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Sent: Wednesday, August 12, 2015 9:20 AM

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Subject: Article on Traffic Fines

Attachments: 0389_001.pdf

The attached article is published in this month's edition of Car & Driver magazine...I think you will find it interesting.

Glen

by Aaron Robinson

TRAFFIC TICKETS HAVE BECOME
A TAX-HACK PILE-ON.



People with absolutely no friends in your state's capital include terrorists, communists, smokers, and those cited for a driving offense. No politician with reelection on his or her mind would lift a finger to help out speeders and stoplight runners. Hey, they broke the law, they deserve whatever we give them, right? This political truth proved itself over and over again in the last decade as states rushed to patch holes in annual budgets by dumping more and more extraneous fees onto traffic tickets. As with a cigarette tax, a traffic-ticket surcharge generates little opposition from the assembled representatives, none of whom wants to be seen as representing the interests of law-breakers. In Pennsylvania, fees have been tacked onto tickets for state police training, emergency medical services, the

state's judicial computer system, a fund to compensate people injured by medical negligence, and a program to provide legal services for the indigent. A \$57 fine thus lands on your wallet as a \$158.50 pile of random taxation. It's worse in California, where a typical \$100 fine pencils out to \$490. Over the past 50 years, the State Assembly in Sacramento has run riot with traffic levies, the *Los Angeles Times* reporting that 80 percent of a traffic ticket's bottom line has nothing to do with the actual offense. Among the add-ons: a fee to aid people with traumatic brain injuries, a fund to help victims of violent crimes, and a toll for the protection of state wildlife. Texas and Michigan have enacted "driver responsibility" programs that impose recurring fees above and beyond the initial fines for repeat offenders. In the Great Lakes State, drivers who amass seven points in two years are assessed a \$100 fee each year and an extra \$50 for any points accumulated above that. If you can't provide proof of insurance by your court date, it's another \$400 in fees over two years.

Sure, seven points in two years is a lot of lawlessness, and I have to pay for car insurance, so why shouldn't everyone else? The road is absolutely no place for drunks, deadbeats, or careless idiots, but surcharging, that politically expedient hobbyhorse for back-door regressive taxation,

"Some politicians finally realize that traffic tickets aren't a bottomless money well."

is proving to have negative side effects.

For one thing, the higher the fees, the more people simply don't pay. Michigan reports a collection rate of only around 50 percent on its driver-responsibility program, and California figures it faces \$10 billion in uncollected fines, which has driven many of the various programs dependent on them to insolvency. In California, if you miss the initial deadline to pay, another \$300 automatically gets slapped onto your bill and your license is revoked until you pay the full charge, penalties and all. That

and the increasingly limited access to the overcrowded courts to get problems sorted out have produced more than 4 million license suspensions in the past eight years. In Los Angeles, as in many cities with poor public transport, losing a license can be an express train to joblessness and poverty. Bloated ticket surcharges give many poor folk the unhappy choice of either becoming worse offenders by driving illegally or staying home to starve.

Traffic-ticket abuse, high surcharges, and a confounding wall of bureaucracy were cited in an investigation by the Justice Department of police practices in riot-torn Ferguson, Missouri. There, in 2013 alone, a city of 21,000 issued 33,000 arrest warrants for unpaid traffic tickets and other minor offenses, counting on the chiseled revenue for 21 percent of the city's operating budget. Civil libertarians suing the city say Ferguson has effectively created a debtors' prison system that jails those unable to pay the jacked-up fines while rewarding private debt-collection companies with copious profit.

California doesn't go out of its way to explain its fees, either. I dug into my, ahem, rather thick folder of past tickets and could not find a single document explaining how, for example, a 2010 citation for crossing a double-yellow while not having proof of insurance (which I fought and beat) cost \$1085. Indeed, it took a half-hour of Googling to find the PDF of the state's current fee schedule, which is buried on the dense California Courts website. The current fine for the double-yellow offense is \$35; for the missing insurance card, \$200. However, add on the state's 10 separate extra fees to each and you get \$238 and \$900, respectively.

Some politicians finally realize that traffic tickets aren't a bottomless money well. Michigan is phasing out its driver-responsibility program due to rampant nonpayment and widespread hatred of it.

In 2012, California governor Jerry Brown vetoed another \$1 surcharge for spinal-cord research, writing that fines should be based on "reasonable punishment, not on paying for more general-fund activities." This year, Brown, who is term-limited, proposed a partial amnesty for ticket debtors that would cut their payments in half.

Brown thinks that California is better off if more drivers are back on the road legally, going to work, engaging in commerce, and, most important to state coffers, paying their taxes fair and square. ■

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