

## **Appendix A: State House files**

Senate, No. 2021, *amended, amended*  
Bill relative to motor vehicle license suspension

SENATE, SEPTEMBER 24, 2015=  
Seante, No. 2014, printed as amended  
Passed to be engrossed.  
(38 years - 0 days)

64

Senate Committee on BTR  
Correctly drawn

*Anthony Patruccelli*  
For the Committee

SEP 28 2015

H.R., .....  
Read; and referred, under Rule 33, to  
the committee on Ways and Means.

*Steven T. James*, Clerk

H.R., ..... JAN 06 2016 ..... 2/5/16  
~~Read; and~~ Referred, under Rule 7A, to the  
committee on Steering, Policy and Scheduling.  
with the W&M amendments pending

*Steven T. James*, Clerk  
JAN 06, 2016, Reported; and  
placed in O.D. for a second reading.

*D. W. M. W.*  
For the committee.

Rule 7A suspended, read 2nd.,  
amended (as recom. by W&M); and  
ord. 3rd.

EMERGENCY PREAMBLE

S 2021, amended

EMERGENCY PREAMBLE

( Adopted, House March 24, 2016 (3-0)  
( Adopted, Senate March 24, 2016 (2-0) )

AN ACT RELATIVE TO MOTOR VEHICLE LICENSE SUSPENSION.

This Act originated in the Senate William F. Welch, Clerk.

House of Representatives, March 24, 2016.

Rightly and Truly Prepared for Final Passage.

Contains an Emergency Preamble.

Steven D. James, House Clerk.

In Senate, March 24, 2016.

Rightly and Truly Prepared for Final Passage.

Contains an Emergency Preamble.

William F. Welch, Senate Clerk.

Laid before the Governor March 24, 2016

Senate, March 24, 2016  
Enacted (38-0)  
William F. Welch, Clerk

2016 MAR 30 PM 12: 14  
SECRETARY OF STATE  
REGULATIONS DIVISION

3-15-16  
12:40p

# The Commonwealth of Massachusetts

House of Representatives, March 16, 2016

*The Committee of Conference on the disagreeing votes of the two branches with reference to the Senate further amendment of the Senate Bill relative to motor vehicle license suspension (Senate, No. 2021, amended),*

*[Further amended by the Senate by striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2094].*

**REPORTS**

recommending that the House recede from its non-concurrence with the Senate in its further amendment (striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2094) and concur therein with the following still further amendment.

**HOUSE . . . . . No. 4088**

The Committee of Conference on the disagreeing votes of the two branches with reference to the Senate further amendment of the Senate Bill relative to motor vehicle license suspension (Senate, No. 2021, amended), reports recommending that the House recede from its non-concurrence with the Senate in its further amendment (striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2094) and concur therein with the following still further amendment:

**The Commonwealth of Massachusetts**

**In the Year Two Thousand Sixteen**

By striking out all after the enacting clause and inserting in place thereof the following:

“SECTION 1. Section 22 of chapter 90 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out subsection (f).

SECTION 2. Said chapter 90 is hereby further amended by inserting after section 22 the following section:-

Section 22 ½. The registrar shall suspend, without a hearing, the license or right to operate of a person who is convicted of a violation of subsection (b), (c) or (c½) of section 32E of chapter 94C or adjudged a delinquent child by reason of having violated said subsection (b), (c) or (c½) of said section 32E of said chapter 94C; provided, however, that the period of such suspension shall not exceed 5 years from the date of conviction; and provided further, that the person may, after the completion of any time served, apply for and shall be granted a hearing before the registrar to request the issuance of a new license for employment or educational purposes or for any other hardship purpose for the balance of the license suspension. The registrar may issue such license under such terms or conditions as ~~he or she~~ may prescribe. If the registrar denies the applicant's request for a hardship license, the registrar shall issue written findings supporting the denial.

