



*The Judiciary, State of Hawai‘i*

**Testimony to the Senate Committee on Transportation**  
Senator Lorraine Inouye, Chair

Wednesday, June 24, 2020, 1:30 p.m.  
State Capitol, Conference Room 225

By  
Calvin C. Ching  
Deputy Chief Court Administrator, First Circuit

**WRITTEN TESTIMONY ONLY**

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**Bill No. and Title:** House Bill No. 2750, H.D. 2, Relating to Monetary Obligations.

**Purpose:** Prohibits the imposition of restrictions on a person's ability to obtain or renew a driver's license or to register, renew the registration of, or transfer or receive title to a motor vehicle, as a consequence of unpaid monetary obligations under certain circumstances. Allows certain individuals to petition the court for a driver's license or motor vehicle clearance.

**Judiciary's Position:**

The Judiciary provides the following comments regarding this measure. The issue at the heart of this bill was explored and discussed in depth in the Final Report of the Act 112 Financial Hardship Task Force to the Thirtieth Legislature of the State of Hawai‘i.

HB2750 H.D. 2 provides that “[a]ny person prevented from obtaining or renewing a driver’s license or motor vehicle registration solely due to failure to pay any monetary assessment imposed under chapter 291D, Hawaii Revised Statutes, may petition the court for a driver’s license or motor vehicle clearance.” This language was suggested in the Judiciary’s testimony when this measure was before the House Committee on Judiciary, and addresses the Judiciary’s operational concerns related to retroactively clearing stoppers. With the inclusion of this petitioning process, the Judiciary has no operational concerns and takes no position on the policy considerations.

Thank you for the opportunity to comment on this measure.

**STATE OF HAWAI‘I**  
**OFFICE OF THE PUBLIC DEFENDER**

**Testimony of the Office of the Public Defender,  
State of Hawai‘i to the Senate Committee on Transportation**

June 19, 2020

H.B. No. 2750, H.D. 2:           RELATING TO MONETARY OBLIGATIONS

Hearing: June 24, 2020, 1:30 p.m.

Chair Inouye and Members of the Committee:

The Office of the Public Defender strongly supports the changes proposed by HB 2750. Our support for this bill is threefold: (1) It will reduce the number of Hawai‘i residents criminalized due to poverty; (2) It will reduce the burden on our office’s District Court staff; and (3) It will reduce the overwhelmingly large traffic calendars in District Court.

Our office has seen firsthand how license stoppers can disrupt the lives of otherwise law-abiding residents. When money is tight, a resident might have to choose between paying the rent or paying several hundred dollars to register their vehicle. With a lapsed registration, the resident is also unable to update their safety check, even if their car is in perfectly working order. This resident still needs to be able to get to work, often to more than one job, and take the kids to school while they save up the money to pay for the registration, the safety check, and the late fees that will attach. While driving to work one day, the resident is pulled over due to their expired stickers, and suddenly they find themselves with a citation for another couple hundred of dollars, which they are also unable to pay. Thirty days later, the fine is sent to a collections agency on the mainland, and a stopper is placed on to the resident’s license. As long as the stopper is in place, the resident will be unable to legally register their car to themselves. In practical terms, this often means that the resident will continue to pick up similar citations while they are saving up to pay the first citation. This resident could save up money for months to pay off their delinquent registration, safety check, and court fines, only to discover that they do not have the money to cover the interest charged by the collections agency. Finally, the resident’s driver’s license expires, and the next time that they are pulled over for expired stickers, they receive a criminal citation for Driving Without a Valid License (“DWOL”).

This is the story that our District Court attorneys hear time and time again during intake interviews with our clients. By the time clients reach us, it is too late for us to give them the advice that might have helped them avoid falling into this situation. The vast majority of our DWOL clients have no other non-traffic charges. If it were not for their financial difficulties, these clients would never have to risk having a damaging criminal conviction on their records. With each additional DWOL citation, the fines grow higher, and the chances of those clients being able to claw their way back into the black grow dimmer. Our office is prohibited from

assisting with non-jailable offenses, so our only recourse with most clients is to refer them to a non-profit group for assistance converting unpaid infractions to community service work. We have no capacity to follow up these referrals, and we often find that our office turns into a revolving door for our DWOL clients.

The one exception to that rule is in Honolulu Community Outreach Court, where our office is able to partner with the Department of the Prosecuting Attorney and the Judiciary to cut through the red tape for individuals at risk of or currently experiencing houselessness. Unfortunately, the working poor who are barely able to make ends meet do not qualify for entry to this program. This means their cases end up on the traffic court calendar, which is severely overcrowded. For example, the Honolulu District Court morning traffic calendar that was handled during the first hearing for this bill on February 5, 2020 had fifty-five cases listed, forty of which involved the offense of DWOL. The afternoon calendar had twenty-two cases, eleven of which involved DWOL. This calendar should be dedicated to traffic crimes such as Excessive Speeding, Reckless Driving, and Leaving the Scene of an Accident, but instead, the majority of these cases involve residents with no serious moving violations.

Something has got to give. We live in the State with the lowest minimum wage when adjusted for our high cost of living. Residents working multiple jobs can barely afford to pay their rent and feed their families, yet we're treating them like criminals due to unpaid fees. The Office of the Public Defender is strongly in support of re-thinking this regressive system and finding a way to move forward.

Thank you for the opportunity to comment on H.B. No. 2750, H.D. 2.



**HB2750 HD2**  
**RELATING TO MONETARY OBLIGATIONS**  
Senate Committee on Transportation

June 24, 2020

1:30 p.m.

Room 225

The Office of Hawaiian Affairs (OHA) offers the following **COMMENTS** on HB2750 HD2, which would prohibit the imposition of restrictions on a person's ability to obtain or renew a driver's license or motor vehicle registration, commonly referred to as "stoppers," as a consequence of certain unpaid monetary obligations.

OHA seeks to promote ho'okahua waiwai or economic self-sufficiency for our beneficiaries, who are disproportionately affected by financial hardship. OHA accordingly has concerns regarding the cascading financial impacts that stoppers may have on indigent Native Hawaiians, insofar as stoppers issued due to an indigent individual's inability to pay fines or fees may only further inhibit that individual's ability to earn a living and remain economically stable, and to provide for their families and themselves. Notably, if a person cannot afford to pay their traffic or parking ticket, they will still be too poor to pay it if their ability to renew their driver's license or vehicle registration is suspended; a stopper and the resulting inability to (legally) drive may instead only limit their ability to maintain a job or earn a living, and drive them deeper into poverty. Therefore, OHA appreciates this measure's intent to reduce the unnecessary and harsh financial impacts of stoppers on indigent individuals, including Native Hawaiians.

OHA also has longstanding concerns regarding the disparate impact of the criminal justice system on Native Hawaiians, which stoppers may only exacerbate. For example, should an indigent individual with a stopper choose to drive without a valid license – to maintain employment or for other reasons – they may risk being subject to criminal liability, including imprisonment and a \$1,000 fine. Stoppers can therefore act as a mechanism to criminalize those with financial challenges, including a disproportionate number of Native Hawaiians. OHA accordingly also appreciates that this measure may help to reduce the criminalization of Native Hawaiians and others who may be too poor to pay certain fines and fees. With regards to this latter concern, OHA also recommends the exploration of guidelines to ensure that fines and fees do not punish people disproportionately for their poverty, as recommended American Bar Association.<sup>1</sup>

Mahalo piha for the opportunity to testify on this measure.

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<sup>1</sup> AMERICAN BAR ASSOCIATION, THE ABA TEN GUIDELINES ON FINES AND FEES (2018) *available at* [https://www.americanbar.org/content/dam/aba/administrative/government\\_affairs\\_office/aba-ten-guidelines\\_.pdf?logActivity=true](https://www.americanbar.org/content/dam/aba/administrative/government_affairs_office/aba-ten-guidelines_.pdf?logActivity=true).

**Justin F. Kollar**  
Prosecuting Attorney



**Rebecca Vogt Like**  
Second Deputy

**Jennifer S. Winn**  
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**OFFICE OF THE PROSECUTING ATTORNEY**

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**THE HONORABLE LORRAINE R. INOUE, CHAIR  
THE HONORABLE BREENE HARIMOTO, VICE CHAIR  
SENATE COMMITTEE ON TRANSPORTATION  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawai'i**

June 24, 2020

**RE: H.B. 2750 H.D. 2; RELATING TO MONETARY OBLIGATIONS.**

Chair Inouye, Vice Chair Harimoto, and members of the Senate Committee on Transportation, the Office of the Prosecuting Attorney of the County of Kaua'i submits the following testimony in support of H.B. 2750, H.D. 2.

The practice of imposing driver license stoppers for unpaid fines and fees does not serve any valid public safety interest. It instead traps low-income individuals in a cycle of criminality from which they cannot escape. Particularly in a rural/suburban community like Kauai, people need to drive to survive. The purpose of a driver license is to make sure that a driver is familiar with the rules of the road and can safely operate a motor vehicle; not to ensure that tickets get paid. Removing a person's ability to drive for a non-safety-related purpose does not stop them from driving, it criminalizes the necessary daily actions that person needs to do in order to provide for their families. It is punitive and pointless.

