

TESTIMONY OF KYLE EVANS
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HOUSE JUDICIARY COMMITTEE
IN SUPPORT OF HB 2434
FEBRUARY 18, 2020

My name is Kyle Evans and I am submitting this testimony because I want to let the committee know what happens to an individual when their fines and fees as well as reinstatement fees are so high, that they can't possibly get their driver's license back. While I understand that bill HB2434 does not pertain to my circumstances, I want to share with the committee my story, for it shows just what the effects of not being able to get your driver's license back are for me and the thousands of Kansans like me.

According to a data request by Kansas Appleseed, 137,450 Kansans' driver's licenses are suspended due to unpaid fees and fines as of June 2019 with Kansas having the fifth highest suspension rate in the country as recently as 2018. I am one of these Kansans with a reinstatement fee of \$7,700 with no options for paying this amount off.

Today, I am a proud gay man living here in Kansas, but this has not always been the case. Growing up, we are always taught that being gay is wrong and that it is a choice and because of this, I hated myself for being gay. I would be called fag by my peers in school. I remember one incident in 8th grade when a boy threw me up against a locker and pretended to rape me from behind, it was humiliating. As an adult, I still get called fag, homo and queer by complete strangers as I walk down the street or at a shopping mall. I am shouted at by drivers passing by. I always felt like I was less than and not worthy of living, much less of love. I attempted suicide several times and when those failed, I lived a very destructive lifestyle trying to fight who I was.

I was introduced to alcohol at the age of 15 by some friends from church and I discovered while drinking that my hatred of myself melted away and was able to enjoy myself and have fun with friends. This continued well into adulthood, always drinking to forget my pain and forget that being gay was bad as I was taught. Because of this excess of drinking, I started to get DUI's and lost my driver's license. I still needed to get to work and appointments, so I continued to drive, even though I did not have a driver's license, so the cycle continued. We did not have Uber or Lyft back then and Taxi service in Wichita is not very good. Not caring about myself made drinking and driving okay in my head even though I knew what the consequences would be if I was caught and I was caught multiple times with the last DUI I received being in 2011.

I was in and out of jail due to these DUI's and finally spent more than a year in jail after my last DUI. I incurred fines totaling well into the tens of thousands. Through pay off plans through the Sedgwick County, I was able to pay down my fines gradually as well as perform community service to pay off large amounts of the fines. I volunteered every day for almost a year at a local food bank in Wichita, eventually being able to pay off all my fines and court costs. I sought treatment in Atchison, Kansas for alcohol at Valley Hope. This is where I learned coping skills and really learned to love myself for who I am, for whom I was born to be.

Because of my DUI's and habitual offender tickets for driving without a license, I was told by the state that my driver's license was permanently revoked, so I never thought that there would be fines accruing during this time period that I would need to be paying to the state. A few years back, I received a letter from the state telling me that the law had changed and I was now able to get my driver's license back after I paid \$100 to the state for them to tell me how much I owed in reinstatement fees. When the letter came, I was absolutely shocked at what I

was reading. The reinstatement fee that I incurred over time had gone up to \$7,700 dollars. I am not a rich person who comes from money. My parents are retired teachers and while we live comfortably, \$7,700 dollars is an impossible amount for me to save while also paying bills, food and clothing and other everyday needs. I called the number given on the form and was informed that Kansas has no payment plan option, nor could I do community service. Then I was told that they would only accept cash in the total amount before I could even start the process of getting my license back. I was also informed that over time, the amount would only go up due to interest. Even if over a few years, I was able to save up the \$7,700, it would not be enough because the fine continues to grow.

My parents are retired teachers and I moved back in with them so that they could drive me to wherever I needed to go, like work, the grocery store and medical appointments. I am lucky that I have such amazing parents who are so willing to help me and drive me around, but this will not last forever. My parents are 76 years old and do not like driving at night or in bad weather anymore, which they still do because I work till 10:30PM most days of the week at Lowe's in Derby. My parents are aging and as much as I hate the thought of it, will not be around for forever, in which case I will have no way to get to work or anywhere else I need to go. I will become homeless because I won't be able to get and keep a job in order to pay rent and expenses, all because of the gigantic reinstatement fee for my driver's license.

In early adulthood, I did not care for myself and what happened to me and in 2006, was diagnosed HIV positive. My doctors at the time told me that it was lucky that they caught it, because it was about to kill me. Today, I am very healthy and take my medications as prescribed and my viral load is undetectable. I am a beneficiary of the life-saving Ryan White Program,

which helps pay for my doctor's visits and medication. Without this assistance I would die. My medication alone costs over \$3,000 a month. In order to stay eligible for the Ryan White Program, I must attend regular doctor appointments every three months and have blood work done as well as continue to take my medications. My parents are the ones who drive me to and from appointments and to the pharmacy to get my drugs. When they will no longer be able to drive, I will be unable to get to the doctor's office and pharmacy and be able to stay in compliance with the requirements of the Ryan White program and I will die.

I have never denied that I committed the DUI's and never created excuses for my behavior, including now. I understand that you must pay the price for your actions. I have done everything that the courts have required me to do. I have served more than a year in jail and paid off all my fines and court costs, but that is still not enough for me to get my license back. Every time I get over a hurdle, another, higher hurdle is in front of me. There must be a solution out there that could get people like me back their driver's licenses so that we can get to work and the doctor's office and can once again be productive members of society. The system must change so that even when we do everything right to get our lives back, more roadblocks are not thrown in front of us.

I implore you to vote yes for bill HB2434 so that people like me, who don't have a driver's license and who will benefit from this bill, are able to get to and from work, life-saving doctor's appointments, get to the grocery store and be able to live a happy and productive life. Though I know this bill will not fully fix my personal situation, I wanted to share with you my experiences and what it is like to not have a license. HB2434 would be a huge—and in many cases, life-saving—step in the right direction for Kansas. If fines and fees are meant to be paid and

not just for punishment, we need to be able to get to our jobs so that we can pay them. I ask you, are the inability to pay fines and fees worth the inevitable cost of homelessness, do we deserve to die?

Thank you,

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