SECTION 3. Section 30 of said chapter 90, as appearing in the 2014 Official Edition, is hereby amended by adding the following paragraph:-

18           Upon expiration of the term of suspension of driving privileges suspended under  
19 subsection (g), (h) or (i) of section 22 or under section 22½, the registrar shall shield from  
20 public access all records of the suspension and the underlying offense, including records of the  
21 expiration of the suspension, any hearings or appeals related to the suspension and the  
22 reinstatement following the suspension.

23           SECTION 4. Section 33 of said chapter 90, as so appearing, is hereby amended by  
24 striking out in line 231, the words ', (e) and (f)' and inserting in place thereof the following  
25 words:- and (e).

26           SECTION 5. The registrar of motor vehicles shall issue, renew or reinstate the license or  
27 right to operate a motor vehicle, without fee, of any person whose license or right to operate a  
28 motor vehicle has been suspended under subsection (f) of section 22 of chapter 90 of the General  
29 Laws if the person is otherwise entitled to such issuance, renewal or reinstatement.

30           SECTION 6. The registrar of motor vehicles shall shield from public access all records of  
31 the suspension of driving privileges issued under subsection (f) of section 22 of chapter 90 of the  
32 General Laws and all records of the underlying offense, including records of the expiration of the  
33 suspension, any hearings or appeals related to the suspension and the issuance, renewal or  
34 reinstatement.

35           SECTION 7. The registrar of motor vehicles shall issue a report on the implementation of  
36 this act. The report shall include, but not be limited to: (i) the number of license suspensions,  
37 hardship licenses applied for and hardship licenses issued under section 22½ of chapter 90 of the  
38 General Laws; (ii) the number of licenses reinstated as a result of section 5; (iii) the fiscal impact  
39 to the registry of motor vehicles; and (iv) any impediments to the implementation of sections 3, 5  
40 and 6. The registrar shall file a report with the clerks of the senate and house of representatives,  
41 the chairs of the house and senate committees on ways and means and the senate and house  
42 chairs of the joint committee on transportation not later than 1 year after implementation.

43           SECTION 8. Sections 3 and 6 shall take effect 6 months after the effective date of this  
44 act."; and that the Senate concur in the still further amendment.

*W Straus*

William M. Straus

*John F. Fernandes*

John F. Fernandes  
*Bradford Hill*

Of the House.

*Thomas M. McGee*

Thomas M. McGee

*Harriette L. Chandler*

Harriette L. Chandler  
*Bruce E. Tarr*

Of the Senate.

House of Representatives, March 23, 2016.

Accepted: Sent to the Senate for concurrence.

*Steven T. James*

Clerk.

MAR 24 2016

Senate, .....

Accepted, in concurrence.

*William F. Welch*

Clerk.

Straus  
Fernandes  
Hill

McGee  
Chandler  
Tarr

302  
A. 31

REPORT — HOUSE.

REPORT of the Committee of Conference  
on the disagreeing votes of the two branches  
with reference to the Senate further amendment  
of the Senate Bill relative to motor vehicle  
license suspension (Senate No. 2021, amended)

House of Rep's.

— O.D.

EMERGENCY PREAMBLE

H.R. .... 19 ..... Correctly drawn.

Contains an Emergency Preamble.

For the House Committee on Bills  
in the Third Reading

EMERGENCY PREAMBLE

Senate ..... Correctly drawn.

Contains an Emergency Preamble

For the Senate Committee on  
Bills in the Third Reading

H.R. March 21, 2016  
~~Read and~~ Referred, under Rule 7A, to the  
committee on Steering, Policy and Scheduling.

Steven T. James, Clerk

Reported; and  
placed in O.D. ~~for a second reading~~ the question  
being on acceptance.

Don Nunn  
For the committee.

March 23, 2016, — Report  
accepted (HRC #208)

SENATE, MARCH 24, 2016  
Rules suspended.

