

# 2018 AG REQUEST LEGISLATION

## Consolidating Traffic-Based Financial Obligations

### PROBLEM

Available data from the Department of Licensing shows that at any point in time, nearly 50,000 individuals may have multiple outstanding failure to respond or pay suspensions issued by more than one court of limited jurisdiction. Based on a sampling of these records, approximately 46% of the individuals have multiple suspension orders from more than one court, and are in circumstances where the various courts involved contract with different collection agencies. For these individuals, there is currently no mechanism for establishing a single payment plan addressing all obligations.

Traffic-based costs, fines, and fees impact low-income drivers disproportionately. Low-income drivers who do not find a way to either pay in full or establish and maintain a payment plan can have their driving privileges suspended. According to the Brennan Center for Justice, “One common collection practice that leads to a cycle of reincarceration is the suspension of driver’s licenses...If these individuals continue driving—as they often must to work—they face new and often severe criminal penalties for driving with a suspended license.”<sup>1</sup> Without a license, these individuals can face a serious dilemma: lose their jobs or risk a criminal charge for driving illegally.

### BACKGROUND

In 2016, Substitute Senate Bill 6360<sup>2</sup> created a workgroup facilitated by the Attorney General’s Office. As a result of input and feedback from the stakeholder group, a report<sup>3</sup> was transmitted recommending and detailing a plan and program for the state wide consolidation of traffic-based financial obligations imposed by courts of limited jurisdiction. That bill passed the Legislature in 2016 with broad bipartisan support.

### LEGISLATION (SB 6216 / HB 2421)

In accordance with the Attorney General’s recommendations, and following extensive stakeholder input and feedback as set out in the December 1, 2017 report, **the legislation establishes a unified payment plan system for the consolidation of multiple traffic-based financial obligations.** Specifically, the legislation:

- Authorizes the Administrative Office of the Courts (AOC) to establish a unified payment plan system for the consolidation of multiple traffic-based financial obligations;
- Allows eligible defendants to bring their multiple outstanding obligations into the new payment plan system for ongoing servicing with a single point of contact; and
- Allows those successfully meeting the terms of payment to restore their driving privileges, provided there are no other suspension or revocations on record and proof of valid liability insurance is provided.



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### SPONSORS:

Sen. Saldaña (D-37)  
Sen. O’Ban (R-28)  
Sen. Dhingra (D-45)  
Sen. Frockt (D-46)  
Sen. Darneille (D-27)  
Sen. Pedersen (D-43)  
Sen. Kuderer (D-48)  
Sen. Liias (D-21)

Rep. Jinkins (D-27)  
Rep. Haler (R-8)  
Rep. Kilduff (D-28)  
Rep. Valdez (D-46)  
Rep. Orwall (D-33)  
Rep. Muri (R-28)  
Rep. Gregerson (D-33)  
Rep. Kirby (D-29)  
Rep. Stanford (D-1)  
Rep. Kagi (D-32)  
Rep. Lytton (D-40)  
Rep. Clibborn (D-41)  
Rep. Appleton (D-23)  
Rep. Pollet (D-46)  
Rep. Ormsby (D-3)

1: Brennan Center for Justice, supra note 3, at 24.

2: <http://app.leg.wa.gov/bills/summary?BillNumber=6360&Year=2015>

3: [http://agportal-s3bucket.s3.amazonaws.com/uploadedfiles/Home/Office\\_Initiatives/SB%206360%20Report\\_12-01-17%282%29.pdf](http://agportal-s3bucket.s3.amazonaws.com/uploadedfiles/Home/Office_Initiatives/SB%206360%20Report_12-01-17%282%29.pdf)