For these reasons, the Office of the Prosecuting Attorney supports the passage of H.B. 2750, H.D. 2. Thank you for this opportunity

## TESTIMONY IN SUPPORT OF HB 2750, HD 2

TO: Chair Inouye & Members of the Senate Transportation Committee

FROM: Nikos Leverenz  
Grants, Development & Policy Manager

DATE: June 24, 2020 (1:30 PM)

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Hawaii Health & Harm Reduction Center (HHRC) supports HB 2750, HD 2, which would prohibit “stoppers” for driver’s license and motor vehicle registration renewals due to unpaid fines and fees. Unpaid fines and fees and interest can quickly turn into a pattern of repeated citations with spiraling costs, ultimately resulting in a criminal charge of driving without a valid driver’s license (DWOL). Hawaii’s Public Defender Office notes that the vast majority of their DWOL clients have no other non-traffic charges.

The current practice of placing stoppers due to unpaid traffic fines and fees disproportionately burdens and often criminalizes Hawaii’s working poor, who already faced a highly precarious situation before the macroeconomic disruption in the wake of the COVID-19 pandemic. According to last year’s [Hawaii Financial Health Pulse](#), “an in-depth view of the financial struggles faced by people in Hawaii,” 69% of this state’s residents are struggling financially, 35% of state residents do not have three months of income set aside for emergencies, 54% of residents spend 50% or more of their income on housing, and 27% of residents reported being food insecure. [Aloha United Way’s Asset Limited Income Constrained, Employed \(ALICE\) report](#) in 2017 showed that 48% of Hawaii households are living paycheck to paycheck or under the federal poverty line.

HHRC works with many individuals who are impacted by poverty, housing instability, and other social determinants of health. Many have behavioral health problems, including those relating to substance use and underlying mental health conditions. Hawaii must prepare to meet the increased needs of those who face economic dislocation in the months and years ahead. It should also amend government practices that over-criminalize those with limited or no economic means.

Thank you for the opportunity to testify on this measure.



Committee: Senate Committee on Transportation  
Hearing Date/Time: Wednesday, June 24, 2020, 1:30 p.m.  
Place: Conference Room 225  
Re: Testimony of the ACLU of Hawai'i in support of H.B. 2750, H.D. 2, Relating to Monetary Obligations

Dear Chair Inouye and Committee Members:

The American Civil Liberties Union of Hawai'i (ACLU of Hawai'i) writes **in support of H.B. 2750, H.D. 2**, a bill to end the counterproductive practice of driver's license and motor vehicle registration stoppers. The bill offers a petition process to lift existing stoppers to provide relief to Hawaii's families. **Especially at a time when so many are unemployed and when public transportation poses a real health risk due to COVID-19, this change is critical.** H.B. 2750, H.D. 2 will save the state money, increase the percentage of insured drivers on the road, and end a harmful practice that pushes vulnerable communities into a never-ending cycle of poverty and incarceration.

**Stoppers are ineffective and disproportionately burden Hawaii's working poor.** Roughly half of Hawaii's families struggle to meet basic needs.<sup>1</sup> A recent study found that four in ten adults do not have access to \$400 at any given time, making them one emergency—or court fine—away from financial ruin.<sup>2</sup> License and registration stoppers, which prevent a person from obtaining or renewing their license or registration until they pay outstanding traffic or parking tickets, unfairly punish this population, who stand to lose much more than their ability to drive. Since the vast majority of Hawaii's workforce drives to work,<sup>3</sup> losing your license can often mean losing your job, or being unable to take your kids to school or to the doctor. This disproportionately impacts Native Hawaiians, who are more likely to live in poverty and therefore less likely to be able to afford an unanticipated expense.<sup>4</sup> While courts may consider an individual's ability to pay and may adjust or waive fines, the burden is on motorists to request this and it is the understanding of the ACLU of Hawai'i that this option is not often utilized; even when an adjustment is requested, the decision of whether to do so is purely at the discretion of the court and there is no set formula for a fine adjustment.

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<sup>1</sup> ALICE, a Study of Financial Hardship in Hawai'i, 2017 Report. Aloha United Way (2017).

<sup>2</sup> Bd. of Governors of the Fed. Reserve Sys., Report on the Economic Well-Being of U.S. Households in 2017 at 2 (May 2018), <https://www.federalreserve.gov/publications/files/2017-report-economic-well-being-us-households-201805.pdf>.

<sup>3</sup> U.S. Census Bureau, 2018. American Community Survey, *Hawaii 5-Year Estimates Data Profiles*.

<sup>4</sup> U.S. Census Bureau, 2018. 2017 American Community Survey, *1-Year Estimates*.

Recognizing the burden imposed by stoppers, a growing body of scholarship condemns the practice.<sup>5</sup> Many states are considering or have already enacted reforms similar to H.B. 2750, H.D. 2.<sup>6</sup> The American Bar Association recently denounced the use of license revocations for nonpayment and instead recommends proportionate income-based fines.<sup>7</sup>

**License and registration stoppers do not work.** According to a Washington Post study, up to 204,067 Hawai'i drivers had stoppers on their record in 2017, or roughly 18% of the state's driving age population in that year.<sup>8</sup> Over half of these cases were already in collections at the time of the study. The judiciary has testified that there are approximately 154,000 vehicle registration stoppers, making the total combined number of license and registration stoppers 354,000. These high numbers suggest that the problem is not willful nonpayment, but rather, an inability to pay. Stoppers can never be an effective solution because they do not cure the motorist's inability to afford their ticket.

**License and registration stoppers are not only ineffective—they're counterproductive.** As we've found in other jurisdictions, Hawaii's system of license and registration stoppers only makes it *more* difficult for people to pay their traffic and parking fines. The main reason for this is clear: revoking a person's ability to drive cuts out their primary mode of transportation to get to the job that will allow them to earn money to pay their ticket. This is especially true for residents in rural areas and on neighbor islands, where public transportation is generally less available. While restricted licenses *may* be granted, eligibility criteria are strict and do not include transportation outside of what is required to work, such as taking your child to the doctor. It is no wonder that the lack of legal ability to drive has been found to have a strong correlation to unemployment or underemployment.<sup>9</sup>

Worse still, after a certain amount of time, people must pay not only the full amount of the ticket, but a hefty surcharge to the Texas-based private collection agency as well.<sup>10</sup> This makes it even *less* likely that they will be able to afford to lift their stopper.

**H.B. 2750, H.D. 2 will increase the percentage of insured motorists.** Stoppers make it impossible for a person to obtain motor vehicle insurance. This is generally true for private auto insurers, and though

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<sup>5</sup> See, e.g. Danielle Conley and Ariel Levinson-Waldman, *Discriminatory Driver's License Suspension Schemes*, American Constitution Society (March 2019).

<sup>6</sup> This year, Illinois ended license suspensions for unpaid parking tickets. In 2019, Montana ended license suspensions for unpaid court debt. In 2018, Idaho ended license suspensions for unpaid court fines and fees, and decriminalized driving on a suspended license. In 2017, California ended license suspensions for unpaid traffic fines. New York and Colorado are both considering similar legislation this year.

<sup>7</sup> *ABA Ten Guidelines on Court Fines and Fees*, American Bar Association (August 2018), available at <https://finesandfeesjusticecenter.org/content/uploads/2018/12/Ten-Guidelines-on-Court-Fines-and-Fees.pdf>.

<sup>8</sup> Justin Wm. Moyer, *More than 7 million people may have lost driver's licenses because of traffic debt*, Washington Post (May 19, 2018), [https://www.washingtonpost.com/local/public-safety/more-than-7-million-people-may-have-lost-drivers-licenses-because-of-traffic-debt/2018/05/19/97678c08-5785-11e8-b656-a5f8c2a9295d\\_story.html#comments-wrapper](https://www.washingtonpost.com/local/public-safety/more-than-7-million-people-may-have-lost-drivers-licenses-because-of-traffic-debt/2018/05/19/97678c08-5785-11e8-b656-a5f8c2a9295d_story.html#comments-wrapper).

<sup>9</sup> Conley and Levinson-Waldman, *supra*.

<sup>10</sup> If you fail to pay within 90 days (for judgments of \$500 or less) or 180 days (\$500 or more), your case is sent to collections. HCTR Rule 20(C). Once the case goes to collections, you must pay the total amount owed, plus an additional **twenty-one percent** as a fee to the agency.



Chair Inouye and Committee Members

June 24, 2020

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Hawai'i offers no-fault insurance for low-income drivers, motorists who would otherwise meet the eligibility requirements but who have an expired license or registration due to a stopper cannot qualify for the state program.<sup>11</sup> This exposes other motorists to liability in the event of an accident.

**H.B. 2750, H.D. 2 prevents traffic debt from acting as a funnel into the criminal legal system.** The ACLU of Hawai'i has heard from public defenders across the state that much of their workload involves cases of driving without a license after a stopper had been placed on the defendant's record for an unpaid ticket. Many people are forced into the impossible choice between driving illegally and losing their job, and many will make the desperate decision to continue driving, a traffic crime punishable by up to a \$1,000 fine or up to one year in jail.<sup>12</sup> This potentially life-ruining consequence pulls families deeper into poverty and wastes taxpayer money prosecuting and defending criminal cases that stem from these stoppers. Other jurisdictions have found that the money spent enforcing unpaid tickets exceeded the value of the debt itself. H.B. 2750, H.D. 2 will save money that would otherwise be spent on prosecuting and defending these cases, and would allow the judiciary more discretion in ways to address motorists' inability to pay a ticket.