SENATE . . . . . No. 1812

The Commonwealth of Massachusetts

PRESENTED BY:

Harriette L. Chandler

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to motor vehicle license suspension.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Harriette L. Chandler	First Worcester
Elizabeth A. Malia	11th Suffolk
James B. Eldridge	Middlesex and Worcester
Tom Sannicandro	7th Middlesex
David Paul Linsky	5th Middlesex
Chris Walsh	6th Middlesex
William N. Brownsberger	Second Suffolk and Middlesex
Sonia Chang-Diaz	Second Suffolk
Patricia D. Jehlen	Second Middlesex
David M. Rogers	24th Middlesex
Thomas M. McGee	Third Essex
James J. O'Day	14th Worcester
Michael O. Moore	Second Worcester
Cory Atkins	14th Middlesex
Benjamin Swan	11th Hampden
Tricia Farley-Bouvier	3rd Berkshire
Ruth B. Balsler	12th Middlesex
Jennifer L. Flanagan	Worcester and Middlesex

<i>Evandro C. Carvalho</i>	<i>5th Suffolk</i>	
<i>Marcos A. Devers</i>	<i>16th Essex</i>	
<i>Linda Dorcena Forry</i>	<i>First Suffolk</i>	
<i>Byron Rushing</i>	<i>9th Suffolk</i>	
<i>Mary S. Keefe</i>	<i>15th Worcester</i>	
<i>Carmine L. Gentile</i>	<i>13th Middlesex</i>	
<i>Cynthia S. Creem</i>	<i>First Middlesex and Norfolk</i>	
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>	
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>	
<i>Barbara L'Italien</i>	<i>Second Essex and Middlesex</i>	
<i>Jeffrey Sánchez</i>	<i>15th Suffolk</i>	
<i>Daniel M. Donahue</i>	<i>16th Worcester</i>	
<i>Viriato M. deMacedo</i>	<i>Plymouth and Barnstable</i>	
<i>Leah Cole</i>	<i>12th Essex</i>	
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	
<i>Carlos Gonzalez</i>	<i>10th Hampden</i>	
<i>Aaron Vega</i>	<i>5th Hampden</i>	
<i>Gloria L. Fox</i>	<i>7th Suffolk</i>	
<i>Frank A. Moran</i>	<i>17th Essex</i>	
<i>Russell E. Holmes</i>	<i>6th Suffolk</i>	
<i>Kenneth J. Donnelly</i>	<i>Fourth Middlesex</i>	
<i>Jose F. Tosado</i>	<i>9th Hampden</i>	
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>7/2/2015</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>	<i>7/17/2015</i>
<i>Daniel A. Wolf</i>	<i>Cape and Islands</i>	<i>7/21/2015</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>7/21/2015</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>7/22/2015</i>
<i>Timothy R. Madden</i>	<i>Barnstable, Dukes and Nantucket</i>	<i>7/22/2015</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>	<i>7/22/2015</i>
<i>Daniel J. Hunt</i>	<i>13th Suffolk</i>	<i>7/22/2015</i>
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>	<i>7/24/2015</i>

TRP

**PETITION --- SENATE**

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Senator Harriette L. Chandler  
of First Worcester

*presents the petition of* Harriette L. Chandler, Elizabeth A. Malia, James B. Eldridge, Tom Sannicandro and other members of the General Court for legislation relative to motor vehicle license suspension

Senate DOCKET, NO. SD1665  
Filed: 1/16/2015

[accompanied by bill, Senate, No. 1812]

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Senate, April 15, 2015  
Referred to the committee on  
Transportation

Sent to the House for concurrence,  
*William F. Walsh*, Clerk.

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House of Reps., April 15, 2015  
The House concurs.

