

Date: April 5, 2023

Bill number: SB0164

Committee: House Judiciary Committee

Bill title: **Driver's Licenses - Suspension for Child Support Arrearages - Exception**

DHS Position: **FAVORABLE WITH AMENDMENTS**

The Maryland Department of Human Services (DHS) thanks the Committee for the opportunity to provide favorable written support on Senate Bill 164 (SB 164) with the agreed upon amendments with the bill sponsors.

All states are federally required to have a Drivers' License Suspension (DLS) Program. Maryland's CSA utilizes the DLS Program to intervene as early as possible with obligors who find themselves two months or more out of compliance with payment of their child support orders. In Maryland, obligors receive notice at the beginning of a child support case of possible enforcement tools that may be used if support is not paid timely in accordance with the court order. Upon no payment for two or more months obligors are referred to the DLS Program and notified by CSA of potential referral to the Maryland Motor Vehicle Administration (MVA) and given 30 days to contest. After 30 days the obligor is referred to MVA for potential suspension and MVA notifies obligors with another 30 days to contest the action prior to any actual license suspension. Advising obligors of an impending driver's license suspension as early as possible creates an opportunity and incentive for noncompliant obligors to contact their local child support office to access the various services that may be available to them. Such services may include employment programs, state-owed arrears forgiveness programs, and assistance with modifying a child support order that no longer accurately reflects an obligor's ability to pay following a material change in circumstances. This early intervention method is critical to ensuring that an obligor avoids incurring an excessive arrearage that may result in more aggressive enforcement mechanisms, including incarceration for contempt and additional penalties, later in the CSA enforcement proceedings.

The DLS Program is one of CSA's most successful early intervention enforcement tools to ensure that children receive the support they need from their parents. In 2021, while 24,647 obligors were referred to the DLS Program, only 4,869 were referred to MVA, and of that only 2,819 had their license suspended. This is the result of obligors, upon receipt of notices from either CSA or MVA, contacting the child support agency to make payment or raise other concerns that resulted in no suspension or release of the suspension. Senate Bill 164 acknowledges that the DLS program is valuable to DHS' enforcement toolbox, while offering a new exemption for Maryland's lower income obligors. As drafted, SB 164 would establish an exemption for using this early intervention and enforcement tool for obligors whose income is at or below 250% of the federal poverty level.

DHS thanks Senator Watson and Delegate Henson for their continued partnership in developing amendments to this legislation. It is the goal of CSA to best serve the whole family by balancing obligor compliance and ability to pay with ensuring children receive the financial support necessary to grow and thrive. The Department is grateful to offer our support with the Committees receipt and acceptance of the agreed upon amendments with the bill sponsors. DHS welcomes collaboration with the Committee on SB 164 and requests a favorable with amendments report.

