



February 8, 2024

Honorable Co-Chairs Chris Gorsek and Susan McLain  
Joint Transportation Committee  
900 Court St. NE, Salem, OR 97301

Co-Chairs Gorsek and McLain, Members of the Committee:

I am the Municipal Court Presiding Judge for the City of Tigard, and I am writing you in support of the -1 amendment to HB 4109.

Oregon's Failure to Appear statute mandate traffic courts to suspend a driver's license if a defendant fails to appear in court for traffic violation cases. While the intention behind this statute is to enforce compliance with court appearances, its rigid application overlooks various circumstances that may lead to non-appearance, such as illness, address changes or misunderstandings regarding court dates or processes.

Every time a court suspends a license, the DMV is required to update its databases with the suspension and notify the defendant by mail of their license suspension, making them aware that they are not permitted to drive. Once the fine is paid or arrangements for a payment plan have been made, the DMV's records team must lift the suspension. Once this occurs, the defendant must appear in person at DMV to have their license reinstated.

The lack of flexibility in the law not only results in unjust consequences for individuals who may have valid reasons for missing court appearances but also places an undue burden on our courts and the Department of Motor Vehicles (DMV). The resources required to suspend and unsuspend licenses, coupled with the challenges of implementing electronic court systems, create significant strains on our already overstretched judicial system.

Allowing judicious use of license suspensions would do away with the one-size-fits-all approach and allow courts to decide how best to get a person's cooperation to appear in court.

I urge your support of the -1 amendment to HB 4109.

Sincerely,

*Emily Oberdorfer*

Judge Emily Oberdorfer  
Presiding Judge, Tigard Municipal Court