**Hawaii's system of license stoppers may be unconstitutional.** In late 2019, the national American Civil Liberties Union, alongside ACLU of South Carolina, Southern Poverty Law Center, Terrell Marshall Law Group PLLC, and the South Carolina Appleseed Legal Justice Center filed a federal lawsuit challenging South Carolina Department of Motor Vehicles' policy of automatically suspending the drive's licenses of people who cannot afford their traffic tickets.<sup>13</sup> The lawsuit argues that these suspension schemes violate an individual's rights to Equal Protection and Due Process under the Fourteenth Amendment of the United States Constitution, which require an ability-to-pay consideration before an individual is punished for an unpaid fine. Similar constitutional challenges have been filed in Michigan, Montana, Tennessee, Virginia, and Oregon.

For the above reasons, the ACLU of Hawai'i respectfully requests that your Committee support this measure. Thank you for the opportunity to testify.

Sincerely,



Mandy Fernandes  
Policy Director  
ACLU of Hawai'i

*The mission of the ACLU of Hawai'i is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawai'i fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawai'i is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawai'i has been serving Hawai'i for over 50 years.*

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<sup>11</sup> H.A.R. § 17-654-3.

<sup>12</sup> H.R.S. § 286-136.

<sup>13</sup> See Complaint, *White v. Shwedo* (D.S.C., filed Oct. 30, 2019).

American Civil Liberties Union of Hawai'i  
P.O. Box 3410  
Honolulu, Hawai'i 96801  
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Pono Hawai'i Initiative

Josh Frost - President • Patrick Shea - Treasurer •  
Nelson Ho • Summer Starr

Monday, June 20, 2020

Relating to Monetary Obligations  
Testifying in Support with amendments

Aloha Chair and members of the committee,

The Pono Hawai'i Initiative (PHI) **supports with an amendment HB2750 HD2 Relating to Monetary Obligations**, which prohibits monetary fines from restricting a person's ability from renewing or obtaining your driver's license or car registration; commonly referred to as "stoppers".

These "stoppers" create roadblocks for low-income individuals and can lead to further financial issues because of the inability to get a job without legal identification or get to a job without means of transportation. Several states have already enacted reforms to repeal this practice. With so many struggling to make ends meet because of the current pandemic we need to do what we can to help these individuals continue to work.

For all these reasons, we urge you to move this bill forward with a clean effective date.

Mahalo for the opportunity,  
Gary Hooser  
Executive Director  
Pono Hawai'i Initiative



Hawaii  
**Children's Action Network Speaks!**  
Building a unified voice for Hawaii's children

*Hawai'i Children's Action Network Speaks! is a nonpartisan 501c4 nonprofit committed to advocating for children and their families. Our core issues are safety, health, and education.*

To: Senator Inouye, Chair  
Senator Harimoto, Vice Chair  
Senate Committee on Transportation

Re: HB 2750 HD2- Relating to monetary obligations  
Hawai'i State Capitol, Room 225  
1:30PM , 6/24/2020

Chair Inouye, Vice Chair Harimoto, and committee members,

On behalf of Hawaii Children's Action Network Speaks!, I am writing **in support of HB 2750 HD2**-relating to monetary obligations, which would prohibits the imposition of restrictions on a person's ability to obtain or renew a driver's license or to register, renew the registration of, or transfer or receive title to a motor vehicle, as a consequence of unpaid monetary obligations.

The current practice of placing a "stopper" on a driver's license due to failure to pay a traffic or parking fine can have a tremendous impact on a family. For lower socioeconomic status families, the unpaid fine may be related to inability to pay, rather than delinquency. A stopper isn't a motivator for payment, it becomes a deterrent to the person being able to pay. By taking away a person's ability to drive you also risk the person maintaining employment and the future prospect of ever paying down their fine. Almost half of our families are struggling to make ends meet and the practice of stoppers can put a family's well-being in jeopardy. As this legislature considers ways to improve the lives of working families in Hawaii, the practice of stoppers should be heavily scrutinized and hopefully ended.

**For these reasons, HCAN Speaks! respectfully requests the Committee to support this measure.**

Thank you,

Kathleen Algire  
Director, Public Policy and Research



**TO: Chair Inouye and Members of the Senate Committee on Transportation**

**FROM: Ryan Kusumoto, President & CEO of Parents And Children Together (PACT)**

**DATE/LOCATION: June 24, 2020; 1:30 p.m., Conference Room 225**

**RE: TESTIMONY IN SUPPORT OF HB 2750 HD 2– RELATING TO MONETARY OBLIGATIONS**

**We ask you to support HB 2750 HD 2 which prohibits the imposition of restrictions on a person's ability to obtain or renew a driver's license or to register, renew the registration of, or transfer or receive title to a motor vehicle, as a consequence of unpaid monetary obligations.** We support this bill which prohibits fines and fees that penalize those who are under-resourced and simply do not have the means to pay meanwhile who pose zero threat to public safety.

License and motor vehicle stoppers have not proven to be effective, in fact, they are counterproductive and push people further into cycles of debt and instability. If an individual gets their license revoked simply because they could not pay a fine, this could make it difficult to continue with daily tasks like taking care of children and getting to work on time. This will only create greater hardship, not create an incentive to make payment. Many states have already enacted reforms to repeal this dangerous practice.

The number of individuals and families whose lives are affected by economic instability in Hawaii is disheartening. The costs associated with economic instability and poverty are well documented. The long-term effects of economic instability and the related chronic stress on individuals and families, especially children, are harmful and detrimental to the potential for healthy and promising futures. Even our working families and tax paying citizens are facing increasing economic pressures with Hawaii's high cost of living and struggle to make ends meet.

Aloha United Way's ALICE (Asset Limited Income Constrained, Employed) recently published report notes:

- In Hawai‘i, there are 148,771 ALICE® households (33% of total households) while another 41,619 households (9% of total households) live below the Federal Poverty Level.
- In total, 42% of Hawaii's families with children have incomes below the ALICE survival budget and the number of ALICE families has been increasing over time.
- The average annual household survival budget for a single adult in Hawaii has increased to \$31,056, which translates to an hourly wage of \$15.53.
- \$90,828 is the average annual Household Survival Budget for a family of four living in Hawaii.
- Many of our ALICE and below families do not have adequate savings or discretionary income.

With the growing effects of a global pandemic and the additional economic stress it has brought, we can only anticipate that these numbers will be drastically inflated. Economic instability and poverty across the globe has reached epidemic proportions, even pre-COVID 19. In Hawaii, it is no different. As one of Hawaii's social service providers, serving over 15,000 clients annually, we have a vested interest in working together with all sectors to help Hawaii's residents break the cycles of poverty. Over 80% of the clients PACT serves are living in deep poverty. Many factors contribute to poverty: political and economic structures, community conditions, exploitation and the least of which is an individual's choice. We applaud the legislature for helping to break down some of the political barriers and structures that perpetuate cycles of instability for Hawaii families.

Founded in 1968, Parents And Children Together (PACT) is one of Hawaii's not-for-profit organizations providing a wide array of innovative and educational social services to families in need. PACT helps families identify, address and successfully resolve challenges through its 18 programs. Among its services are: early education programs, domestic violence prevention and intervention programs, child abuse prevention and intervention programs, childhood sexual abuse supportive group services, child and adolescent behavioral health programs, sex trafficking intervention, poverty prevention and community building programs.

Thank you for the opportunity to testify in **support of HB 2750 HD 2**, please contact me at (808) 847-3285 or [rkusumoto@pacthawaii.org](mailto:rkusumoto@pacthawaii.org) if you have any questions.

**HB-2750-HD-2**

Submitted on: 6/23/2020 12:49:29 PM

Testimony for TRS on 6/24/2020 1:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
amy agbayani	Testifying for Hawai'i Friends of Civil Rights	Support	No

Comments:

Over 350,000 outstanding license and registration stoppers in Hawaii. These Hawai'i residents (old and young and from every island) are unable to afford their traffic or parking tickets. Their lives and their families risk being in an endless challenge and face poverty and incarceration without HB 2750 hd2.

Mahalo for our support.

Amy Agbayani

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# A BILL FOR AN ACT

RELATING TO MONETARY OBLIGATIONS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

PART I

1  
2 SECTION 1. The legislature finds that Hawaii law allows  
3 for the imposition of restrictions on an individual's ability to  
4 obtain or renew a driver's license or motor vehicle registration  
5 as a penalty for various unpaid monetary obligations that are  
6 civil and not criminal in nature. The most concerning reason  
7 for these punitive restrictions is the failure of an individual  
8 to pay the fines and fees assessed in connection with  
9 non-parking related traffic tickets within thirty days. This  
10 practice of imposing driver's license or vehicle registration  
11 "stoppers" may also occur as a consequence of other unpaid civil  
12 obligations.

13 The legislature further finds that, according to a  
14 Washington Post investigation, more than seven million  
15 individuals nationwide have had their driver's licenses  
16 suspended for unpaid court or administrative debt. The  
17 investigation also found that Hawaii has a high percentage,



1 around nine per cent, of adults who have had their licenses  
2 suspended for unpaid debt. The American Bar Association  
3 recently adopted guidelines on preventing fines and fees that  
4 penalize poverty. These guidelines instruct against driver's  
5 license suspensions and the imposition of fines that result in  
6 substantial and undue hardship. At least four states do not  
7 allow driver's licenses to be suspended or restricted for unpaid  
8 court debt. The inability to obtain or renew a driver's license  
9 prevents people who have not committed a crime from getting to  
10 work, picking up their children, keeping medical appointments,  
11 and ultimately from escaping debt.

