

HB 921/SB 968 Promote Economic Growth While Protecting Public Safety

For most Floridians, driving a vehicle is essential. It is the way that they get to work, attend school or church, buy food, go to medical appointments, pick up kids, and otherwise fulfill the basic necessities of life. Suspending licenses for fines and fees unrelated to public safety leads to negative collateral consequences that both harm the economy and burden resource-challenged law enforcement agencies.

Florida has the opportunity to join other conservative states in ending this unjustified practice. Over 700,000 Floridians are unable to legally possess a license because of unpaid fines and fees, not because they pose a public safety risk on the state’s roadways.

Since 2017, 22 states have ended or limited driver’s license suspensions for failure to pay fines and fees, including conservate leaders in Texas, Utah, Mississippi, Idaho, and West Virginia. These laws have downstream effects on a state’s economic growth, improving the ability of businesses to employ qualified workers and ensuring consumers can meaningfully participate in the economy.

Current license suspension laws in Florida hinder the state’s economic growth while requiring law enforcement agencies to commit limited resources towards enforcing minor infractions. HB 921 and SB 968 provide a common-sense approach to reforming Florida’s license suspension policies, expanding discretion for judges to reduce or eliminate fees, while ensuring there is no impact on the suspension of licenses for dangerous driving offenses.

# What do HB 921/SB968 Do?

* Ends license suspensions for failure to pay certain criminal and traffic court fines and fees except for offenses related to dangerous driving, restitution, and back child support.
* Authorizes judges to modify payment plan or reduce, waive, or convert to community service outstanding fees, costs, or fines.
* Prohibits the clerk from sending incarcerated individual's account to a collection agency or suspending incarcerated individual's driver license.
* Reinstates over 716,000 licenses currently suspended for failure to pay after payment of a single reinstatement fee.

# Driver’s License Suspensions Harm the State’s Economy

* Florida is facing an ongoing worker shortage, with almost half of the state’s small businesses reporting that they are unable to fill open positions.
* With public transportation often not available or accessible, Floridians who are unable to drive are not only restricted from achieving gainful employment but are also limited from meaningfully participating in the state’s growing economy.
* In 2019 alone, **Florida lost over $450 million dollars in consumer spending** due to driver’s licenses suspensions for unpaid court fines and fees.

# Suspensions Do Not Improve Public Safety

* Florida’s driver’s license suspension policy diverts limited law enforcement resources away from legitimate threats from public safety.
* 1 in every 24 driving-age adults cannot drive under Florida law, in a state where nearly 90 percent of the population drives to work.
* As a result, an estimated 75 percent of suspended drivers continue to use a vehicle to meet the essential needs of their daily lives, particularly in more rural areas of the state.
* If law enforcement discovers a Floridian is driving on a suspended license, the attending officer is obligated to stop, cite, or even arrest the driver, even if the suspension is completely unrelated to public safety or dangerous driving.
* According to 2021 data from the Florida Department of Highway Safety and Motor Vehicles, 74.25 percent of suspension notices were issued from **reasons other than dangerous driving**.

Figure 1. Suspension Notices in Florida

**OK TX SC DE**

**19% 20% 22% 65%**

# Ending Suspensions Provides a Return on Investment

* Debt based suspensions are proven to be ineffective in attempting to collect fines and fees, limiting the ability of a Floridian to obtain gainful employment.
* Suspensions for failure to pay are indefinite – meaning **the government is less likely to collect revenue** as a result of a permanent cycle of limiting the ability of the citizen to pay their fine.
* Studies in states that have limited or ended suspensions for fines and fees have shown that courts have been successful in collecting more from individuals, including restitution when they do not issue a revocation.
* For example, Texas municipal courts have found that when they do not hold license renewals for fines and fees **the government collected $45 more per case** on average than those that did issue a hold or suspension.

# Methodology & Conclusion

Analyzing data from the Florida Department of Highway Safety and Motor Vehicles provides a snapshot of the specific reasons why individuals across the state have faced license suspensions or revocations. Specifically, in 2021, only 40,449 of the over one million license suspensions in Florida were due to a traffic safety or dangerous driving offense that accrued on a resident’s license. HB 921/SB968 would allow for prosecutors and law enforcement to keep this tool at their disposal, while eliminating the need for officers to respond to citizens violating State license laws simply for their inability to pay.

Florida has the opportunity to prioritize public safety and improve its economy through removing unnecessary barriers to employment and reinvesting resources to meet the needs of communities across the state. Unburdening law enforcement from unnecessary enforcement of policies that have no bearing on public safety will only serve to increase the ability of the police to protect the citizens they serve. HB 921/SB968 also comes with the added benefit of increasing collection of outstanding restitution while invigorating Florida’s vibrant economy by removing the limitations it places on its growing workforce.