*Steven T. James*, Clerk

# The Commonwealth of Massachusetts

Senate, AUG 20 2015

The committee on Transportation

was referred the petition (accompanied by bill Senate, to whom

Harriette L. Chandler, Elizabeth Malia, James B. Eldridge, Tom Sannicandro and other members of the General Court for legislation relative to motor vehicle license suspension No. 1812) of

**REPORT** recommending that the bill / ~~resolve~~ accompanying said petition ought to pass.

*Arthur M. McGeer*  
For the Committee.

**The Commonwealth of Massachusetts**

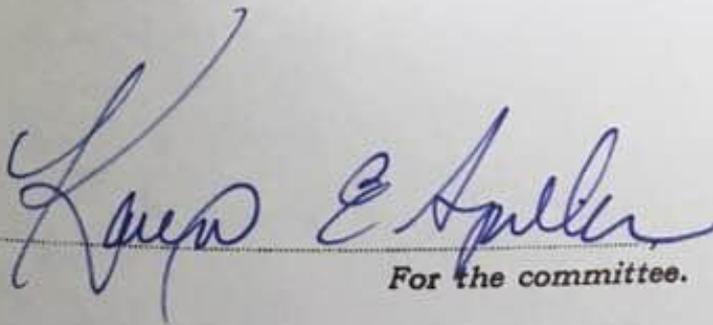
Senate, September 17, 201~~50~~<sup>59</sup> .

The committee on Ways and Means, to whom was committed the

Senate Bill relative to motor vehicle license suspension (Senate, No. 1812),

**REPORT** recommending that the same ought <sup>XXX</sup> to pass.

with an amendment, substituting a new draft with the same title (Senate, No. 2014).

  
For the committee.

SENATE . . . . . No. 2014

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The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court  
(2015-2016)

SENATE, Thursday, September 17, 2015

*The committee on Ways and Means, to whom was referred the Senate Bill relative to motor vehicle license suspension (Senate, No. 1812),-- reports, recommending that the same ought to pass with an amendment substituting a new draft with the same title (Senate, No. 2014).*

For the committee,  
Karen E. Spilka

*Rejected*

**Roadside Drug Testing**

Mr. Tarr moves to amend the bill Moves to amend by inserting after SECTION 1 the following new sections:-

SECTION 2. Section 24 of Chapter 90, as so appearing in the 2014 Official Edition, is hereby amended, in line 495, by inserting after the word "or", the following: "evidence of alcohol, marijuana, narcotic drugs, depressants or stimulant substances, all as defined in section one of chapter ninety-four C,"

; and further, by inserting in line 495, after the word "breath", the following: "or other bodily substances including but not limited to urine"

; and further, by inserting in line 498, after the word "liquor", the following: ", marijuana, narcotic drugs, depressants or stimulant substances, all as defined in section one of chapter ninety-four C"

; and further, by inserting in line 518, after the word "liquor", the following: "marijuana, narcotic drugs, depressants or stimulant substances, all as defined in section one of chapter ninety-four C".

SECTION 3. Section 24 of said Chapter 90, as so appearing in the 2014 Official Edition, is hereby amended, in line 536, after the word "breath", by striking out the word "or blood" and inserting in place thereof: "or blood or other bodily substances including but not limited to urine,"

; and further, by inserting in line 538, after the word "liquor", the following: ", marijuana, narcotic drugs, depressants or stimulant substances, all as defined in section one of chapter ninety-four C"

; and further, by inserting in line 548, after the word "liquor", the following: ", marijuana, narcotic drugs, depressants or stimulant substances, all as defined in section one of chapter ninety-four C"

; and further, by inserting in line 601, after the word "liquor", the following: ", marijuana, narcotic drugs, depressants or stimulant substances, all as defined in section one of chapter ninety-four C"

; and further, in line 617, after the word "breath", by striking out the word "or" and inserting in place thereof: ";

; and further, by inserting in line 617, after the word "blood", the following: "or other bodily substances including but not limited to urine"

; and further, by inserting in line 649, after the word "liquor", the following: ", marijuana, narcotic drugs, depressants or stimulant substances, all as defined in section one of chapter ninety-four C".