12 The purpose of this Act is to prohibit the imposition of  
13 restrictions on a person's ability to obtain or renew a driver's  
14 license or to register, renew the registration of, or transfer  
15 or receive title to a motor vehicle, as a consequence of unpaid  
16 monetary obligations. However, this Act shall not have any  
17 effect on driver's license suspensions related to excessive  
18 speeding, lack of motor vehicle insurance, or noncompliance with  
19 a child support order.





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PART II

SECTION 2. Section 286-109, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

"(c) Statutes of limitations and other provisions of this chapter notwithstanding, no driver's license or instruction permit shall be issued or renewed under this section, where the examiner of drivers is notified by the district judge, traffic violations bureaus of the district courts, or the judge of the circuit court that the applicant has failed to respond to a traffic citation or summons, or failed to appear in court after an arrest for the violation of any traffic laws of a county, this chapter or chapter 286G, 287, 290, 291, or 291C, or of any motor vehicle insurance laws under article 10C of chapter 431, or of any motorcycle or motor scooter insurance laws under article 10G of chapter 431, and the same remains delinquent and outstanding, or the applicant, has as of the time of the application, failed to comply in full with all orders of the court; provided that this subsection shall not apply to outstanding and delinquent payments pursuant to chapter 291D; provided further that the district court with whose order an applicant has failed to comply in full, may approve the issuance



1 or renewal of a driver's license or instruction permit other  
2 than a commercial driver's license upon conditions imposed by  
3 the court for the satisfaction of the outstanding court order  
4 and any other conditions as may be imposed by the court, if one  
5 or more of the following conditions are met:

6 (1) The applicant is gainfully employed in a position that  
7 requires driving and will be discharged if the  
8 applicant is unable to drive; or

9 (2) The applicant has no access to alternative  
10 transportation and therefore must drive to work;  
11 provided further that if the applicant has failed to comply in  
12 full with orders of the district court of more than one circuit,  
13 the applicant shall obtain the approval of the district court of  
14 each circuit in which the applicant has an outstanding court  
15 order before a driver's license or instruction permit may be  
16 issued or renewed under this subsection.

17 A driver's license or instruction permit issued or renewed  
18 under this subsection shall be subject to immediate suspension  
19 by the court upon the applicant's failure to remain in full  
20 compliance with all conditions imposed by the court for the  
21 issuance or renewal of the driver's license or instruction



1 permit. The examiner of drivers may place an indication of  
2 restriction upon a driver's license or instruction permit issued  
3 or renewed under this subsection. Proof of financial  
4 responsibility under section 287-20 shall not apply to the  
5 issuance or renewal of driver's licenses or instruction permits  
6 under this subsection."

7 SECTION 3. Section 291D-5, Hawaii Revised Statutes, is  
8 amended by amending subsection (d) to read as follows:

9 "(d) The notice of traffic infraction shall include the  
10 following:

- 11 (1) A statement of the specific traffic infraction for  
12 which the notice was issued;
- 13 (2) Except in the case of parking-related traffic  
14 infractions, a brief statement of the facts;
- 15 (3) A statement of the total amount to be paid for each  
16 traffic infraction, which amount shall include any  
17 fee, surcharge, or cost required by statute,  
18 ordinance, or rule, and any monetary assessment,  
19 established for the particular traffic infraction  
20 pursuant to section 291D-9, to be paid by the driver



- 1 or registered owner of the vehicle, which shall be  
2 uniform throughout the State;
- 3 (4) A statement of the options provided in section  
4 291D-6(b) for answering the notice and the procedures  
5 necessary to exercise the options;
- 6 (5) A statement that the person to whom the notice is  
7 issued must answer, choosing one of the options  
8 specified in section 291D-6(b), within twenty-one days  
9 of issuance of the notice;
- 10 (6) A statement that failure to answer the notice of  
11 traffic infraction within twenty-one days of issuance  
12 shall result in the entry of judgment by default for  
13 the State and may result in the assessment of a late  
14 penalty [~~and, that if the person to whom the notice~~  
15 ~~was issued fails to pay the total amount specified in~~  
16 ~~the default judgment within an additional thirty days~~  
17 ~~or to otherwise take action to set aside the default,~~  
18 ~~notice shall be sent to the director of finance of the~~  
19 ~~appropriate county.~~
- 20 ~~(A) That the person to whom the notice of infraction~~  
21 ~~not involving parking was issued shall not be~~



1                   ~~permitted to renew or obtain a driver's license,~~

2                   ~~or~~

3                   ~~(B) Where the notice was issued to a motor vehicle,~~

4                   ~~that the registered owner shall not be permitted~~

5                   ~~to register, renew the registration of, or~~

6                   ~~transfer title to the motor vehicle until the~~

7                   ~~traffic infraction is finally disposed of~~

8                   ~~pursuant to this chapter, except as provided in~~

9                   ~~section 291D-10(b)];~~

10           (7) A statement that, at a hearing requested to contest  
11           the notice of traffic infraction conducted pursuant to  
12           section 291D-8, no officer shall be present unless the  
13           driver timely requests the court to have the officer  
14           present, and that the standard of proof to be applied  
15           by the court is whether a preponderance of the  
16           evidence proves that the specified traffic infraction  
17           was committed;

18           (8) A statement that, at a hearing requested for the  
19           purpose of explaining mitigating circumstances  
20           surrounding the commission of the infraction or in  
21           consideration of a written request for mitigation, the



- 1 person shall be considered to have committed the  
2 traffic infraction;
- 3 (9) A space in which the signature of the person to whom  
4 the notice was issued may be affixed; and
- 5 (10) The date, time, and place at which the person to whom  
6 the notice was issued must appear in court, if the  
7 person is required by the notice to appear in person  
8 at the hearing."

9 SECTION 4. Section 291D-7, Hawaii Revised Statutes, is  
10 amended as follows:

11 1. By amending subsections (a), (b), and (c) to read:

12 "(a) When an admitting answer is received, the court shall  
13 enter judgment in favor of the State in the total amount  
14 specified in the notice of traffic infraction. [~~If the total  
15 amount is not submitted with the answer, the court may take  
16 action as provided in section 291D-10.~~]

17 (b) When a denying answer is received, the court shall  
18 proceed as follows:

19 (1) In the case of a traffic infraction where the person  
20 requests a hearing at which the person will appear in  
21 person to contest the infraction, the court shall



1 notify the person in writing of the date, time, and  
2 place of hearing to contest the notice of traffic  
3 infraction. The notice of hearing shall be mailed to  
4 the address stated in the denying answer, or if none  
5 is given, to the address stated on the notice of  
6 traffic infraction. The notification also shall  
7 advise the person that, if the person fails to appear  
8 at the hearing, the court shall enter judgment by  
9 default in favor of the State, as of the date of the  
10 scheduled hearing, that the total amount specified in  
11 the default judgment must be paid within thirty days  
12 of entry of default judgment [~~, and, if it is not paid,~~  
13 ~~that the court shall take action as provided in~~  
14 ~~section 291D-10~~]; and

- 15 (2) When a denying answer is accompanied by a written  
16 statement of the grounds on which the person contests  
17 the notice of traffic infraction, the court shall  
18 proceed as provided in section 291D-8(a) and shall  
19 notify the person of its decision, including the total  
20 amount assessed, if any, by mailing the notice of  
21 entry of judgment within forty-five days of the



1 postmarked date of the answer to the address provided  
2 by the person in the denying answer, or if none is  
3 given, to the address given when the notice of traffic  
4 infraction was issued or, in the case of parking  
5 violations, to the address at which the vehicle is  
6 registered. The notice of entry of judgment also  
7 shall advise the person, if it is determined that the  
8 infraction was committed and judgment is entered in  
9 favor of the State, that the person has the right,  
10 within thirty days of entry of judgment, to request a  
11 trial and shall specify the procedures for doing so.  
12 The notice of entry of judgment shall also notify the  
13 person, if an amount is assessed by the court for  
14 monetary assessments, fees, surcharges, or costs, that  
15 if the person does not request a trial within the time  
16 specified in this paragraph, the total amount assessed  
17 shall be paid within thirty days of entry of judgment.  
18 ~~[The notice of entry of judgment shall inform the~~  
19 ~~person that if the total amount is not paid within~~  
20 ~~thirty days, the court shall take action as provided~~  
21 ~~in section 291D-10.]~~





1 (c) When an answer admitting commission of the infraction  
2 but seeking to explain mitigating circumstances is received, the  
3 court shall proceed as follows:

4 (1) In the case of a traffic infraction where the person  
5 requests a hearing at which the person will appear in  
6 person to explain mitigating circumstances, the court  
7 shall notify the person in writing of the date, time,  
8 and place of hearing to explain mitigating  
9 circumstances. The notice of hearing shall be mailed  
10 to the address stated in the answer, or if none is  
11 given, to the address stated on the notice of traffic  
12 infraction. The notification also shall advise the  
13 person that, if the person fails to appear at the  
14 hearing, the court shall enter judgment by default in  
15 favor of the State, as of the date of the scheduled  
16 hearing, and that the total amount stated in the  
17 default judgment must be paid within thirty days of  
18 entry of default judgment [~~, and, if it is not paid,~~  
19 ~~that the court shall take action as provided in~~  
20 ~~section 291D-10~~]; and



