



NYSACDL
NEW YORK STATE ASSOCIATION
OF CRIMINAL DEFENSE LAWYERS



**Defender groups call on governor to sign
the Driver's License Suspension Reform Act
A7463-B/S5348-B**

The New York State Legislature has approved legislation that would prohibit the practice of suspending a driver's license for failure to pay a fine or appear at a traffic court hearing.

The legislature rightly concluded that this policy is unjust, irrational, and racially discriminatory in its enforcement.

It is incumbent upon the governor to sign the bill into law.

People who have the money to pay a traffic fine will do so. Most people who fail to pay a fine or who do not appear at a hearing are not scofflaws, they simply cannot afford to pay the fine or to miss a day's work in order to appear in traffic court. Suspending their driver's license serves no public interest; this policy only increases financial pressure on the economically vulnerable.

The bill does not absolve from responsibility those who have been fined for violating a traffic rule, but simply allows terms of payment that are fair and reasonable.

Seventy-five percent of people whose license has been suspended continue to drive – out of necessity, in order to get to work or to meet the needs of family members. This legislation allows people to resolve a traffic infraction without putting at risk their employment or the well-being of family members – and without exposing themselves to further legal jeopardy by driving without a license.

Finally, this legislation speaks to an issue of racial and economic justice. Violations of the Vehicle and Traffic Law are enforced disproportionately against people of color. The financial impact of a traffic fine and the adverse consequences of losing a driver's license are borne disproportionately by persons of color with limited financial resources.

In 2020, Gov. Cuomo and state lawmakers made a new commitment to addressing systemic racial inequities. If the governor is serious about dismantling structural obstacles to racial equity in the laws and policies of New York, he must put his signature to this legislation.

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