



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Chair Barve and Vice Chair Stein
House Environment and Transportation Committee
House Office Building Room 251
Annapolis, MD 21401

February 11, 2021

Dear Chair Barve, Vice Chair Stein and Committee Members:

I am pleased to present House Bill 699 – Motor Vehicles – Driver’s License and Insurance Offenses – Penalties. This legislation will end the incarceration of motorists for non-driving offenses. Additionally, this legislation will reduce the fines associated with non-driving offenses. HB 699 will help stop the criminalization of poverty and eliminate the unnecessary incarceration of Marylanders due to non-driving offenses.

Currently, motorists in Maryland can be incarcerated for a number of offenses. The offenses can range from serious violations such as vehicular manslaughter to lesser violations like driving without insurance. HB 699 does not aim to eliminate incarceration overall for driving offenses. Rather, this legislation focuses on ending incarceration for non-driving offenses, such as driving without insurance and driving with a suspended license. Driving without insurance and driving with a suspended license are two offenses that can be directly tied to the economic status of the motorist. Insurance is a very expensive expense and some individuals are not able to pay the high premium cost every month. Similarly, motorists can have their license suspended for a number of things and most of these things are connected to paying a fine or fee, such as a ticket. Incarcerating motorists due to their inability to pay is wrong and causes an undue burden on Marylanders, especially our indigent citizens. If someone cannot afford to pay a ticket or to pay for insurance, they cannot afford to be incarcerated for any stint of time. When someone is incarcerated, their present and future employment prospects are significantly affected. Our country’s criminal justice system is based on deterrence and the school of thought that the punishment should fit the crime. If someone cannot pay for something, then harsher penalties will not solve the problem. Additionally, incarcerating someone for a non-driving offense does not allow for the crime to fit the punishment. Driving on a suspended license or without insurance does not warrant any individual to have to spend time in jail. Incarcerating the individual only helps to keep the individual in a cycle of poverty.

House Bill 699 does not aim to remove punishments for non-driving offenses. Instead, this legislation will end the unnecessary incarceration for non-driving offenses. As a General Assembly, we must protect our indigent citizens and not punish them for their economic

situations. House Bill 699 will help our state take an important step forward to end the criminalization of poverty.

For the above reasons, I respectfully request a favorable report on HB 699.

Sincerely,

Delegate Debra M. Davis
District 28, Charles County