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Chairman Graham Filler
Judiciary Committee
State Capitol
Lansing, Michigan

June 9, 2020

RE: House Bill 5802

Dear Chairman Filler, Ranking-member LaGrand and Committee Members:

On behalf of the Michigan District Judges Association, we commend and thank you, the sponsors and members of the committee for the decriminalization package of bills. The steps you take today further promote the relationship between public safety and the criminal justice system.

The MDJA represents over 250 District Judges around our State. We see the people that come before us on traffic matters who have lost their driver's license, not for driving that risks public safety, but for violations resulting in the suspension of their license for reasons that have no correlation to public safety. For instance, failure to pay a traffic ticket, failure to pay child support, driving while license suspended (MCL 257.904(10 - 12)), failure to pay a no-fault judgment and drug offenses unrelated to driving, result in license suspension but do not promote safe driving.

With that said, we do have serious concerns with HB 5802. With the greatest respect for representative Mueller and his efforts, our concern is that the bill, in its present form, does not enhance public safety. For example, if a license is suspended because of financial reasons that type of suspension is given the same weight as someone who racked up enough points to suspend their license because of speeding or other civil infractions that can place the public at risk. Also we are concerned that the bill lacks a time frame for the number of suspensions. If a person is suspended at age 18 and satisfies that suspension, getting his or her license back, the person is subject to criminal penalties for a second offense occurring any time for the rest of the person's life. When a suspension is for a non-safety related matter, we believe it should not result in criminal penalties at all.

We would also like to thank you and the committee members, and the co-sponsors for taking yet another step in removing the Courts as a tax collector for the state.

Again we appreciate this opportunity to express our appreciation for this reform. We look forward to working with the committee and the bill sponsors to achieve the goals we both share.

Sincerely,

Timothy J. Kelly

Hon. Timothy Kelly

President

MDJA