




MEMORANDUM

Date: June 26, 2017

To: The Honorable Chair and Members
Pima County Board of Supervisors

From: C.H. Huckelberry
County Administrator 

Re: **Causes of Driver's License Suspensions**

At the June 20, 2017 Board of Supervisors Meeting, the Board passed an opioid resolution asking the Governor to take a number of actions regarding opioid abuse, treatment and criminal justice reform. The item that was objected to was Item 4 that stated:

"Encourages the State Legislature to reform sentencing laws to reduce possession of narcotics, marijuana and dangerous drugs for personal use to misdemeanors when the defendant completes treatment alternatives, as well as to decriminalize driving on a suspended license by reducing the offense to a civil traffic violation."

A common myth regarding driving on a suspended license is that it primarily affects those who have been convicted of a driving under the influence (DUI) offense, either civil or criminal. Such is factually incorrect. The table below provides a snapshot sample of the reasons driver's licenses are suspended. This data is from the Pima County Consolidated Justice Court for cases filed in January 2017.

**Pima County Consolidated Justice Court Cases Filed in January
2017 and Resulting in Suspended Driver's Licenses.**

Civil Traffic Ticket (70 Percent Failure to Pay)	Percentage of Fines Unpaid
Lap and Shoulder Belt Required	26
No Valid Driver's License	12
Speed Not Reasonable and Prudent, 1 to 10 Miles Per Hour Over	7
No Current Vehicle Registration	6
Speed Not Reasonable and Prudent, 15 Miles Per Hour Over	4
Other	45
Total	100

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Criminal Traffic Offense (16 Percent Failure to Pay)	Percentage of Fines Unpaid
Driving on Suspended License	64
Criminal Speeding	8
Driving Under the Influence	2
Other	26
Total	100

Criminal Traffic Offense (13.5 Percent Failure to Appear)	Percentage of Fines Unpaid
Driving on Suspended License	65
Criminal Speeding	12
Knowingly Displaying a False License Plate	4
Driving Under the Influence	2
Other	17
Total	100

As can be seen, 86 percent of driver's licenses suspended are for failure to pay a fine – either a civil traffic ticket or a criminal traffic offense. Most shocking is that of the 70 percent who failed to pay a civil traffic ticket, the largest offense was the failure to wear a seatbelt.

Under the criminal traffic defense column, only 2 percent of the 16 percent of civil traffic offenses were related to a license suspended for a DUI – the same as with a failure to appear on a criminal traffic case. Overall, less than 0.5 percent of licenses were suspended on DUI or related sentences.

Clearly, the belief that driver's licenses are suspended primarily because of DUI offenses is false and misleading. If 86 percent of the licenses are suspended for a failure to pay a civil or criminal traffic offense, it may be because these fines and fees have become excessive and burdensome, and particularly burdensome for the poor.

It is likely not common knowledge that a traffic citation for failure to wear a seatbelt costs an individual \$127.75. In my opinion, a \$127.75 fine for failure to wear a seatbelt is excessive and punitive, particularly for low-income individuals. It is no wonder we have a large number of low-income individuals who have no financial ability to pay these excessive fees and fines.

CHH/mjk

c: Ellen Wheeler, Assistant County Administrator
 Justice Coordinating Council