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ACLU OF RI POSITION: OPPOSE

**TESTIMONY ON 26-H 8097,
RELATING TO SUSPENSION OR REVOCATION OF LICENSES -- VIOLATIONS
April 28, 2026**

This legislation would expand the circumstances when people would face criminal penalties for driving without a license based on previous civil violations of driving laws. The ACLU of Rhode Island opposes this bill as it is antithetical to the “justice reinvestment” approach that the General Assembly has embraced in recent years.

As currently worded, the statute makes it a misdemeanor (for the first two offenses, and a felony for a third offense) for a person to drive without a valid license, or on a suspended, revoked or cancelled license if the loss of license was based on any one of five different reasons: operating under the influence; refusing to submit to a chemical test; reckless driving; operating a motor vehicle so as to endanger resulting in death; or having three moving violations in a one year period. Only the last basis involves driving conduct that is civil, not criminal, in nature. However, this legislation would add new categories of civil offenses that would turn into criminal ones if the person is found to be driving without a current license.

In light of all the direct and collateral consequences that flow from a criminal conviction, we are concerned about the direction that this bill would take in criminalizing the non-criminal conduct underlying driving with an expired or suspended license. This punishment should, in our view, continue to be limited to situations where the person is unlawfully driving due to past criminal behavior, not civil traffic-related violations.

For these reasons, the ACLU urges opposition to this legislation.