



Justice Today. Justice Tomorrow. Justice Forever.

## Exit OmniBase!

### **The OmniBase Program traps people in a cycle of debt**

Under the OmniBase program,<sup>i</sup> cities and counties may contract with the Department of Public Safety to put a hold on a person's driver's license when they miss a court date or fail to pay fines and court costs. The OmniBase hold prevents people from renewing their licenses until their fines and costs are paid in full. This means that even if somebody later comes into compliance by appearing in court or getting on a payment plan or community service plan, the holds do not lift until everything is completely paid off. Many people end up on long payment plans or community service plans, and because they cannot get their license during the duration of these plans, they cannot get to work or to their community service sites without driving illegally.

Many people must continue to drive to provide for themselves and their families. As a result, they risk getting more and more tickets for driving without a valid license. Each of these tickets then triggers new license holds under the OmniBase program, trapping them in a never-ending cycle of debt.

### **Austin can end its OmniBase contract at any point without losing revenue**

The City of Austin does not have to participate in this program. It can end its contract at any time. Many jurisdictions and individual courts already do not participate in the OmniBase program. According to data comparing the collection rates between courts that do and do not participate in the program, there is no apparent relationship between collection rates and the OmniBase program.<sup>ii</sup>

This makes sense, since most people who become caught up in the program have no idea why they cannot get their license or what the OmniBase program is. All they know is that there seems to be no way out, and many people give up hope of ever getting their licenses back.

### **This is a bipartisan issue that will improve public safety and the economy**

Ending license holds for court debt is a commonsense reform supported by advocates on both the left and the right. The Texas Public Policy Foundation has spoken out against the program on numerous occasions.<sup>iii</sup> The American Legislative Exchange Commission (ALEC) has also adopted a resolution opposing all license holds and suspensions that are not directly related to public safety offenses. In its resolution, ALEC specifically mentions that "in Texas some 1,800,000 people, have had their driver's licenses suspended for failure to pay court fines and fees," a statistic that includes hundreds of thousands of OmniBase holds.<sup>iv</sup>

Ending Austin's participation in the OmniBase program will remove barriers to employment and stimulate the economy. It will also improve public safety by increasing the number of people on the road with licenses and valid insurance.

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<sup>i</sup> The program is named after OmniBase Services of Texas, the private vendor that administers the holds. It is also known as the Failure to Appear/Pay Program under Chapter 706 of the Transportation Code.

<sup>ii</sup> The City of Dallas, which uses the OmniBase Program heavily, has similar collection rates year-to-year with Fort Worth, which does not. In Harris County, some courts use the program and some do not, and courts that do not issue holds actually have higher collection rates on average than those that do. The City of Austin does not use the OmniBase Program as heavily as some other jurisdictions: as of December 2019, it had 16,020 OmniBase holds on outstanding tickets totaling \$5.4 million. Data on file with authors and available upon request from Mary Mergler at [mmergler@texasappleseed.net](mailto:mmergler@texasappleseed.net).

<sup>iii</sup> TPPF discusses its opposition to the OmniBase Program on its website, at <https://www.texaspolicy.com/court-fees-and-fines-unjustly-burden-debtors/>. TPPF is “among five organizations in Texas leading reform efforts for debt-related driver’s licenses suspensions or holds,” and TPPF’s vice president of criminal justice Marc Levin has stated that the successful repeal of a similar program last legislative session “suggests that if we could just overcome the vendor opposition then we really could make some changes to the OmniBase program next session.” Kali Venable, Victoria Advocate, *Texas, Country Steer Toward Ending Driver’s License Suspensions for Court Debt* (Nov. 17, 2019), available at [https://www.victoriaadvocate.com/news/business/texas-country-steer-toward-ending-drivers-license-suspensions-for-court-debt/article\\_fe0207b4-fb61-11e9-af99-af3abffafcbd.html](https://www.victoriaadvocate.com/news/business/texas-country-steer-toward-ending-drivers-license-suspensions-for-court-debt/article_fe0207b4-fb61-11e9-af99-af3abffafcbd.html).

<sup>iv</sup> ALEC Resolution In Support of Limiting Drivers License Suspensions to Violations Involving Dangerous Driving, available at <https://www.alec.org/model-policy/resolution-in-support-of-limiting-drivers-license-suspensions-to-violations-that-involve-dangerous-driving/>.