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COMMENTARY

Guerra: Traffic tickets punish drivers while richly rewarding the state

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Even in simpler times, traffic tickets were supposed to be punitive. And for local governments, they were often small but reliable revenue streams. I learned this when my first speeding ticket, with the court costs, set me back \$22, a princely sum compared to my \$18 weekly paycheck.

But today, paying off traffic fines can get far more complex — and much pricier — and the state reaps the benefits.

Over the decades, lawmakers have created state fees to piggyback atop traffic fines, dramatically raising violators' costs without appreciably increasing revenues for local governments.

The \$10.50 state levy on most tickets in 1987 has grown to \$48 to \$78 per infraction, and other charges are attached, such as a \$5 to \$8 administration fee, \$3 for security, a \$4 technology charge and, sometimes, a \$25 child-safety fee.

Settle the simplest ticket expeditiously and the first \$90-plus you pay are likely to be state-imposed fees. Miss your court date, or fail to pay as agreed, and you will owe another \$30 to offset the cost of informing the Texas Department of Public Safety of your errant ways.

If a warrant is issued, that will cost another \$50, and setting up a payment plan is \$25 more. A late payment can cost as much as \$50, and a bounced check will cost another \$25.

In 2003, a legislative majority was elected on wild promises of massive tax cuts. But once sworn in, they faced a \$10 billion budget shortfall. Among the measures they passed to balance the budget — and also provide big tax cuts for the wealthiest Texans — was the Driver Responsibility Program.

Pitched as a tough-love measure to make Texas drivers more responsible by cracking down hard on uninsured and unlicensed drivers and violators of alcohol-related laws, the program was also expected to be a massive revenue generator.

Four types of traffic violators are assessed annual surcharges for three years atop their fines and court

costs.

Violators of moving traffic laws are tallied two points per offense, or three points if they result in an accident. Accumulating six points over three years will get you annual surcharges of \$100, plus \$25 for each additional point. Driving while intoxicated results in surcharges of \$1,000 to \$2,000 a year for three years. Being uninsured or driving with an invalid license will set you back \$250 per year. And having no license, or driving with one that is expired, is another \$100 annually.

Failure to pay these surcharges results in suspension of violators' drivers' licenses.

State records also reveal that program surcharges and other related costs (such as license restoration fees) can increase violators' fines and court costs an additional \$405 to \$6,602 over three years.

Now, after three years of these responsibility-engendering measures, are Texas drivers exhibiting more responsibility?

A Legislative Budget Board report released in January reveals that between September 2004 and August 2006, 1.5 million notices to errant drivers were sent out, assessing \$478.7 million worth of surcharges. And during this period, the state collected \$132.8 million. Compliance ranged from 60.7 percent of those sanctioned for "points" to 37 percent of DWI offenders to 35.1 percent for drivers with suspended licenses or without insurance, and 22.5 percent for having no license or one that had expired.

Since failure to comply results in revocation of driving privileges, the study reported that, "As of September 2006, DPS suspended 828,883 licenses, which constitutes 54.9 percent of all surcharge notices."

So let me get this straight. For three years, the program has aimed at getting drunk, uninsured and unlicensed drivers off the highways. In the process, however, it has added 828,883 Texans to the rolls of the unlicensed — and therefore uninsurable — drivers.

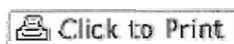
How many do you honestly believe will stop driving?

It seems to me that if a program that was supposed to eradicate unlicensed drivers creates that many new ones, let's launch a program to eradicate Texas millionaires.

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