

“Collateral Sanctions” at the RMV

HB 3039/SB 1812

When people re-build their lives after a drug conviction, they face obstacles such as probation fees, court costs, and the stigma of having a CORI. In addition, there is a special penalty just for them.

Under current law, a person convicted of any drug offense loses her or his driving privileges for **up to 5 years**, and must pay at least **\$500 to reinstate the license**. This also generates a “**back-door CORI**” that can never be sealed, which harms a person’s chances of employment even decades after the fact.

- On average, 7,000 people a year lose their driving privileges due to this law, mostly for offenses that do not involve vehicles in any way.
- Only about 2,500 people a year are able to pay the fee and get their licenses back – often after years.
- Most employers today value applicants who have driver’s licenses, even if the job rarely, if ever, involves driving.
- Contrary to popular belief, the small amount of money the state collects from those who pay the fee (\$1M annually) does **not** go directly toward drug treatment or safe driving classes. The revenue is also more than offset by the cost of administering this law (see next point).
- Approximately 700 people per year who lost their licenses because of this law are subsequently arrested for driving without a license. Not only does this keep the revolving door of prison swinging, but it creates a situation where thousands of people are driving without insurance.
- Senator Harriette Chandler and Representative Liz Malia, champions of the successful CORI Reform law, are sponsoring a bill (**HB 3039 / SB 1812**) to repeal this driver’s license suspension and clean up the driving records of people whose licenses were suspended in the past.
- Passage of (**HB 3039/SB 1812**) Bill will **not** prevent a judge – or the RMV – from suspending a person’s driver’s license for a drug offense if s/he determines that to be an appropriate punishment. Also, driving under the influence of any substance would still carry the same punishment.
- Like having a CORI, the effects of the RMV suspension and fee only harm people who are trying to get a job and support themselves, and stay within the bounds of the law. And, like the overuse and misuse of CORI, the current law only makes that harder.
- The American Association of Motor Vehicle Administrators (AAMVA) has found that laws such as the one this bill would repeal are **not** effective in preventing crime, and in fact impede law enforcement’s ability to focus on traffic safety, and the AAMVA supports the repeal of such laws.

FOR MORE INFORMATION, CONTACT **EPOCA**: (508) 713-8420 or www.exprisoners.org