

RESOLUTION NO. 17-4981

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF WEST HOLLYWOOD IN SUPPORT OF SB  
185 (HERTZBERG), CRIMES: INFRACTIONS

THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DOES  
HEREBY RESOLVE AS FOLLOWS:

WHEREAS, over the past few decades, the fines and fees associated with traffic citations have steadily increased where a violation with a base fee of \$100 now costs almost \$500 because of added fees and fines and if a person misses the initial deadline to pay, the cost jumps to over \$800; and

WHEREAS, the courts have turned to suspending drivers' licenses as a primary means of debt collection, even when the citation is not related to driving such as truancy, vandalism, and crimes by juveniles; and

WHEREAS, once the initial deadline for appearing in court or paying the ticket has passed, an individual must post the full bail – the full amount owed on a citation – in order to receive any further process from the court; and

WHEREAS, as a result of these policies, in the last eight years alone over 4.2 million people in California have had licenses suspended for a failure to appear or pay, which is equal to more than one in every six drivers; and

WHEREAS, because of the massive number of people facing heavy fines and saddled with a license suspension, the amount of uncollected court-ordered debt has also increased in recent years, with the Legislative Analyst's Office estimating that uncollected debt now exceeds \$10 billion, compared to \$6 billion in 2008; and

WHEREAS, SB 185 provides that each defendant in a traffic infraction case is eligible for, and shall be informed of his or her eligibility for a court determination of whether he or she is indigent; and

WHEREAS, if the court determines that the defendant is indigent, it is required to reduce the base fine, penalty assessments, any state or local fees, and any civil assessments, by 80% on all charges pending against the defendant and SB 185 requires the court to provide alternative pay options, including community service or a reasonable payment plan; and

WHEREAS, SB 185 prohibits the court from automatically initiating a driver's license suspension as a means of collecting court-ordered debt from people who are unable to afford the fines and fees imposed for minor traffic

tickets and removes existing law provisions authorizing the court to notify the Department of Motor Vehicles (DMV) of a failure to appear or pay; and

WHEREAS, the Legislature adopted a pilot program as part of the 2015-2016 Budget Act in which beginning in October 2015, the courts began to accept applications under an amnesty program and more than 130,000 driving privileges have been restored to date. The program expired on March 31, 2017 and SB 185 proposes to create a permanent structure to continue this legal remedy; and

WHEREAS, support for SB 185 is in line with the City of West Hollywood's policy of supporting people through social services and emergency financial assistance; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of West Hollywood supports SB 185 (Hertzberg) to prohibit California's courts and counties from automatically suspending drivers' licenses as a means of collecting court-ordered debt from people who are unable to afford the fines or fees imposed by minor traffic tickets.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held this 17<sup>th</sup> day of July, 2017 by the following vote:

AYES:	Councilmember:	D'Amico, Horvath, Meister, Mayor Pro Tempore Duran, and Mayor Heilman.
NOES:	Councilmember:	None.
ABSENT:	Councilmember:	None.
ABSTAIN:	Councilmember:	None.

  
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JOHN HEILMAN, MAYOR

ATTEST:

  
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YVONNE QUARKER, CITY CLERK