



**Testimony to the Senate Judicial Proceedings Committee
SB 106 — Child Support – Suspension of Driver’s Licenses
Position: Favorable**

The Honorable Will Smith
Judicial Proceedings Committee
2 East, Miller Senate Building
Annapolis, MD 21401
cc: Members, Judicial Proceedings Committee

Jan. 22, 2025

Dear Chairman Smith and Committee Members,

I’m a consumer advocate and Executive Director of Consumer Auto, a non-profit group that works to foster safety, transparency, and fair treatment for Maryland drivers and car buyers.

We support **SB 106** because it takes strong and pro-active steps to protect drivers who are obligated to pay child support against the often burdensome and counter-productive punishment of losing their license to drive – a sanction that not only can put drivers at risk of serious further punishment but undermines their ability to earn a living – and to meet their child support and other family obligations.

Unlike some bills that seek to reform this practice that this committee has considered in recent years, which have sought to set conditions or limits on driver’s license suspensions, **SB 106** addresses the problem in a more fundamental way: By authorizing the MVA to be notified of a child support arrearage only if a court affirmatively finds that a license suspension is appropriate.

Paying child support is of course an important obligation. But for many MD parents, it’s a difficult one to meet. As a 2019 Abell Foundation report found, many noncustodial parents “struggle to find and maintain full-time work at sufficient wages to support themselves and pay their child support obligations.”¹ Since Abell found in 2019 that the median income of non-custodial parents statewide was less than \$23,000 and that 25% of them were receiving supplemental food benefits², it’s not surprising that many parents fall behind in their child support payments.

And when they do, Maryland law makes it very easy for them to lose their licenses, allowing licenses to be suspended when parents are 60 days behind in their payments. And when a parent loses the right to drive, it’s often much harder for him or her to get to work and access the job opportunities that help them meet their needs and child support obligations or to visit their children and uphold other family obligations.

¹ https://abell.org/wp-content/uploads/2022/02/Child20Support20Report202_20_202020edits2020-20web20version.pdf

² Ibid,



Once a person's license is suspended, he or she is also subject to a up to one year in jail and a \$1,000 fine for driving on a suspended or revoked license. When people violate the law by driving – as many do, in part because they need to drive to get to work and meet their obligations – that often extends a cycle of financial shortfalls and punishment that leaves people with even greater legal difficulties and more deeply in debt.

This cycle, predictably, often leaves debtor's less able to pay their child support and meet other needs.

And in those cases where a parent actually is earning significant income, but is not using that money to pay child support, that income can often be withheld or garnished to help meet those debts. So, in most cases it's hard to see how making it more difficult for that person to earn a living by suspending a debtor's driver's license does anything but hurt his or her ability to pay child support – and thus also hurt the child and the custodial parent who need support.

SB 106 would interrupt this destructive cycle by authorizing the MVA to be empowered to suspend licenses only after a court hearing (with appropriate notice to the debtor) has determined that a license suspension is appropriate. The bill mandates that the court may only make such a finding only if it finds that the debtor has the funds to pay his or her obligation or has voluntarily impoverished himself to avoid payment. It prohibits such an order if the debtor can establish (among other conditions), that a license suspension would interfere with his/her employment or ability to visit or help transport the child, that the child being supported is living with the debtor, or that the debtor has a documented disability that interferes with his/her ability to work.

Under our current practices, thousands of Marylanders each year lose their driving privileges because they're struggling to pay their child support – and some have their licenses suspended without even knowing that this has happened. This causes greater financial and legal jeopardy for many Marylanders – and doesn't help children get the support they need.

SB 106 would add protections that promise to limit those suspensions to a much smaller (and more appropriate) set of cases in which a court has found that a non-custodial parent is genuinely making a conscious and irresponsible choice not to pay their child support.

We support **SB 106** and ask that you give it a **FAVORABLE** report.

Sincerely,

Franz Schneiderman
Consumer Auto