

**Virginia's license-for-payment system affects hundreds of thousands of Virginians.**

- Every year, Virginia traps hundreds of thousands of low-income residents in debt and poverty by suspending their driver's licenses for failure to pay court costs and fines.
- Virginia does not inquire into the reason for non-payment or consider debtors' financial circumstances before suspending their licenses.
- Nearly one million Virginia drivers currently have suspended licenses for failure to pay court costs and fines. For many drivers that means giving up their only mode of transportation to work, forcing them to choose between losing their jobs and risking jail time for driving illegally.

**In Virginia, most suspensions are for failure to pay, not for being dangerous behind the wheel.**

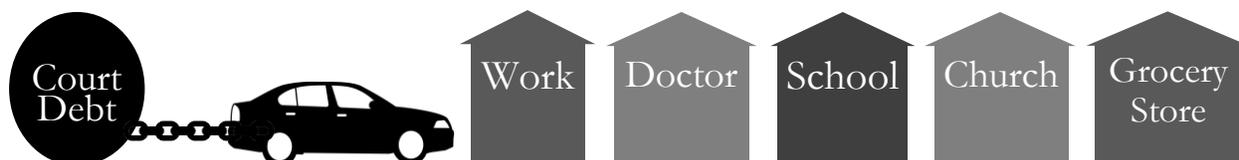
- Automatic suspensions for unpaid court costs and fines account for roughly 65% of all outstanding suspension and revocation orders.<sup>i</sup>
- Over one-third of suspensions for failure to pay are related to convictions that have nothing to do with motor vehicles.<sup>ii</sup>

**Being unlicensed has devastating impacts on individuals and their families.**

- Research has consistently found that having a driver's license can be crucial to an individual's ability to maintain a job, pursue educational opportunities, and care for family.<sup>iii</sup>
- Because of these imperatives, traffic safety experts estimate that 75% of suspended drivers continue to drive.<sup>iv</sup>
- In Virginia, driving on a suspended license is a criminal offense carrying up to twelve months of imprisonment and a \$2,500 fine. A third or subsequent offense carries a mandatory minimum term of imprisonment for ten days.<sup>v</sup>

**Suspending driver's licenses for non-driving reasons jeopardizes public safety.**

- The American Association of Motor Vehicle Administrators recommends the repeal of laws requiring the suspension of driving privileges for non-traffic safety related reasons because it is ineffective policy that diverts law enforcement resources away from safety-related activities.<sup>vi</sup>



Approximately **1 in 6 Virginia drivers** has a suspended license due to failure to pay court costs and fines.

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<sup>i</sup> This figure was obtained from data the Virginia Department of Motor Vehicles provided in April 2016 to Legal Aid Justice Center. The data showed the numbers of driver's license suspension orders in existence during a year-long period ending June 30, 2015, associated with each of sixty grounds under Virginia law for suspension or revocation. The data also shows the number of orders outstanding as of the date the report was created, which was on September 14, 2015.

<sup>ii</sup> This figure was obtained from data the Virginia Department of Motor Vehicles provided in November 2015 to Legal Aid Justice Center. In fiscal year 2015, DMV issued 140,252 orders of suspension for unpaid court costs or fines associated with non-motor vehicle convictions, and 226,521 orders of suspension for unpaid court costs or fines associated with motor vehicle convictions.

<sup>iii</sup> See "Letter to Colleague" from Vanita Gupta & Lisa Foster, U.S. Department of Justice (Mar. 14, 2016), <https://www.justice.gov/crt/file/832461/download>.

<sup>iv</sup> Robert Eger III, Ph.D., "Enhanced Analyses of Suspended/Revoked Drivers Related to Crashes," Florida State University, 2011, *cited in* American Association of Motor Vehicle Administrators (AAMVA), "Best Practices Guide to Reducing Suspended Drivers," February 2013, <http://www.aamva.org/WorkArea/DownloadAsset.aspx?id=3723>.

<sup>v</sup> See Va. Code § 46.2-301, <http://law.lis.virginia.gov/vacode/title46.2/chapter3/section46.2-301/>.

<sup>vi</sup> AAMVA, "Best Practices Guide to Reducing Suspended Drivers," pp. 2-3.