

County Court

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February 19, 2020

Chairman Floyd Prozanski
Senate Judiciary Committee
900 Court Street NE
Salem, OR 97301

Dear Chairman Prozanski and Members of the Committee,

On behalf of the Gilliam County Court, I am writing to express our opposition to HB 4065, which would eliminate a Court's ability to suspend the driving privileges of defendants who are convicted of traffic offenses and fail to pay court-imposed fines. The potential for loss of legal driving privileges is a critical and effective tool for encouraging compliance with Oregon's traffic laws.

Our Justice Court, like many courts throughout the state, only suspend a license for non-payment when a defendant defaults on a payment agreement that is entered into mutually with the Court. In Gilliam County, the Justice Court works to ease the financial burden for defendants by offering payment plans with payments as low as \$25 per month. Once a payment plan has been established, action is only taken if a payment is 30 or more days past the mutually agreed upon monthly due date. A minimum of two warning letters are sent prior to suspension, offering the option of requesting a readjusted payment agreement. If the defendant then does not contact the Court, a Notice of Suspension action is sent and the person is given an additional 45 days to get in compliance with the Court. It is only until the Justice Court has lost complete touch with the defendant, that suspension action is taken. The goal is to make it possible for defendants to retain their license.

The Gilliam County Justice of the Peace estimates that there would likely be a minimum of a 25% reduction in Court revenues due to the loss of the suspension tool. Revenue would be lost both to Gilliam County and the State of Oregon. If the 25% figure were to be applied to all courts statewide the financial impact would likely be measured in the tens of millions of dollars, which may result in closure of some Municipal and Justice Courts and shifting caseloads to already overburdened Circuit Courts.

Instead of passing HB 4065 in its current form, Gilliam County encourages the legislature to facilitate a process whereby all stakeholders can contribute to an outcome that is both humane for defendants and effective in facilitating compliance with Oregon's traffic laws.

We appreciate the opportunity to submit our input. If you have any questions or would like additional information, please don't hesitate to contact me directly.

Sincerely,

Elizabeth A. Farrar
Gilliam County Judge