

The Honorable Kaohly Vang Her
Co-Chair, Commerce Finance and Policy Committee
658 Cedar Street
St. Paul, MN 55155

The Honorable Tim O'Driscoll
Co-Chair, Commerce Finance and Policy Committee
658 Cedar Street
St. Paul, MN 55155

Dear Co-Chair Her and Co-Chair O'Driscoll,

My name is Ben Wassam and I am an Assistant Public Defender ("PD") in Hennepin County. I have been a licensed attorney practicing as a PD since October of 2023. In my practice, I work extensively in cases involving criminal charges such as No Proof of Insurance, Driving after Suspension, and Driving after Revocation ("DAR"). I am writing this testimony in support of HF2215 in my personal capacity and not on behalf of the State of Minnesota Board of Public Defense.

In my practice, the most common criminal charge for driving without insurance is under Minn. Stat. §169.791.2(a), commonly known as "No Proof of Insurance". This is a misdemeanor that's enhancable, so that means if you get charged with no proof of insurance and have two previous convictions under the same statute in the past 10 years, it is automatically charged a gross misdemeanor. The maximum criminal penalties for a conviction under this statute are up to 90 days in jail and a fine of up to \$1000 on a misdemeanor or up to 364 days in jail and a fine of up to \$3000 on a gross misdemeanor.

What is more concerning for most of my clients in these insurance cases is the collateral consequences to their driver's license ("DL"). If you are convicted under Minn. Stat. §169.791.2(a) you are subject to a license revocation. To get valid after you are revoked, you generally must pay a reinstatement fee of \$30, apply for a new license, take a new written driver's test, and show proof that you are insured. If you have multiple convictions causing a revocation, you must pay the \$30 reinstatement fee for each case causing a revocation, leading to massive reinstatement fees in some cases.

If someone continues to drive after their DL is revoked, a vicious cycle begins where they cannot afford to pay for insurance after the rates skyrocket, so they stay revoked. When revoked, an officer can conduct a traffic stop solely because they see that the registered owner of a vehicle has their DL revoked. This results in more traffic stops and more charges involving DAR and No Proof of Insurance. They keep getting more criminal convictions on

their record, resulting in more reinstatement fees, high court fees, a lengthy criminal history, and drastically increased insurance costs.

In most DL or insurance related cases, my clients can usually negotiate a resolution to avoid a conviction if they show proof that their DL status is valid. This generally leads to around 3-4 hearings where the client must attend in person if they want to avoid a warrant for their arrest. These hearings are used to check their status each time to see if they've made progress. These DL and insurance charges then start to flood the court since they require so many hearings to try and avoid a criminal conviction that would push the client even deeper in a hole.

I have one client in particular that is stuck in this vicious cycle right now and has a moving story. My client is a mother of 8 who I have been working with since last October. For work, she tries to do what she can with the resources she has. She primarily works as a house cleaner but lost her job due to her DL and insurance issues and now relies on government assistance. She has never been convicted or even charged of any moving violation or DWI. On her record, she only has DL and insurance related convictions.

These charges first started piling up in 2001 when her son, who was 9 years old at the time, was diagnosed with cancer. They lived in Faribault and she would have to drive up to Minneapolis nearly every day for his treatment. The costs of treatment got too high and she wasn't able to pay her insurance premiums, so she picked up her first No Proof of Insurance charge. She was convicted, so her license was revoked. She couldn't just pause the treatment and there was no access to public transit between where she lived and the hospital, so she kept driving. The DL and insurance related charges kept piling up and she got deeper and deeper in a hole.

At this point, she has faced 23 different criminal cases with only DL or insurance related charges—all because she couldn't afford insurance in 2001 when her son needed costly treatment for cancer. All 23 cases individually include various fines and fees (for PD clients, this is a minimum fine of \$50 and additional fees of \$78 per case). Many of these cases caused a DL revocation upon conviction and required an additional \$30 reinstatement fee.

On top of these court fees and reinstatement fees, her estimates for insurance premiums have increased dramatically. Due to her record of solely DL and insurance convictions, she was recently quoted as high as \$2000/month for just liability from Progressive. Her monthly income is \$638/month to cover all of her living expenses. Since she's still revoked, she won't be able to get valid until she can show proof of insurance, so the cycle continues.

She wanted me to share her story not just so she can find a way out of this endless loop, but also so that she can help other people in the same situation. The only reason she is not valid right now is because she can't afford insurance. There needs to be a low-cost car insurance option for people like her.

Sincerely,

A handwritten signature in black ink that reads "Ben Wasson". The signature is written in a cursive, flowing style.