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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 11(A)(13)

TO: Honorable Chairman Jean Monestime and Members, Board of County Commissioners

DATE: September 7, 2016

FROM: Abigail Price-Williams County Attorney

SUBJECT: Resolution urging the Florida Legislature and other applicable state agencies to provide a total of $1,000,000.00 in funding, $500,000.00 to both Miami-Dade and Hillsborough Counties, to establish driver's license reinstatement pilot programs in Miami-Dade and Hillsborough Counties

Resolution No. R-815-16

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman.

Abigail Price-Williams
County Attorney

APW/smm

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: September 7, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 11(A)(13)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Statement of social equity required**

_____ **Ordinance creating a new board requires detailed County Mayor's report for public hearing**

✓ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(13)
9-7-16

RESOLUTION NO. R-815-16

RESOLUTION URGING THE FLORIDA LEGISLATURE AND OTHER APPLICABLE STATE AGENCIES TO PROVIDE A TOTAL OF $1,000,000.00 IN FUNDING, $500,000.00 TO BOTH MIAMI-DADE AND HILLSBOROUGH COUNTIES, TO ESTABLISH DRIVER'S LICENSE REINSTATEMENT PILOT PROGRAMS IN MIAMI-DADE AND HILLSBOROUGH COUNTIES

WHEREAS, in Florida, an individual's driver's license can be suspended or revoked for a number of reasons, including accruing too many traffic violation points, failure to pay a traffic citation, failure to have a valid driver's license, failure to comply with or appear on a traffic summons, failure to have automobile insurance and retail theft; and

WHEREAS, the Florida Department of Highway Safety and Motor Vehicles' suspension of an individual's driver's license can be mandatory, to penalize behavior, or the collateral consequence of a crime and is not limited to traffic offenses; and

WHEREAS, according to a May 2015 *Tampa Bay Times* article, Miami-Dade County had the highest total number and Hillsborough County had the fifth highest total number of license suspensions in the state due to unpaid fines; and

WHEREAS, similarly, an August 2015 article in the *Miami Herald* reports that 29 percent of drivers, approximately 550,000 people, in Miami-Dade County had suspended licenses; and

WHEREAS, the *Miami Herald* article also indicates that between July 2013 and June 2014, the Florida Department of Highway Safety and Motor Vehicles collected more than $8 million from Miami-Dade County residents for license penalties that stemmed from suspensions; and

WHEREAS, when people fail to pay traffic fines, appear in court or attend driving school, additional fines and fees are added to the original ticket and the matter can be sent to a debt collection agency if payment is not received within 90 days from the time of the offense; and

WHEREAS, when a traffic ticket is transmitted to a debt collection agency, the collection fee can add as much as 40 percent to the amount owed for the citation; and

WHEREAS, judges are authorized to remove tickets from collections, which result in an automatic deduction of the debt collection costs; and

WHEREAS, according to the *Miami Herald*, data from the Florida Department of Highway Safety and Motor Vehicles revealed that failure to pay fees accounted for 77 percent of all license suspensions in Florida between 2012 and 2015; and

WHEREAS, in addition to citation fees, failure to pay a traffic ticket may result in failure to pay fees, more citations, criminal charges, license revocation and even jail time; and

WHEREAS, over the last couple of years, a number of counties have participated in Florida's Operation Green Light Program, an initiative that has assisted over 1 million Floridians reinstate their driver's licenses before the accounts were sent to debt collection agencies; and

WHEREAS, additionally, on January 8, 2016, Hillsborough County held Driver's License Reinstatement Day to reduce fees and offer additional assistance to help individuals who were ticketed in Hillsborough County get their driver's license reinstated; and

WHEREAS, similarly, on March 18, 2016, Miami-Dade County Commissioner Sally A. Heyman, District 4, sponsored a driver's license reinstatement event that afforded residents in Miami-Dade County, with certain citations, the opportunity to have their driver's licenses reinstated and fees reduced; and

WHEREAS, license suspension often means a cycle of increasing fees and debt collection leaving drivers who are unable to satisfy the debt with few options for license reinstatement; and

WHEREAS, a disproportionate share of drivers assisted at reinstatement events are some of the state's most vulnerable residents, including low income individuals and people with disabilities, whose budgets are often unable to withstand the escalating outstanding debt and additional hurdles that are frequently associated with license suspension and reinstatement; and

WHEREAS, due to the challenges that can arise from the inability to drive to and from work, medical appointments and other places for household necessities, a license suspension can have a substantial, detrimental impact on the livelihood of the driver and his or her family; and

WHEREAS, a driver's license reinstatement pilot program could streamline the process to resolve some license suspensions and, thus, also help to defray the costs and burdens imposed on the courts and criminal justice system related to license suspension; and

WHEREAS, driver's license reinstatement events like Operation Green Light and those held in Miami-Dade and Hillsborough Counties assist drivers with reinstating their licenses and provide some Floridians with suspended drivers licenses the opportunity to settle their accounts without paying debt collection agencies or possible incarceration; and

WHEREAS, the success of the reinstatement event in Miami-Dade County and others throughout the state demonstrates the overwhelming need for an ongoing program that resolves and reinstates motorists' suspended driver's licenses without punitive action such as additional fines, towing, arrest and incarceration; and

WHEREAS, this Board urges the Florida Legislature and other applicable state agencies to provide $1 million in funding to establish driver's license reinstatement pilot programs in Miami-Dade and Hillsborough Counties,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the Florida Legislature and applicable state agencies to provide a total of $1,000,000.00, $500,000.00 to both Miami-Dade and Hillsborough Counties, in state funding for driver's license reinstatement pilot programs in Miami-Dade and Hillsborough Counties.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, the Chair and Members of the Miami-Dade County State Legislative Delegation, and the Chair and Members of the Hillsborough County Board of County Commissioners.

Section 3. Directs the County's state lobbyists to advocate for the passage of legislation and action set forth in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2017 State Legislative Package when it is presented to the Board.

The Prime Sponsor of the foregoing resolution is Commissioner Sally A. Heyman. It was offered by Commissioner **Sally A. Heyman**, who moved its adoption. The motion was seconded by Commissioner **José "Pepe" Diaz** and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman	**aye**		
Esteban L. Bovo, Jr., Vice Chairman	**aye**		
Bruno A. Barreiro	**aye**	Daniella Levine Cava	**aye**
Jose "Pepe" Diaz	**aye**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**aye**	Barbara J. Jordan	**aye**
Dennis C. Moss	**aye**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**aye**	Xavier L. Suarez	**aye**
Juan C. Zapata	**absent**		

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of September, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: Christopher Agrippa
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Shanika A. Graves