

Most Driver's License Suspensions In Texas Are Because Drivers Can't Afford To Pay Their Fines

By [ANDREW WEBER](#) · MAR 12, 2019

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Early morning rush hour on I-35 in 2016.

MIGUEL GUTIERREZ JR. FOR KUT

Seven out of 10 driver's license suspensions in Texas are due to drivers' inability to pay fees and surcharges from courts and the Texas Department of Public Safety, according to a [new study](#) from nonprofits Texas Appleseed and Texas Fair Defense Project.

Of the 2.3 million suspensions in Texas, the bulk of them, 1.5 million, come from DPS' Driver Responsibility Program, which imposes surcharges on top of fines for traffic citations, often leading to a suspension. Those surcharges recur annually for three years and can create financial hurdles for drivers looking to reinstate their licenses, the study argues, because they can't afford them.

The vast majority of those suspensions, the study found, were the result of citations for driving without a valid license or driving without insurance – not public safety-related citations like driving while intoxicated or speeding.

While Texas lawmakers initially intended for the compounding fines and suspensions to keep dangerous drivers and repeat offenders off the roads, study co-author Mary Mergler with Texas Applesseed says the lion's share of suspensions impact low-income drivers who simply can't pay the compounding fines and surcharges, which range from \$100 to \$250 per year for up to three years after a ticket.

"It prevents people from not only earning the money that they need to pay off those fines and surcharges, but also just earning a living to support their families," Mergler said.

Those citations often lead to arrests and jail for those who can't pay the fines but still need to get around in car-dependent Texas. Driving without a valid license is a class C misdemeanor, which is punishable by a fine but no jail time. Any additional citation is a class B misdemeanor, which carries a sentence of up to six months in jail.

Travis County led the state's largest counties in the number of bookings for driving with an invalid license in 2017, the study found, with 2,762 people jailed for a total of 4,614 days. Nearly 475 of those defendants stayed in jail for more than three days. (It should be noted: Harris County, the state's most populous county, didn't make data available to researchers.)

The Driver Responsibility Program has been in place in Texas since 2003 and was initially intended to incentivize paying tickets and fees while separately funding trauma centers. The program sends half of its revenue back to the state, while the other half goes to funding those centers. But state lawmakers have been calling for its reform or outright repeal for the better part of a decade, and it's currently [the target of a federal lawsuit](#) in San Antonio by the Washington, D.C.-based nonprofit Equal Justice Under Law.

The study also highlights the state's other methods of license-suspension.

Nearly a quarter of the 2.3 million suspensions were because of drivers' inability to pay court fees associated with those tickets – just over 800,000 drivers. Of those, 320,000 have active licenses that they can't renew because they haven't paid court costs, while nearly 500,000 will not be able to renew when their licenses expire.

Around a quarter of a million drivers were suspended by DPS because there was evidence they had been driving while their licenses were already suspended. So, a driver could go to pay off court fees associated with a ticket only to be given another suspension by DPS for anywhere from one to two years (known as a departmental suspension).

On top of that, DPS also charges a mandatory fee for reinstating a license after a hold or suspension has been lifted – anywhere from \$100 to \$325.

The study comes on the heels of the deadline to file bills in the Texas Legislature. All told, bipartisan lawmakers filed nearly two-dozen bills related to the state's system of suspending licenses and revamping how Texas pays for trauma care.

"The program really needs to make a distinction between those who are just willfully refusing to comply with the law and those who simply don't have the money to pay their fines and fees," Mergler said.

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