**SECTION 4.** Section 24 of said Chapter 90, as so appearing in the 2014 Official Edition, is hereby amended, in line 712, after the word "liquor", the following: ", marijuana, narcotic drugs, depressants or stimulant substances, all as defined in section one of chapter ninety-four C".

**2nd Redraft Amendment 5**

**Length of time for unsafe driving points**

Messrs. Tarr and Hedlund move to amend the bill by inserting at the end thereof the following new section:-

"SECTION \_ . Notwithstanding any general or special law to the contrary the division of insurance shall conduct a study on the feasibility of reducing the amount of time unsafe drivers points remain on a drivers record. Said report along with recommendations shall be submitted to the clerks of the house and senate, the joint committee on transportation and the house and senate committee on ways and means by no later than December 31, 2015."

*Adopted*

### Hardship License

Messrs. Tarr and Hedlund move to amend the bill by striking section 1 in its entirety and inserting in place thereof the following:-

"SECTION 1. Section 22 of Chapter 90 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out subsection (f) and inserting in place thereof the following:- (f) The registrar upon a petition by the district attorney and after a hearing, may *suspend the license or right to operate, or provide for a hardship license of a person who is convicted of a violation of any provision of chapter ninety-four C or adjudged a delinquent child by reason of having violated any provision of chapter ninety-four C; provided that in said hearing the district attorney makes a showing that there is a substantial likelihood of said person to operate under the influence of a substance controlled under chapter ninety-four C, and provided further in such hearing, said person shall be allowed to present evidence; provided, however that the period of such suspension or hardship shall not exceed five years; provided further, that any person so convicted who is under the age of eighteen years or who is adjudged a delinquent child by reason of having violated any provision of chapter ninety-four C, and is not licensed to operate a motor vehicle shall, at the discretion of the presiding judge, not be so licensed for a period no later than when such person reaches the age of twenty-one years.*"

*Rejected*

Amendment ID: S2014-8

Amendment 8

**corrective**

Ms. Spilka moves to amend the bill by inserting after section 2 the following section:-

SECTION 3. Clause (36) of section 33 of chapter 90 of the General Laws, as so appearing, is hereby amended by striking out, in line 231, the words “, (e) and (f)” and inserting in place thereof the following words:- “and (e)”.

*Adopted*

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court  
(2015-2016)

An Act relative to motor vehicle license suspension.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 22 of chapter 90 of the General Laws, as appearing in the 2014  
2 Official Edition, is hereby amended by striking out subsection (f).

3 SECTION 2. Section 30 of said chapter 90, as so appearing, is hereby amended by adding  
4 the following paragraph:- Upon expiration of the term of suspension of driving privileges  
5 suspended under subsections (g), (h), or (i) of section 22, the registrar shall shield from public  
6 access all records of the suspension and the underlying offense, including records of the  
7 expiration of the suspension, any hearings or appeals related to the suspension and the  
8 reinstatement following the suspension.

9 SECTION 3. The registrar of motor vehicles shall reinstate, issue or renew the license or  
10 right to operate a motor vehicle, without fee, of any person whose license or right to operate a  
11 motor vehicle has been suspended under subsection (f) of section 22 of chapter 90 of the General  
12 Laws, if the person is otherwise entitled to such reinstatement, issuance or renewal.

13           The registrar of motor vehicles shall shield from public access all records of the  
14 suspension of driving privileges issued under said subsection (f) of said section 22 of said  
15 chapter 90 and all records of the underlying offense, including records of the expiration of the  
16 suspension, any hearings or appeals related to the suspension and the reinstatement, issuance or  
17 renewal.

18           SECTION 4. The registrar of motor vehicles shall issue a report on the implementation of  
19 sections 2 and 3. The report shall include, but not be limited to, the fiscal impact to the registry  
20 of motor vehicles and shall identify any impediments to the implementation of those sections.  
21 The registrar shall file the report with the clerks of the house of representatives and senate, the  
22 chairs of the house and senate committees on ways and means and the chairs of the joint  
23 committee on transportation not later than 30 days after the effective date of this act.

