

JOTF JOB OPPORTUNITIES TASK FORCE

Advocating better skills, jobs, and incomes

Testimony in Support of House Bill 311

Child Support - Suspension of Driver's Licenses

TO: Hon. Luke Clippinger, Chair, and Members of the House Judiciary Committee

FROM: Job Opportunities Task Force

DATE: February 1, 2024

The Job Opportunities Task Force (JOTF) is an independent, nonprofit organization that develops and advocates policies and programs to increase the skills, job opportunities, and incomes of low-wage workers and job seekers in Maryland. **JOTF supports House Bill 311, which ensure that driver's license suspensions for inability to pay child support would be used in an appropriate manner.**

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. [Only 8.5% of jobs in the Baltimore region can be reached within one hour, one way by public transit](#). Thus, a valid driver's license and a vehicle are overwhelmingly critical for a noncustodial parent to maintain an income that can be used to make child support payments in the first place.

[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). 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. The suspension mechanism is automated through the Child Support Enforcement Agency, and **no** determination is made as to whether or not a suspension would be appropriate. This automated process has led to cases where individuals who are the primary custodial parent, disabled, or not in arrears in the first place have had their license suspended. Many Maryland based organizations that offers legal aid to low income individuals can attest to this; it is not a niche concern but a widespread issue.

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.**

House Bill 311 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:

1. The minor lives primarily with the obligor;
2. The obligor is disabled and unable to work;
3. Suspension would cause the obligor to be out of compliance with another court order;
4. Suspension would ruin the ability to assist the custodial parent with the child's transportation needs;
5. The suspension would risk the loss of employment or employment opportunities;
6. The obligor could not pay or is making arrangements to pay;
7. If the suspension would place an undue hardship on the obligor or the family;

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8. The reported arrearage amount is not accurate; or
9. The Administration has agreed with the obligor through the payment incentive program.

JOTF believes 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. For these reasons, we urge a favorable report.

For these reasons, JOTF supports House Bill 311 and urges a favorable report.

For more information, contact:

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