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The Honorable Andrew M. Cuomo
Governor of New York State
NYS State Capitol Building
Albany, NY 12224

Governor Cuomo:

My name is Arthur Rizer and I am the Director of the Criminal Justice & Civil Liberties Policy at the R Street Institute. Before joining the R Street, I served as a federal prosecutor with the United States Department of Justice, Criminal Division, and worked as a police officer in Washington state. I served almost 21 years in the U.S. Army and was deployed to Fallujah, Iraq to train the Iraqi Special Forces Division.

The R Street Institute is a nonprofit, public policy research organization with a Criminal Justice and Civil Liberties team that focuses on evaluating policies related to many elements of the criminal justice system, one of which is removing barriers that would inhibit individuals from successfully contributing to society. Therefore, Assembly Bill A7463B is of special interest to us.

When people do not pay traffic tickets or appear to contest them—no matter the reason—New York suspends their driver's licenses. This piece of legislation would end these traffic debt-related suspensions. Additionally, it would reinstate licenses that have been suspended for the same. As for the underlying dues, the bill would require a court to offer payment plans.

These license suspensions are counterproductive, as they impede individuals' ability to maintain stable employment and prevent them from earning the money needed to pay the fines and fees in the first place. Furthermore, the inability to drive legally further imperils their means to support themselves, their families and the community. Indeed, about 86 percent of Americans drive to work, which makes

life with a suspended license impossible.¹ Still, other jobs require a valid driver's license, which means a suspension often costs people their jobs.

Additionally, the current law does not enhance public safety. Traffic debt suspensions are unrelated to dangerous driving (e.g. DWIs or accumulating 12 or more points on your license will continue to lead to suspensions) are counterproductive from a public safety perspective because pursuing people who are driving without a valid license due to debt diverts police resources. As a former police officer, I understand the time and resources that are needed to stop, arrest, charge, book, and even incarcerate a person for driving on a suspended license. This waste of time and resources is avoidable. By disallowing drivers' license suspensions due to debt, a law enforcement officer's time can be better focused on enhancing public safety.

This critical piece of legislation will positively impact countless New Yorkers who have been suffering under the current law. For many, the inability to pay fines and fees that are related to traffic debt creates a terrible choice: whether not to drive, which may inevitably mean loss of employment, childcare or other necessities; or to continue driving on a suspended license and risk criminal charges and additional financial burden.

This piece of legislation is not unique, but it would certainly be revolutionary for those in need of relief. In the past two years, Montana, Texas, Virginia, Mississippi, California, Idaho, Maine and the District of Columbia have enacted legislative reforms to tackle debt-based suspension. New York has the opportunity to join this growing list of localities that are working to create opportunities instead of crippling a person's ability to self-sustain.

From our right-of-center perspective, we believe in effective, efficient government, and continuing the practice of suspending driver's licenses based solely on outstanding fines and fees or a missed traffic court hearing meets neither of these goals—nor does it accomplish any of the goals of the criminal justice system. Limiting the ability of a person to provide for themselves only erects barriers to success and further constrains a person's ability to make a living.

Sincerely,

Arthur Rizer
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¹ Brian McKenzie, "Who Drives to Work? Commuting by Automobile in the United States: 2013," U.S. Census Bureau, Aug. 13, 2015. <https://www.census.gov/library/publications/2015/acs/acs-32.html>.