seek to end the discriminatory and predatory practice of suspending a person's driver's license for not paying or answering a traffic ticket in New York State. The coalition supports the nationwide Free to Drive

Campaign, which launched in the Fall, to call for an end to debt-related driver's license suspensions across the country.

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#### RELATED LEGISLATION

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### 2019-S5348B

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- Introduced
- - In Committee Assembly
  - In Committee Senate
- - On Floor Calendar Assembly
  - On Floor Calendar Senate
- - Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
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Relates to driver's license suspension reform

April 26, 2019

Senate Floor Calendar

Sponsored by **Timothy M. Kennedy**

Do you support this bill?