

**Testimony**  
**Engrossed Senate Bill 2281 – Department Of Human Services**  
**House Transportation Committee**  
**Representative Dan Ruby, Chairman**  
**March 3, 2017**

Chairman Ruby, members of the House Transportation Committee, I am Jim Fleming, Director of the Child Support Division of the Department of Human Services (Child Support). I am here to provide background on the license suspension process that would be changed by Engrossed Senate Bill 2281.

States are required by federal law to have driver's license suspension processes for overdue child support. With regard to suspension of a driver's license, the key questions for the committee may be "when does Child Support take the license away?" and "how does a parent get the license back?" Child Support uses this tool carefully and selectively; otherwise, making it harder for a parent to get to work would be counter-productive.

The goals of the license suspension process are to discourage parents from missing a payment and to encourage parents to avoid suspension by working and paying current support on a regular basis plus an affordable amount toward the overdue child support. For this reason, a delinquent parent receives written notice 30 days before a license is suspended. During that time, the parent has a chance to pay the arrears in full (which happens on occasion), contact Child Support and sign a payment plan, or seek review by a court. If the parent does not respond, or if the parent signs and later breaches a payment plan, the license is suspended and the parent is notified of the suspension. Each payment plan includes a notice to the parent that a breach of the plan will lead to immediate

suspension, which is an important motivation for parents to remain in compliance with the plan. For the duration of a payment plan, the accrual of interest is suspended, which also provides a motivation for parents to remain in compliance with the plan.

As amended in 2009 at the recommendation of a legislative interim committee, the law gives Child Support the authority to approve temporary restricted licenses so the parent is able to drive to work. We rarely need to authorize a temporary restricted license; the law provides so much flexibility to Child Support in negotiating payment plans with cooperative parents that we are almost always able to refrain from suspending a license or to reinstate a suspended license without restrictions. This allows the parent to return to normal activities with a minimum amount of government oversight. However, for those who have a job but cannot get their license reinstated, Engrossed Senate Bill 2281 will ensure that the parent knows how to request a temporary restricted license.

In response to the Senate adopting Engrossed Senate Bill 2281, Child Support has already begun changing the suspension form to include the additional notice that would be required under the bill. The Department is testifying neutrally on the bill because this notice is helpful for the parents we are trying to work with, and we plan to add the notice to the suspension form regardless of whether Engrossed Senate Bill 2281 becomes law.

Mr. Chairman and members of the committee, this concludes my testimony on Engrossed Senate Bill 2281, and I would be glad to answer any questions the committee may have.