1           (2) If a written explanation is included with an answer  
2           admitting commission of the infraction, the court  
3           shall enter judgment for the State and, after  
4           reviewing the explanation, determine the total amount  
5           of the monetary assessments, fees, surcharges, or  
6           costs to be assessed, if any. The court shall then  
7           notify the person of the total amount to be paid for  
8           the infraction, if any. There shall be no appeal from  
9           the judgment. If the court assesses an amount for  
10          monetary assessments, fees, surcharges, or costs, the  
11          court shall also notify the person that the total  
12          amount shall be paid within thirty days of entry of  
13          judgment. [~~The notice of entry of judgment also shall~~  
14          ~~inform the person that if the total amount is not paid~~  
15          ~~within thirty days, the court shall take action as~~  
16          ~~provided in section 291D-10-.] "~~

17          2. By amending subsection (e) to read:

18          "(e) Whenever judgment by default in favor of the State is  
19          entered, the court shall mail a notice of entry of default  
20          judgment to the address provided by the person when the notice  
21          of traffic infraction was issued or, in the case of parking



1    infractions, to the address stated in the answer, if any, or the  
2    address at which the vehicle is registered. The notice of entry  
3    of default judgment shall advise the person that the total  
4    amount specified in the default judgment shall be paid within  
5    thirty days of entry of default judgment and shall explain the  
6    procedure for setting aside a default judgment. ~~[The notice of~~  
7    ~~entry of default judgment shall also inform the person that if~~  
8    ~~the total amount is not paid within thirty days, the court shall~~  
9    ~~take action as provided in section 291D-10.]~~ Judgment by  
10   default for the State entered pursuant to this chapter may be  
11   set aside pending final disposition of the traffic infraction  
12   upon written application of the person and posting of an  
13   appearance bond equal to the amount of the total amount  
14   specified in the default judgment and any other assessment  
15   imposed pursuant to section 291D-9. The application shall show  
16   good cause or excusable neglect for the person's failure to take  
17   action necessary to prevent entry of judgment by default. ~~[Upon~~  
18   ~~receipt of the application and required appearance bond, the~~  
19   ~~court shall take action to remove the restriction placed on the~~  
20   ~~person's driver's license or the motor vehicle's registration~~  
21   ~~and title imposed pursuant to section 291D-10.]~~ Thereafter, the



1 court shall determine whether good cause or excusable neglect  
2 exists for the person's failure to take action necessary to  
3 prevent entry of judgment by default. If so, the application to  
4 set aside default judgment shall be granted, the default  
5 judgment shall be set aside, and the notice of traffic  
6 infraction shall be disposed of pursuant to this chapter. If  
7 not, the application to set aside default judgment shall be  
8 denied, the appearance bond shall be forfeited and applied to  
9 satisfy amounts due under the default judgment, and the notice  
10 of traffic infraction shall be finally disposed. In either  
11 case, the court shall determine the existence of good cause or  
12 excusable neglect and notify the person of its decision on the  
13 application in writing."

14 SECTION 5. Section 291D-8, Hawaii Revised Statutes, is  
15 amended by amending subsection (c) to read as follows:

16 "(c) If a person for whom a hearing has been scheduled, to  
17 contest the notice of traffic infraction or to explain  
18 mitigating circumstances, fails to appear at the hearing, the  
19 court shall enter judgment by default for the State and take  
20 action as provided in section 291D-7(e). [~~If the total amount~~  
21 ~~of the monetary assessment, fees, surcharges, or costs is not~~



1 ~~paid within thirty days of entry of default judgment, the court~~  
2 ~~shall take action as provided in section 291D-10.] "~~

3 SECTION 6. Section 291D-9, Hawaii Revised Statutes, is  
4 amended by amending subsection (d) to read as follows:

5 "(d) The court may grant to a person claiming inability to  
6 pay, an extension of the period in which the monetary assessment  
7 shall be paid or may impose community service in lieu thereof.  
8 ~~[If the assessment is not paid or the community service is not~~  
9 ~~performed on or before the date established and the court has~~  
10 ~~not extended the time, the court shall take action as provided~~  
11 ~~in section 291D-10.] "~~

12 SECTION 7. Section 291D-12, Hawaii Revised Statutes, is  
13 amended to read as follows:

14 "**§291D-12 Powers of the district court judge sitting in**  
15 **the traffic division.** (a) A district court judge sitting in  
16 the traffic division and hearing cases pursuant to this chapter  
17 shall have all the powers of a district court judge under  
18 chapter 604, including the following powers:

19 (1) To conduct traffic infraction hearings and to impose  
20 monetary assessments;



- 1           (2) To permit deferral of monetary assessment or impose  
2           community service in lieu thereof;
- 3           (3) To dismiss a notice of traffic infraction, with or  
4           without prejudice, or to set aside a judgment for the  
5           State;
- 6           (4) To order temporary driver's license suspension or  
7           driver's license reinstatement;
- 8           ~~[(5) To order the director of finance not to issue or renew  
9           the driver's license, or to register, renew the  
10           registration of, or issue title to a motor vehicle, of  
11           any person who has not paid a monetary assessment, has  
12           not performed community service in lieu thereof, or  
13           has not otherwise satisfied a judgment for the State  
14           entered pursuant to this chapter;~~
- 15           ~~+(6)]~~ (5) To approve the issuance or renewal of a driver's  
16           license or instruction permit pursuant to section  
17           286-109(c);
- 18           ~~[(7)]~~ (6) To issue penal summonses and bench warrants and  
19           initiate contempt of court proceedings in proceedings  
20           conducted pursuant to section 291D-13;



1       ~~[(8)]~~ (7) To issue penal summonses and bench warrants and  
2           initiate failure to appear proceedings in proceedings  
3           conducted pursuant to section 291D-5(d)(10); and

4       ~~[(9)]~~ (8) To exercise other powers the court finds  
5           necessary and appropriate to carry out the purposes of  
6           this chapter.

7           (b) A district court judge sitting in the traffic division  
8       and hearing cases pursuant to this chapter shall not order the  
9       director of finance to withhold issuing or renewing the driver's  
10       license, or registering, renewing the registration of, or  
11       issuing the title to a motor vehicle, of any person who has not  
12       paid a monetary assessment, has not performed community service  
13       in lieu thereof, or has not otherwise satisfied a judgment for  
14       the State entered pursuant to this chapter."

15           SECTION 8. Section 291D-10, Hawaii Revised Statutes, is  
16       repealed.

17           ~~["§291D-10 Restriction on driver's license and motor~~  
18       ~~vehicle registration. (a) When the person issued a notice of~~  
19       ~~traffic infraction not involving parking fails to pay the total~~  
20       ~~amount of fines, fees, surcharges, costs, or monetary~~  
21       ~~assessments that has been ordered, the court shall cause an~~



1 ~~entry to be made in the driver's license record so as to prevent~~  
2 ~~the person from acquiring or renewing the person's driver's~~  
3 ~~license until the outstanding amount is paid or the notice of~~  
4 ~~traffic infraction is otherwise disposed of pursuant to this~~  
5 ~~chapter.~~

6 ~~(b) In all cases where the registered owner of a motor~~  
7 ~~vehicle to which a notice of traffic infraction has been issued~~  
8 ~~fails to pay the total amount of fines, fees, surcharges, costs,~~  
9 ~~or monetary assessments that have been ordered, the court shall~~  
10 ~~cause an entry to be made in the motor vehicle's record so as to~~  
11 ~~prevent issuance or renewal of the motor vehicle's certificate~~  
12 ~~of registration and transfer of title to the motor vehicle until~~  
13 ~~the outstanding amount is paid or the notice of traffic~~  
14 ~~infraction is otherwise disposed of pursuant to this chapter,~~  
15 ~~provided that if the traffic infraction involves an unpaid~~  
16 ~~parking violation, this subsection shall not prevent the~~  
17 ~~issuance or renewal of the motor vehicle's certificate of~~  
18 ~~registration and transfer of title to the motor vehicle to~~  
19 ~~another person, in which case the clerk of the court shall issue~~  
20 ~~a clearance to effectuate the registration and transfer of~~  
21 ~~title; and provided further that in no event shall a clearance:~~





- 1       ~~(1) Absolve the registered owner of the motor vehicle at~~
- 2           ~~the time the parking violation was incurred from~~
- 3           ~~paying the fine;~~
- 4       ~~(2) Prevent any subsequent issuance or renewal of the~~
- 5           ~~motor vehicle's certificate of registration and~~
- 6           ~~transfer of title to the motor vehicle; or~~
- 7       ~~(3) Otherwise encumber the title of that motor vehicle." ]~~

PART III

9           SECTION 9. Any person prevented from obtaining or renewing

10 a driver's license or motor vehicle registration solely due to

11 failure to pay any monetary assessment imposed under chapter

12 291D, Hawaii Revised Statutes, may petition the court for a

13 driver's license or motor vehicle clearance. The court shall

14 grant any petition for a driver's license or motor vehicle

15 clearance filed in accordance with this section.

PART IV

17           SECTION 10. Statutory material to be repealed is bracketed

18 and stricken. New statutory material is underscored.

