



Oregon

Kate Brown, Governor

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DATE: February 20, 2020

TO: Senate Committee on Judiciary

FROM: Lindsay Baker, Assistant Director
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SUBJECT: House Bill 4065-1 – Elimination of Driver License Suspension for Failure to Comply

INTRODUCTION

Current Oregon law requires specific action when a court notifies ODOT-DMV of a person's failure to pay a fine imposed. This process of license suspension, revocation, and reinstatement is managed through partnership between the court systems and ODOT-DMV.

DISCUSSION

Current law allows a court to suspend or place restrictions on a person's driving privileges for failure to pay a fine related to a traffic infraction (known as Failure to Comply or FTC). Once notified by the court, ODOT-DMV issues a driver license Suspension Notice, with the suspension automatically effective 60 days after the Suspension Notice is issued. If the person makes acceptable arrangements with the court (*i.e.* full payment or entering into a payment plan) during that 60 day period, the court notifies ODOT-DMV and the impending suspension is rescinded. If no arrangements are made within this 60 day period, the person's driving privileges are suspended. After suspension occurs, driving privileges may be reinstated after acceptable arrangements are made with the court, the court notifies DMV, and the person pays a \$75 reinstatement fee.

During calendar year 2019:

- 98,669 FTC Suspension Notices were issued by DMV
- 23,182 rescissions were processed
- 28,357 reinstatements were processed

HB 4065 with the (-1) amendment significantly reduces the scope and breadth of the measure. The changes provided in the (-1) amendment prevent a court from suspending a license for FTC, if the individual has entered into a payment program, and begun making payments, within 120 days. Additionally, the (-1) amendment allows the court to determine whether it is essential that a person retain their driving privileges, thus preventing their license's suspension. ODOT remains supportive of the original intent of HB 4065 and the elimination of the FTC suspension.

The changes proposed in the (-1) amendment will result in few changes from ODOT's current operations and workload. ODOT will likely experience little workload savings as a result of the (-1) amendment.

SUMMARY

ODOT supports elimination of the FTC suspension, as contemplated in the introduced bill. The (-1) amendment significantly reduces the scope of the measure and will have little overall impact on ODOT's current operations and workload.