



**Written Testimony before the  
Commonwealth of Massachusetts  
Joint Committee on Transportation**

**In Support of  
H.3453 & S.2304, An Act to Eliminate Debt-Based Incarceration and Suspensions  
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National Consumer Law Center  
(on behalf of its low-income clients)**

Dear House Chair Straus, House Vice Chair Devers, Senate Vice Chair Keenan, and Members of the Joint Committee on Transportation:

Thank you for inviting testimony regarding H.3453 and S.2304, An Act to Eliminate Debt-Based Incarceration and Suspensions. The National Consumer Law Center<sup>1</sup> submits this testimony to highlight the harms that debt-based license suspensions cause to low-income people, and particularly to low-income people of color. On behalf of our low-income clients, we urge the Joint Committee on Transportation to vote these bills favorably out of committee and to support their prompt passage.

The practice of suspending the driver's licenses of individuals who are unable to afford government fines and fees is harmful to low-income residents of Massachusetts and communities of color, and risks criminalizing and trapping people in poverty. Debt-based driver's license suspensions place low-income people in an impossible situation: if they drive in order to get to work, take their children to school and the doctor, go to the grocery store, or attend court proceedings, they violate the law and risk punishment, but if they stop driving they may lose their ability to earn income, access essential services, obtain basic necessities, or make required appearances.

As a result, license suspensions often cost people their livelihood. One study found that [42% of people lost their jobs](#) after their driver's license was suspended. This is unsurprising, considering [85% of Americans drive to work](#) and many jobs require employees to drive as part of their

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<sup>1</sup> The National Consumer Law Center (NCLC) is a Boston-based nonprofit that engages in research, education, advocacy, and litigation to advance economic justice for low-income and other disadvantaged people, including people of color and older adults. NCLC works with nonprofit and legal services organizations, private attorneys, policymakers, federal and state governments, and courts across the nation to protect low-income people from harmful lending and debt collection practices, help financially stressed families build and retain wealth, and advance economic fairness. Through its Criminal Justice Debt Project, NCLC works to address fines-and-fees policies that trap low-income families in poverty, criminalize poverty, and strip wealth from communities of color.

responsibilities. Even in the Boston metropolitan area, which has more public transportation infrastructure than other parts of Massachusetts, [76% of workers commute by car](#).

Many Massachusetts residents who are unable to afford to pay off the fines and fees that have resulted in a license-suspension understandably conclude they have no real choice but to continue driving without a valid license. By doing so, they risk getting a criminal charge, a sentence of up to a year in jail, an extended period of license suspension, and more fines.

Communities of color are particularly hard-hit. Because communities of color are over-policed and disproportionately targeted for enforcement of minor infractions and crimes, research shows that people in these communities [disproportionately experience debt-based license suspensions](#). And because [Black drivers are 20% more likely than white drivers to be pulled over](#), driving on an invalid license puts Black drivers at significantly greater risk of facing criminal penalties. Residents of rural areas of Massachusetts are also disproportionately harmed by driver's license suspensions, given that they have little or no access to public transportation.

For individuals who engage in dangerous driving, license suspension may be necessary for public safety, and the negative consequences unavoidable. But the harsh consequences of license suspension are not natural or necessary for people whose infractions have nothing to do with safe driving. H.3453 and S.2304 sensibly eliminate a number of debt-based license and registration suspension triggers that are not related to safe driving, like failure to pay indigent counsel fees (fees charged to those who have been found to lack resources to afford a lawyer) or parking tickets.

Governments also sometimes invoke fiscal necessity as a justification for suspending licenses to enforce payment of fines and fees. In fact, however, driver's license restrictions are counterproductive tools for coercing payment from low-income people. As a pressure tactic, they simply do not work when people cannot afford to pay—you cannot draw blood from a stone. And once a license is suspended, people tend to lose financial stability and thus have even less ability to pay, since lost licenses lead to lost wages and higher fines, plunging families deeper into debt. Indeed, [no research indicates](#) that license suspensions lead to increased payment, and available research shows just the opposite. For example, after California ended its policy of suspending licenses for non-payment of traffic tickets, and instead focused on improving access to reduced payments and other alternatives, [its collection rate for tickets increased](#). Furthermore, suspending driver's licenses for outstanding debts [costs significant police, DMV, and court resources](#), and it [diverts police resources](#) away from addressing conduct that actually affects public safety.

In recognition of how harmful and counterproductive debt-based license restrictions are, [over a dozen states](#) across the country—including California, Colorado, Idaho, Illinois, Kentucky, Minnesota, Montana, Nevada, Oregon, Utah, Virginia, and Wyoming—have chosen not to suspend, revoke, or prohibit the renewal of driver's licenses for failure to pay fines and fees. We urge you to add Massachusetts to this growing list of states by passing H.3453 and S.2304 out of committee favorably and doing everything in your power to quickly pass this legislation.

Thank you for your consideration.

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