



## MARYLAND LEGISLATIVE LATINO CAUCUS

Lowe House Office Building, 6 Bladen Street, Room 200 · Annapolis, Maryland 21401  
Phone 410-841-3374 | 301-858-3374 · 800-492-7122 Ext. 3374 · Fax 410-841-3342 | 301-858-3342  
latino.caucus@house.state.md.us · www.mdlatinocaucus.org

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TO: Delegate Luke Clippinger, Chair  
Delegate J. Sandy Bartlett, Vice Chair  
Judiciary Committee Members  
FROM: Maryland Legislative Latino Caucus  
DATE: 03/04/2024  
RE: HB311- Child Support- Suspension of Driver's Licenses

### **The MLLC supports HB311- Child Support- Suspension of Driver's Licenses**

The MLLC is a bipartisan group of Senators and Delegates committed to supporting legislation that improves the lives of Latinos throughout our state. The MLLC is a crucial voice in the development of public policy that uplifts the Latino community and benefits the state of Maryland. Thank you for allowing us the opportunity to express our support of HB311.

The suspension of driver's licenses due to child support arrearage especially impacts those in low-income households which we know negatively affects all people of color and minority populations in Maryland. Current data demonstrates that communities of color make up the highest percentages of people living in poverty in the state of Maryland<sup>1</sup>. This coupled with the fact that since the program's inception, child support debt has grown to \$115 billion, of which 70% is owed by noncustodial fathers with annual incomes under \$10,000. Thus, utilizing policies geared toward establishing orders and collecting payments from fathers with stable employment and income, leads to child support programs struggling to adapt to the unmarried, unemployed, and underemployed composition of their caseload. Thus, they establish orders that are too high, use harsh, expensive enforcement techniques that are often ineffective, and generate debt that is uncollectible, only making the issue more problematic<sup>2</sup>.

HB0311 adds more procedural constraints around license suspension for child support nonpayment to avoid undue hardship, while still retaining it as an enforcement mechanism in appropriate cases. The bill would alter the process for suspending an individual's driver's license or driving privileges for failure to pay child support by doing the following:

- The Child Support Enforcement Administration would need to petition the court and prove by clear and convincing evidence that suspension is appropriate before notifying the MVA.
- The court could only order suspension if the obligor has the funds to pay but is voluntarily withholding payment, the funds aren't subject to other enforcement mechanisms, and suspension is in the best interest of the child.
- The court cannot suspend licenses if it would impose undue hardship on the obligor or family, the arrearage information is inaccurate, or the obligor enters into and complies with a payment agreement.
- The threshold for suspension would be increased from 60 days behind on payments to 120 days.

Obligors would have the right to request license reinstatement from the Administration or court. The Administration would be required, upon request, to request expungement of suspension records in certain circumstances like enrollment in an approved program.

For these reasons, the Maryland Legislative Latino Caucus respectfully requests a [favorable] report on HB311.