
BILL NO: House Bill 1293
TITLE: Driver's Licenses – Suspension for Child Support Arrearages – Exception
COMMITTEE: Judiciary
HEARING DATE: March 10, 2022
POSITION: **FAVORABLE WITH AMENDMENT**

House Bill 1293 would disallow the Child Support Agency from suspending a driver's license to enforce court ordered child support if the payor earns less than 300% of the Federal Poverty Level. The Women's Law Center understands that it is sometime counter-intuitive to deprive someone who owes money, in this case arrearages on child support, from the means to get to and from a job. In the appropriate circumstances it may be better to not suspend the license. HB 1293 is a reasonable effort to balance the interests, but we have one concern.

The Child Support Agency (Agency) has the most robust ability to enforce a court orders to pay child support, but it is limited. Suspension of a driver's license is one of the mechanisms they can use. HB 1293 would create an exception to the Agency's enforcement mechanism of suspending an obligor's driver's license, depriving them of the ability to suspend a license of anyone who earns less than 300% of Federal Poverty level. There would be no discretion. We do not have the expertise to opine on whether tying this exception to the federal poverty level is better than tying it to a state barometer of some sort, and leave that to the policy makers. We also wonder how this works as it relates to number of family members. The income number changes depending on that fact.

However, we do have a concern that obligors may impoverish themselves, in order to lower their income to whatever level is set, for this exception to kick in. We suggest an amendment to provide that an obligor must be determined not to have voluntarily impoverished themselves before the Agency be completely deprived of this enforcement mechanism. We do not want single parents (more often women) of children left without financial resources they are due to help raise the child or children, if the obligor could actually be earning a greater amount of money and paying, but has chosen not to do so.

Therefore, the Women's Law Center of Maryland, Inc. urges a favorable report on House Bill 1293 with amendment.

The Women's Law Center of Maryland is a private, non-profit, legal services organization that serves as a leading voice for justice and fairness for women. It operates the statewide Family Law Hotline, serving thousands self-represented litigants a year on that line with information and referral.