19           SECTION 11. This Act shall take effect on July 1, 2050.



**Report Title:**

Traffic Infractions; Driver Licensing; Vehicle Registration;  
Stoppers

**Description:**

Prohibits the imposition of restrictions on a person's ability to obtain or renew a driver's license or to register, renew the registration of, or transfer or receive title to a motor vehicle, as a consequence of unpaid monetary obligations under certain circumstances. Allows certain individuals to petition the court for a driver's license or motor vehicle clearance. Effective July 1, 2050. (HD2)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*



**HB-2750-HD-2**

Submitted on: 6/20/2020 5:15:09 AM

Testimony for TRS on 6/24/2020 1:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cherolyn Morton	Testifying for Smart justice	Support	No

Comments:

**HB-2750-HD-2**

Submitted on: 6/23/2020 10:04:29 AM

Testimony for TRS on 6/24/2020 1:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michael Golojuch Jr	Testifying for LGBT Caucus of the Democratic Party of Hawaii	Support	No

Comments:

**HB-2750-HD-2**

Submitted on: 6/19/2020 6:06:32 PM

Testimony for TRS on 6/24/2020 1:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joseph Kohn MD	Testifying for We Are One, Inc. - www.WeAreOne.cc - WAO	Support	No

Comments:

Strongly Support HB2750 HD2

**Marcella Alohalani Boido, M. A.**  
***Hawaii State Judiciary Certified Spanish Court Interpreter, Tier 4***

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Resident & Voter, Senate District 10 and Representative District 21

To: Chair Lorraine R. Inouye, Senate Committee on Transportation  
Members J. Kalani English, Kurt Fevella, and Maile S. L. Shimabukuro

Hearing: June 24, 2020, 1:30 p.m., Rm. 225

Re: HB 2750, HD 2, **SUPPORT**

Chair Inouye, and all members, thank you for hearing this bill.

First, I offer my condolences to you and to the family of the late Sen. Breene Harimoto. His absence makes this hearing poignant.

Having reviewed the bill and previous testimony, I agree with the positions stated by the ACLU Hawaii, Hawaii Children's Action Network Speaks!, the Office of the State Public Defender, OHA, Parents & Children Together, the Pono Hawai'i Initiative, and various private individuals who testified in support. Let me add something to this discussion.

I am testifying in support even though passing this bill goes against my personal financial interests. Passing it could result in fewer hearings where my services are needed, and therefore, result in a reduction in my income. Passing this bill is the right, the *pono*, thing to do.

Given that our state is looking at a financially difficult future, people may be wondering, "If the Judiciary has trouble collecting these fines under the current, punitive system, what is going to happen to income from fine collection if we pass this bill?"

**A key aspect of improving fine collection is to improve communication.** A few years ago, I found out that some of the people for whom I was interpreting did not even know that they owed fines. Our state has a very high percentage of Limited-English Proficient (LEP) people. Some LEPs, as well as some who speak English as a first language, may also be functionally illiterate.

None of the written materials about tickets, default judgment, and fines are available in any language other than English. Information about these matters is also not available via videos in any language, including ASL and English. So:

1. Translate the current materials into Plain (sometimes called “simple”) English.
2. Translate the materials into the top 15 or 20 languages in use in our courts.
3. Create a video in English with ASL interpreting.
4. Have the video translated so that it is spoken in those top 15 to 20 languages.

The Adult Client Education Division uses a booklet for the mandatory two-day DUI class that includes bar codes. Scanning a bar code leads to a video. The same thing can be done with the Plain English and translated written materials.

About indicating a language by using a national flag, as is currently the practice? For Spanish speakers, using the flag of Spain—the flag of the *conquistadores*—can be seen as insulting.

In 30 years, I have interpreted for exactly one person from Spain.

**I am firmly convinced that improving communication in the ways I have described here would lead to significantly improved fine collection.** In fact, I think the cost of the translations would be recovered in the first month or less. I have made these points to people within the Judiciary several times already in the last few years.

Please pass HB 2750 HD 2. Thank you.

**HB-2750-HD-2**

Submitted on: 6/20/2020 7:11:30 AM

Testimony for TRS on 6/24/2020 1:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Suellen Barton	Individual	Support	No

Comments:



**HB-2750-HD-2**

Submitted on: 6/20/2020 12:07:24 AM

Testimony for TRS on 6/24/2020 1:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jun Shin	Individual	Support	No

Comments:

Aloha, my name is Jun Shin and I'm in strong support of HB2750. I believe if a person can't afford to pay their traffic or parking ticket, they will still be too poor to pay it if you take away their license. The stopper system makes it harder for people to pay, funnels people into the criminal legal system who pose zero threat to public safety, and wastes taxpayer money. Please vote YES in support of HB2750. Thank you for the opportunity to testify.

Jun Shin

1561 Kanunu Street

Honolulu, HI 96814

808-255-6663

**HB-2750-HD-2**

Submitted on: 6/22/2020 11:11:11 AM

Testimony for TRS on 6/24/2020 1:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Diane DiMaria	Individual	Support	No

Comments:

Hello, please don't allow additional emotional and financial burdens to continue being placed on the poor citizens of Hawaii. The State is imposing it's version of a strangle hold on people who need support, not more harm and burdens. Your prisons and Jails are a disgrace, please stop cramming more souls into them. Thank you for looking out for your Brothers and Sisters in the "Aloha State." Sincerely, Diane DiMaria

**HB-2750-HD-2**

Submitted on: 6/19/2020 6:19:33 PM

Testimony for TRS on 6/24/2020 1:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Marty Sunderland	Individual	Support	No

Comments:

Aloha, my name is Martha Sunderland and I'm in strong support of HB2750. I believe if a person can't afford to pay their traffic or parking ticket, they will still be too poor to pay it if you take away their license. The stopper system makes it harder for people to pay, funnels people into the criminal legal system who pose zero threat to public safety, and wastes taxpayer money.

Taking a license limits a person's ability to work, to transport children to school, doctors appointments and other necessary trips, such as purchasing food. Limiting their ability to work makes the poverty worse, and can contribute to homelessness. It's important that the penalty NOT create make the lives of people living in poverty worse. Adding the criminal legal system into the equation compounds the problem. This is not a reasonable solution.

*Please vote YES in support of HB2750. Thank you for the opportunity to testify.*

**HB-2750-HD-2**

Submitted on: 6/20/2020 12:36:45 PM

Testimony for TRS on 6/24/2020 1:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Colleen Rost-Banik	Individual	Support	No

Comments:

Aloha, my name is Colleen Rost-Banik, a resident of Waikiki. I'm in strong support of HB2750. If a person can't afford to pay their traffic or parking ticket, they will still be too poor to pay it if you take away their license. The stopper system is just another way to criminalize poverty as it makes it harder for people to pay tickets, funnels people into the criminal legal system who pose zero threat to public safety, and wastes taxpayer money. Please vote YES in support of HB2750. Thank you for the opportunity to testify.

**HB-2750-HD-2**

Submitted on: 6/20/2020 2:58:27 PM

Testimony for TRS on 6/24/2020 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Pete Wilson	Individual	Support	No

Comments:

*My name is Pete Wilson and I'm in strong support of HB2750. I believe if a person can't afford to pay their traffic or parking ticket, they will still be too poor to pay it if you take away their license. The stopper system makes it harder for people to pay, funnels people into the criminal legal system who pose zero threat to public safety, and wastes taxpayer money. Punitively taking away a persons ability to use their automobile is a waste of public funds and time and an indignity that the state has no right to impose. People before punitive actions. Please vote YES in support of HB2750.*

**HB-2750-HD-2**

Submitted on: 6/22/2020 7:10:40 AM

Testimony for TRS on 6/24/2020 1:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Raelyn Reyno Yeomans	Individual	Support	No

Comments:

Strong Support!

**HB-2750-HD-2**

Submitted on: 6/22/2020 10:53:24 AM

Testimony for TRS on 6/24/2020 1:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Andrea Staley	Individual	Support	No

Comments:

I strongly support HB 2750, which would repeal counterproductive driver's license and vehicle registration "stoppers," which are imposed for failure to pay traffic or parking tickets. License "stoppers" are a barrier to houseless persons seeking and/or maintaining employment. I myself was unable to renew my driver's license in 2019 due to a jaywalking ticket from 2016 that went unpaid. I was required to pay the fine before my license could be renewed, and once the fine was paid, the soonest appointment I could make with the DMV was 3 months past my renewal date. I tried to drive sparingly but could not completely avoid driving illegally during that time. I am lucky that I wasn't pulled over and didn't incur more serious consequences for having to drive illegally due to these kinds of flaws in our system.

Thank you for the opportunity to provide testimony.

**HB-2750-HD-2**

Submitted on: 6/22/2020 7:49:36 AM

Testimony for TRS on 6/24/2020 1:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Daniel J Mistak	Individual	Support	No

Comments:

*Aloha, my name is Daniel Mistak and I'm in strong support of HB2750. I believe if a person can't afford to pay their traffic or parking ticket, they will still be too poor to pay it if you take away their license.*

Although I am testifying in my individual capacity, I work for an organization that is dedicated to removing the health consequences of justice-involvement, and I previously worked at the Legal Aid Society of Hawaii. Stoppers deeply effect what health professionals call "social determinants of health." These are the constraints that an individual faces that negatively effects their health. A stopper negatively effects health because it make it nearly impossible for individuals that may be facing financial constraints to succesfully counter meet their obligations to their family or their jobs. This, of course, results in an individual being unable to afford to pay off their stopper. In order to survive, these individuals then find themselves driving illegally, which results in deeper entanglement in the criminal justice system. This, in turn, effects the individual's family relationships and their safety and can lead to entanglement with family courts. **Stoppers are bad law from every perspective.**

*The stopper system makes it harder for people to pay, funnels people into the criminal legal system who pose zero threat to public safety, and wastes taxpayer money. Please vote YES in support of HB2750. Thank you for the opportunity to testify.*



**HB-2750-HD-2**

Submitted on: 6/22/2020 6:45:47 AM

Testimony for TRS on 6/24/2020 1:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jen Jenkins	Individual	Support	No