24           SECTION 5. Sections 2 and 3 shall take effect 60 days after the effective date of this act.

42  
**Senate, No. 2014 amended**

Bill relative to motor vehicle license suspension.

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**SENATE, SEPTEMBER 17, 2105**

Recommended (W&M) ND for S. 1812

Order relative to subject matter  
adopted

**[OD for Thursday, September 24,  
2015]**

**SEP 24 2015 - Considered**

Amd (3) (Tarr) - rejected

Amd (5) (Tarr) - ADOPTED

Amd (7) (Tarr) - rejected

Amd (8) (Spilka) - ADOPTED

Substituted (W&M) as amended As  
ND for S. 1812 -

ordered 3d./ - Rd. 3d. & Engrossed  
(38 yeas - 0 nays)

**[See Senate, No. 2021, printed as ~~x~~  
amended.]**

10 underlying offense, including records of the expiration of the suspension, any hearings or appeals  
11 related to the suspension, and the reinstatement following the suspension.

12 SECTION 4. Within 60 days of passage of this act the Commonwealth shall submit to the  
13 Secretary of the United States Department of Transportation: (i) a written certification stating  
14 that the governor is opposed to the enactment or enforcement of a law that conforms with 23  
15 U.S.C. § 159(a)(3)(A), relating to the revocation, suspension, issuance or reinstatement of  
16 drivers' licenses to convicted drug offenders; and (ii) a written certification that the general court  
17 has adopted a resolution expressing its opposition to a law described in clause (i)

**SENATE . . . . . No. 1812**

By Ms. Chandler, a petition (accompanied by bill, Senate, No. 1812) of Harriette L. Chandler, Elizabeth A. Malia, James B. Eldridge, Tom Sannicandro and other members of the General Court for legislation relative to motor vehicle license suspension. *Transportation.*

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 1643 OF 2013-2014.]

*The Commonwealth of Massachusetts*

In the One Hundred and Eighty-Ninth General Court  
(2015-2016)

An Act relative to motor vehicle license suspension.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 22 of said chapter 90, as appearing in the 2012 Official Edition, is  
2 hereby amended by striking out subsection (f).

3 SECTION 2. The registrar of motor vehicles shall purge all records pertaining to past  
4 motor vehicle license suspensions effected under subsection (f) of section 22 of chapter 90, as so  
5 appearing.

6 SECTION 3. Section 30 of said chapter 90, as so appearing, is hereby amended by  
7 adding, after the second paragraph, the following paragraph:- Upon expiration of the term of  
8 suspension of driving privileges suspended under subsections (g), (h), or (i), of section 22 of  
9 chapter 90, the registrar shall shield from public access all records of the suspension and the

85 Senate, No. 1812  
Bill relative to motor vehicle license suspension

AUG 20 2015

Senate, .....  
Read and, under Senate Rule 27, referred to  
the committee on Ways and Means.

*Michael P. Hurley*

Assistant Clerk, Acting Clerk

SEP 17 2015 - rep op w/amendment  
ND S. 2014

SEP 17 2015 - Order (Spilka) relative  
to subject matter adopted.

[OD 2d for Thursday, Sep 24,  
w/W&M ND pending]

SEP 24 2015 - Read 2d -  
[For actions to W&M ND - see  
Senate, No. 2014]  
Amended (W&M) by substitution of  
Senate, No. 2014, amended

Amendment 3 as changed

*SECTION 4A.* Chapter 90 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting the following new section:-

22 ½. The registrar shall suspend, without hearing, the license or right to operate of a person who is convicted of a violation of paragraphs (b) (c) or (d) of section 32E of chapter ninety-four C or adjudged a delinquent child by reason of having violated paragraphs (b) (c) or (d) of section 32E of chapter ninety-four C; provided, however, that the period of such suspension shall not exceed five years; and provided further, however, that such person may after the completion of any time served apply for and shall be granted a hearing before the registrar for the purpose of requesting the issuance of a new license for employment or educational purposes or any other hardship purpose for the balance of any such license suspension. The registrar, at his or her discretion, may issue such license under such terms or conditions as he may prescribe.

