

500 Court Street
Ph: 541-565-3416
P.O. Box 365
Fax: 541-565-3046
Moro, OR 97039



ESTABLISHED
FEBRUARY 25, 1889

February 5, 2020

Representative Tawna Sanchez, Chair

House Judiciary Committee

Dear Representative Sanchez:

At its February 5, 2020 session, the Sherman County Court passed a motion in opposition to HB 4065, pertaining to repealing a court's ability to suspend the driving privileges of any person who has failed to comply with the requirement to pay a fine pursuant to ORS 809.210. The ability to suspend driving privileges for failure to comply has long been an important and effective method of facilitating compliance with Oregon's traffic laws. Courts throughout the state commonly suspend only after a defendant has defaulted on an agreement entered into mutually with the court or due to the court having received no payment or arrangement to pay a financial penalty as set forth by Oregon law.

The Sherman County Justice of the Peace estimates that there would likely be a minimum of a 25% reduction in court revenues due to the loss of this important tool. Revenue would be lost both to Sherman County and the State of Oregon. If the 25% figure were to be applied to all courts statewide the financial impact would likely be measured in the tens of millions of dollars. Those who have stated that there would not be a financial impact are incorrect. At the very least, Sherman County is requesting that the potential fiscal impact of HB 4065 be fully examined by the Legislative Fiscal Office before its adoption is considered further. It is likely that with the anticipated loss of this legitimate revenue source a number of Municipal and Justice Courts would be closed, placing an additional burden on the Circuit Courts and limiting access to courts by Oregon's citizens.

In addition to the fiscal impacts of HB 4065, additional, likely unintended consequences would include the reliance on private collection agencies to facilitate debt collection, although when used without the ability to suspend driving privileges has historically been proven ineffective. Sherman County holds that compliance facilitated by a court following specific guidelines is much more humane than relying on the private collections process. Also, it has been stated that courts could utilize the Oregon Department of Revenue (ODR) in collecting past due fines, but limited jurisdiction courts are limited in their access to the ODR collections process.

Sherman County recommends that the legislature facilitate a process whereby all stakeholders can work towards an outcome far better than would occur with the passage of HB 4065. The Court appreciates the opportunity to submit this input.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joe Dabulskis".

Joe Dabulskis
Sherman County Judge