Comments:

**HB-2750-HD-2**

Submitted on: 6/21/2020 7:54:15 AM

Testimony for TRS on 6/24/2020 1:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Steven Costa	Individual	Support	No

Comments:

**HB-2750-HD-2**

Submitted on: 6/19/2020 5:14:16 PM

Testimony for TRS on 6/24/2020 1:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Barbara Best	Individual	Support	No

Comments:

*'m in strong support of HB2750. I believe if a person can't afford to pay their traffic or parking ticket, they will still be too poor to pay it if you take away their license. The stopper system makes it harder for people to pay, funnels people into the criminal legal system who pose zero threat to public safety, and wastes taxpayer money. Please vote YES in support of HB2750. Thank you for the opportunity to testify.*

- Stoppers make it impossible for a person to obtain valid auto insurance. This increases liability for everyone else on the road.
- Removing a person's ability to drive makes it harder for them to take their children to school, transport themselves or their family members to the doctor, shop for groceries for their family, and, of course, get to work.
- 67% of Hawaii's workers drive alone to their jobs, and another 14% carpool. Hawaii's workforce relies on their ability to drive to and from work.
- Stoppers greatly impact rural communities and the neighboring islands where public transportation is generally less available.
- Restricted licenses may be granted to allow people to commute to and from work, but eligibility criteria are strict and don't include transportation outside of what is required to work, such as taking your child to the docto

**HB-2750-HD-2**

Submitted on: 6/19/2020 5:17:18 PM

Testimony for TRS on 6/24/2020 1:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ezra Levinson	Individual	Support	No

Comments:

My name is Ezra Levinson and I strongly support HB2750. Taking away a person's driver's license does absolutely nothing to address their inability to pay a traffic or parking ticket. In fact, by making transportation more complicated, these "stoppers" often make payment *more* difficult. It also criminalizes more people, harming them and their families and wasting taxpayer money. In short, removing one's legal ability to drive as a punishment is counterproductive and should not be done. *Please vote YES in support of HB2750.*

**HB-2750-HD-2**

Submitted on: 6/21/2020 9:09:19 AM

Testimony for TRS on 6/24/2020 1:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Barbara Polk	Individual	Support	No

Comments:

Chair Lorraine Inouye,

Thank you for hearing HB2750 that would end the practice of restricting a person's ability to hold a drivers license or sell their car if they have unpaid fees and fines. That restriction is quite draconian, and assumes that the fees have been willfully withheld. Although individuals who are at least moderately well off are usually easily able to pay fees, the same is not true of people who are living at or below the edge. Fines and fees discriminate heavily against the poor. Not being able to drive or to sell their car, only makes their situation, including keeping a job and thus the ability to pay fees or fines, even worse.

Please pass HB2750.

Thank you,

Barbara Polk

**HB-2750-HD-2**

Submitted on: 6/22/2020 12:27:16 PM

Testimony for TRS on 6/24/2020 1:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Honolulu Hawaii NAACP	Individual	Support	No

Comments:

- This bill allows people to keep their driver's licenses, which increases the likelihood that people will be able to find and keep a steady job, and therefore make it more likely that they will be able to pay off their debt.
- gStoppers in s unjust punishment that should not be used for those struggling economically.
- Stoppers are a funnel into the criminal legal system - These cases make up a significant chunk of public defenders' caseloads.
- There are over 350,000 outstanding license and registration stoppers in Hawaii, meaning thousands of Hawaii residents cannot drive legally simply because they could not pay

**HB-2750-HD-2**

Submitted on: 6/22/2020 6:52:29 PM

Testimony for TRS on 6/24/2020 1:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kellie Toyama	Individual	Support	No

Comments:

Hello,

My name is Kellie Toyama, and I am in strong support of this bill repealing license and carr registration stoppers. Removing a person's driver's license and making it illegal for them to drive for necessities is excessively funneling people into the criminal legal system. Ending this policy and instead of helping families back on their feet is a much better alternative.

Mahalo

**HB-2750-HD-2**

Submitted on: 6/23/2020 3:29:23 PM

Testimony for TRS on 6/24/2020 1:30:00 PM



<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Christian R Grado	Individual	Support	No

Comments:

As someone who has had a ticket lost between the state and the collections agency before, and then not been allowed to take care of either, I strongly support this bill and removing ticket stoppers on registration. People should be allowed to take care of them independently.



**LATE**

**HB-2750-HD-2**

Submitted on: 6/23/2020 3:45:41 PM

Testimony for TRS on 6/24/2020 1:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Fern Anuenue Holland	Individual	Support	No

Comments:

Aloha,

I'm in strong support of HB2750. I believe if a person can't afford to pay their traffic or parking ticket, they will still be too poor to pay it if you take away their license. The stopper system makes it harder for people to pay, funnels people into the criminal legal system who pose zero threat to public safety, and wastes taxpayer money.

Please vote YES in support of HB2750. Thank you for the opportunity to testify.

**LATE**

**HB-2750-HD-2**

Submitted on: 6/23/2020 2:53:12 PM  
Testimony for TRS on 6/24/2020 1:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jacquelyn Esser	Individual	Support	No

Comments:

Suspending driver’s licenses for unpaid fines and fees is a failed strategy. It’s cruel, counterproductive and destroying lives and communitites. There is no connection between failure to pay a fine or fee and the ability of someone to drive safely. As a public defender, I see every day the harm we cause individuals when we take away someone’s driver’s license simply because they can’t afford increasingly exorbitant fines and fees. We take away their ability to get to work, take their children to school, a family member to the doctor and make a court appearance. It needs to stop now.

Mahalo for the opporutnity to testify. I urge you to please act now.

**HB-2750-HD-2**

Submitted on: 6/23/2020 1:23:15 PM

Testimony for TRS on 6/24/2020 1:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jennifer Brown	Individual	Support	No

Comments:

I am a Hawai'i licensed attorney practicing in the areas of criminal defense, post-conviction appeals, and civil rights. I submit this testimony in **strong support of HB 2750 HD2**, which would remove restrictions on a person's ability to get or renew a driver's license or vehicle registration because of unpaid fines or fees. Taking away someone's driver's license simply because they cannot afford to pay a fine would hinder and not increase the likelihood of payment. For many, driving is a necessity for work, family, and other related obligations. Someone who cannot afford to pay fines or fees from tickets, will not be more likely to pay if their means to make money is restricted because a license "stopper" prevents them from driving to work. This system in practice ultimately only punishes the poor, as those with financial means will simply pay their fines and fees and avoid the "stopper". Additionally, "stoppers" disproportionately impact those who reside in rural areas where other means of transportation are not as prevalent. Driver's license "stoppers" also place a heavy burden on our court system because those who have had a "stopper" placed on their license due to unpaid fines are far more likely to get a criminal citation for driving without a license, which overburdens the court system and puts the person at risk for even more fines and jail time. Now, with the economic impacts of Covid-19 which has caused many in Hawai'i to be out of work or their income to be reduced, passing this bill is imperative. We cannot as a state continue to criminalize and incarcerate individuals just because they are poor or experiencing Covid-19 related loss of income. If this bill is passed it would be one major step to ensuring that our laws are applied equally to both the rich and the poor in our state and help those that need this financial assistance now. For these reasons, I **strongly support HB 2750 HD2**.

**HB-2750-HD-2**

Submitted on: 6/23/2020 12:54:49 PM

Testimony for TRS on 6/24/2020 1:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Diana Bethel	Individual	Support	No

Comments:

Aloha Chair Inouye, Vice Chair Harimoto, and Members of the Committee,

I am writing to urge you to support HB2750 HD2 that would allow people to keep their driver's licenses even though they may have outstanding traffic or parking tickets.

This bill would help people who are unable to pay off their tickets to not be penalized for being poor and would enable them to find as well as keep a steady job more easily than if they did not have their own transportation. In any case, how would they be expected to pay off their fines if we hamstringing their ability to hold a job?

Maintaining their driver's licenses would also keep them from being drawn into the criminal justice system. By preventing people from keeping their driver's licenses, it would make it much more difficult to maintain a steady job to support themselves. To make the system more fair we must not impose unreasonable monetary penalties on poor people. This practice is unacceptable and unconscionable.

Please support HB 2750 HD2.

Mahalo,

Diana Bethel, Honolulu

**HB-2750-HD-2**

Submitted on: 6/23/2020 12:38:08 PM

Testimony for TRS on 6/24/2020 1:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jane Au	Individual	Support	No

Comments:

I support this bill.

**HB-2750-HD-2**

Submitted on: 6/23/2020 12:37:52 PM

Testimony for TRS on 6/24/2020 1:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
B. Lani PrunÃ©s	Individual	Support	No

Comments:

HB 2750 would end the use of stoppers for unpaid tickets and move to lift existing stoppers.

Nobody in the Hawaiian Kingdom should lose their license because they can't afford a ticket. Navigating work, family, and life here means needing consistent and reliable transportation. People rely on their cars and preventing them from driving because of money means you remove their opportunities to earn the income needed for debts or food or housing. Let's move Hawaii into the 21st century of smart policies that hold people accountable, but not in ways that knowingly trap them.

**HB-2750-HD-2**

Submitted on: 6/23/2020 12:14:56 PM

Testimony for TRS on 6/24/2020 1:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kornelia Thomas	Individual	Support	No

Comments:

Aloha,

I am writing in support of this bill. It further marginalizes people who are poor and cannot afford to pay their fines. Being poor should not be a reason that others lose their privileges to own and operate vehicles legally. I urge you to PASS this bill ASAP.

