



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

TESTIMONY IN SUPPORT OF SENATE BILL 174:
Child Support - Suspension of Driver's Licenses

TO: Hon. William C. Smith, Chair, and Members of the Senate Judicial Proceedings Committee

1. Introduction

- a. For the record, I am Senator Anthony Muse. I am here today presenting Senate Bill 174, which ensures that driver's license suspensions for inability to pay child support are used in appropriate cases.

2. Mobility in Maryland

- a. Mobility is key in Maryland's regional economy. The Census Bureau reported that almost 40% of Marylanders travel outside their county for employment. This statistic is more pronounced for lower-income communities of color where there is a scarcity of jobs available by public transit.
- b. For example, only 8.5% of jobs in the Baltimore region can be reached within one hour, one-way by public transit.
- c. More concerning is that many employers in these communities won't hire individuals without a valid license as driving is central to the position (construction, UBER, Grubhub, door-to-door sales).
- d. Thus, a valid driver's license and a vehicle are necessary for economic sustainability.

3. Current Law: Federal & State

- a. Federal Code 42 U.S.C.A. § 666 (a) demands that all states have laws that “**increase the effectiveness** of the [child support enforcement] program which the state administers” and allows the State to withhold, suspend, or restrict licenses of individuals owing child support in “**appropriate cases**” (16).
- b. To this end, [Maryland Code Ann., Fam. Law § 10-119](#) states that upon 60 days of nonpayment of child support, an obligor shall have their license or privilege to drive suspended, regardless of their circumstances or ability to pay.

4. The Impact on Marylanders

- a. The suspension mechanism is automated through the Child Support Enforcement Agency, and **no** determination is made as to whether a suspension would be appropriate.
- b. Maryland Legal Aid and the University of Baltimore have reported individuals who are disabled, *not* in arrears, or with primary custody of their children, having their licenses suspended.

5. Child Support Debt

- a. Across Maryland, 50 percent of noncustodial parents in the state child support program caseload were employed in 2017, and 43 percent of these earned minimum wages or less but owe an average of \$10,000 in unpaid arrearages. They will never pay down this debt, especially when the current law magnifies the issue by crippling their mobility.
- b. Additionally, [a report cited](#) by the Abell Foundation found that **42% of individuals who had their licenses suspended lost jobs as a result of the suspension, 45% of those who lost jobs could not find another job, and 88% of those who were able to find another job reported a decrease in income.**

6. What Does Senate Bill 174 Do?

- a. Senate Bill 174 seeks to resolve this by ensuring that before the Child Support Enforcement Administration notifies the MVA of an obligor in arrears, a circuit court hearing needs to be established to determine if the suspension is appropriate. It proceeds to determine that a suspension is not appropriate for the obligor if:
 - i. The minor lives primarily with the obligor;
 - ii. The obligor is disabled and unable to work;
 - iii. Suspension would cause the obligor to be out of compliance with another court order;
 - iv. Suspension would ruin the ability to assist the custodial parent with the child's transportation needs;
 - v. The suspension would risk the loss of employment or employment opportunities;
 - vi. The obligor could not pay or is making arrangements to pay;
 - vii. If the suspension would place an undue hardship on the obligor or the family;
 - viii. The reported arrearage amount is not accurate; or
 - ix. The Administration has agreed with the obligor through the payment incentive program.

7. Conclusion

- i. This is a rational approach to ensuring that the state is not needlessly endangering the well-being of families by limiting the obligor's access to employment and quality time with their child.
- ii. For these reasons, I urge a favorable report.