Mahalo

**HB-2750-HD-2**

Submitted on: 6/23/2020 12:00:17 PM

Testimony for TRS on 6/24/2020 1:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rebecca Bradlow	Individual	Support	No

Comments:

Dear Chair Inouye and Members of the Committee,

I am writing to express my emphatic support for HB 2750. I am a practicing Public Defender in Washington State and I have spent the last five years working in Civil Commitment Courts, Municipal Courts, and Felony Courts. The overwhelming trend between all of the courts was the cycle of poverty and racism that community members face upon 'entering' the civil or criminal system. One of the most prevalent type of convictions I encountered was license suspension. I represented clients who spent time in jail for the singular crime of being too poor to pay a traffic ticket or renew their tabs . I represented clients who were homeless because they had been so destabilized by the cycle of tickets, license suspension, arrest, jail, and court. I have witnessed judges deny clients bail because of their license suspension history and I have heard judges reason that a person's repeated suspended license charges are proof of criminal intent and unwillingness to comply with the law.

Poverty is not a choice. When persons are forced to choose between driving to court while their license is suspended or missing court and getting a warrant then we have failed as a system. When persons are forced to choose between paying for food and shelter or paying court fees then we have failed as a system. When people are forced to choose between the necessities to survive and the bureaucracy of our courts then we have failed as a system.

While I recognize that Hawaii's system of driver's license stoppers operates separately from immediate suspensions imposed as a penalty for an underlying driving offense, stoppers cause the same type of harm that I describe above. I implore you to pass HB 2750 as a necessary step towards stability for persons who have faced lifetimes of systemic destabilization.

Thank you,

Rebecca Bradlow



**HB-2750-HD-2**

Submitted on: 6/23/2020 12:15:05 PM

Testimony for TRS on 6/24/2020 1:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Diliaur Tellei	Individual	Support	No

Comments:

Dear Chair Inouye and members of the committee,

I write to urge you to pass HB2750 HD2. Currently there is a double standard regarding ticketing, in which those with money can get away with infractions and those without are further penalized, in some cases pushed down the pipeline toward losing their livelihoods by taking away their documentation and their access to transport. This bill would rectify this inequality and move us a step closer to stop criminalizing poverty. Thus, again, I state my strong support of this bill and urge you to pass it.

Thank you for your time.

**HB-2750-HD-2**

Submitted on: 6/23/2020 12:49:22 PM

Testimony for TRS on 6/24/2020 1:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
R Siciliano	Individual	Support	No

Comments:

**From:** [Mann, Travis](#)  
**To:** [TRSTestimony](#)  
**Subject:** Testimony in Support of HB2750 HD2  
**Date:** Tuesday, June 23, 2020 1:27:15 PM  
**Attachments:** [Testimony in Support of HB 2750 HD2.pdf](#)

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Dear Chair Inouye and Members of the Committee,

I am writing to express my emphatic support for HB 2750. I am a practicing Public Defender in Washington State and I have spent the last three years working in Municipal Courts and Felony Courts. The overwhelming trend between all of the courts was the cycle of poverty and racism that community members face upon entering the criminal system. One of the most prevalent type of charges I encountered was license suspension in misdemeanor court.

I represented clients who spent time in jail for the singular crime of being too poor to pay a traffic ticket or renew their tabs. I represented clients who were homeless because they had been so destabilized by the cycle of tickets, license suspension, arrest, jail, and court. I represented clients who were pulled over for having a suspended license, solely due to not paying an old ticket, only to find themselves arrested and their cars (sometimes their homes) towed. I have witnessed judges deny clients bail because of their license suspension history and I have heard judges reason that a person's repeated suspended license charges are proof of criminal intent and unwillingness to comply with the law. Without question, those who are disparately impacted by these laws are people of color and people living below the poverty line. WA's version of stoppers are truly crimes of poverty.

Poverty is not a choice. When persons are forced to choose between driving to court while their license is suspended or missing court and getting a warrant then we have failed as a system. When persons are forced to choose between paying for food and shelter or paying court fees then we have failed as a system. When people are forced to choose between the necessities to survive and the bureaucracy of our courts then we have failed as a system.

While I recognize that Hawaii's system of driver's license stoppers operates separately from immediate suspensions imposed as a penalty for an underlying driving offense, stoppers cause the same type of harm that I describe above. I implore you to pass HB 2750 as a necessary step towards stability for persons who have faced lifetimes of systemic destabilization.

Thank you. I have included this testimony as an attachment as well.

Best,

Travis Mann  
He/Him  
Attorney  
Associated Counsel for the Accused Division  
King County Department of Public Defense  
[tmann@kingcounty.gov](mailto:tmann@kingcounty.gov)

(206) 477-9158

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**From:** [Bradlow, Rebecca](#)  
**To:** [TRSTestimony](#)  
**Subject:** Support for HB 2750 HD2 ACLU  
**Date:** Tuesday, June 23, 2020 11:51:12 AM

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Dear Chair Inouye and Members of the Committee,

I am writing to express my emphatic support for HB 2750. I am a practicing Public Defender in Washington State and I have spent the last five years working in Civil Commitment Courts, Municipal Courts, and Felony Courts. The overwhelming trend between all of the courts was the cycle of poverty and racism that community members face upon 'entering' the civil or criminal system. One of the most prevalent type of convictions I encountered was license suspension. I represented clients who spent time in jail for the singular crime of being too poor to pay a traffic ticket or renew their tabs . I represented clients who were homeless because they had been so destabilized by the cycle of tickets, license suspension, arrest, jail, and court. I have witnessed judges deny clients bail because of their license suspension history and I have heard judges reason that a person's repeated suspended license charges are proof of criminal intent and unwillingness to comply with the law.

Poverty is not a choice. When persons are forced to choose between driving to court while their license is suspended or missing court and getting a warrant then we have failed as a system. When persons are forced to choose between paying for food and shelter or paying court fees then we have failed as a system. When people are forced to choose between the necessities to survive and the bureaucracy of our courts then we have failed as a system.

While I recognize that Hawaii's system of driver's license stoppers operates separately from immediate suspensions imposed as a penalty for an underlying driving offense, stoppers cause the same type of harm that I describe above. I implore you to pass HB 2750 as a necessary step towards stability for persons who have faced lifetimes of systemic destabilization.

Thank you,

Rebecca Bradlow  
She/Her  
TDA Staff Attorney  
Kent Felonies  
206-477-8714  
420 W. Harrison St., STE 202, Kent 98032

**LATE**

**HB-2750-HD-2**

Submitted on: 6/24/2020 1:12:47 AM

Testimony for TRS on 6/24/2020 1:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Carrie Ann Shirota	Individual	Support	No

Comments:

Aloha Senator Inouye and Committee Members:

I am writing to support HB 2750 HD2 that would end the use of stoppers on drivers licenses for unpaid tickets and a process to LIFT existing stoppers. Our current system is counterproductie and costly!

Many people have stoppers placed on their drivers licenses due to the fact that they are poor, and lack the financial resources to pay off this debt. Crimilizing people for being poor is the real crime!

COVID-19 will only make economic conditions worst - some people will have to choose between paying rent or traffic fines, or paying food instead of traffic fines in order to avoid a stopper on their driver's license. If you had a family and had to make a choice, I bet you'd choose putting a roof over your families heads and food in their bellies over paying off traffic fines. And yet, doing so, would restrict access to more flexible transportation to get to work, medical appointments, picking up children, etc. In addition, not having a valid drivers' license restricts employment opportunities as many good jobs require a valid driver's license.

Thank you for the opportunity to submit testimony in support of HB2750. Please pass this measure.

**LATE**

**HB-2750-HD-2**

Submitted on: 6/23/2020 11:01:48 PM  
Testimony for TRS on 6/24/2020 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lexi Figueroa	Individual	Support	No

Comments:

Aloha mai kākou,

I am submitting this testimony in support of HB2750. The rise in criminalization especially of Native Hawaiians and other people of color in Hawai'i due to the current driver's license stoppers needs to be put to an end. It is not reasonable to expect people to pay their court-ordered fines while also living in extreme poverty and trying to take care of themselves, their families, etc.. What not everyone may realize is that by taking away a persons license simply because they are unable to pay their dues, they are left in a more difficult situation than they once were in before then. Often times, those who are penalized for doing so are often in communities where finding community transportation is difficult, and even if it is an option, taking the bus for example is even hard for people to find the money for. Again, I ask that you please look at who is really being directly affected by these stoppers, and I ask that you please pass HB2750.

Mahalo

Lexi Kameko Figueroa

**LATE**

**HB-2750-HD-2**

Submitted on: 6/23/2020 9:56:48 PM

Testimony for TRS on 6/24/2020 1:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
kelii ho	Individual	Support	No

Comments:

Stoppers only make it more difficult for people to pay their court ordered fines. These stoppers greatly impact rural areas and neighbor islands where public transportation isn't available. Far too many people are forced to make the choice of driving illegally and losing their jobs.



**LATE**

**HB-2750-HD-2**

Submitted on: 6/24/2020 9:16:07 AM

Testimony for TRS on 6/24/2020 1:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tyler Dos Santos-Tam	Individual	Support	No

Comments:

**LATE**

**HB-2750-HD-2**

Submitted on: 6/24/2020 8:45:18 AM

Testimony for TRS on 6/24/2020 1:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
katie ranke	Individual	Support	No

Comments:

I support this bill but the effective date should be 2021 not 2050!