## Amendment #3 to S2021

### Drug Trafficking

Representatives Jones of North Reading, Hill of Ipswich, Poirier of North Attleborough, Gifford of Wareham, Frost of Auburn, Smola of Warren and Lyons of Andover move to amend the bill by inserting <sup>after section 4</sup> the following new section: Whelan of Brewster

SECTION XX. "Chapter 90 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting the following new section:

22 1/2. The registrar shall suspend, without hearing, the license or right to operate of a person who is convicted of a violation of section 32E of chapter ninety-four C or adjudged a delinquent child by reason of having violated section 32E of chapter ninety-four C; provided, however, that the period of such suspension shall not exceed five years; provided further, that any person so convicted who is under the age of eighteen years or who is adjudged a delinquent child by reason of having violated any provision of chapter ninety-four C, and is not licensed to operate a motor vehicle shall, at the discretion of the presiding judge, not be so licensed for a period no later than when such person reaches the age of twenty-one years."

# The Commonwealth of Massachusetts

House of Representatives, January 6, 2016.

The committee on **WAYS AND MEANS**, to whom was referred the

Bill relative to motor vehicle license suspension (Senate, No. 2021),

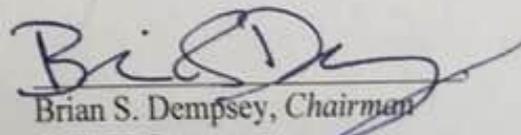
**REPORT** recommending that the same ought to pass with amendments~~x~~

~~Amend the bill by~~ inserting before the enacting clause, the following emergency preamble:-

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the prohibition of automatic license suspensions for non-vehicle-related drug offenses, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

~~And further amend the bill by~~ striking sections 5 through 7, inclusive, and inserting in place thereof, the following section:-

“SECTION 5. Sections 2 and 4 shall take effect July 1, 2016.” *and*

  
Brian S. Dempsey, Chairman  
For the Committee

16 The registrar of motor vehicles shall shield from public access all records of the  
17 suspension of driving privileges issued under said subsection (f) of said section 22 of said  
18 chapter 90 and all records of the underlying offense, including records of the expiration of the  
19 suspension, any hearings or appeals related to the suspension and the reinstatement, issuance or  
20 renewal.

21 SECTION 5. The registrar of motor vehicles shall issue a report on the implementation of  
22 sections 2 and 4. The report shall include, but not be limited to, the fiscal impact to the registry  
23 of motor vehicles and shall identify any impediments to the implementation of those sections.  
24 The registrar shall file the report with the clerks of the house of representatives and senate, the  
25 chairs of the house and senate committees on ways and means and the chairs of the joint  
26 committee on transportation not later than 30 days after the effective date of this act.

27 SECTION 6. Sections 2 and 4 shall take effect 60 days after the effective date of this act.

SENATE . . . . . No. 2021

Senate, September 24, 2015 – Text of the Senate Bill relative to motor vehicle license suspension  
(Senate, No. 2021) (being the text of Senate, No. 2014, printed as amended)

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court  
(2015-2016)

An Act relative to motor vehicle license suspension.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 22 of chapter 90 of the General Laws, as appearing in the 2014  
2 Official Edition, is hereby amended by striking out subsection (f).

3 SECTION 2. Section 30 of said chapter 90, as so appearing, is hereby amended by adding  
4 the following paragraph: Upon expiration of the term of suspension of driving privileges  
5 suspended under subsections (g), (h), or (i) of section 22, the registrar shall shield from public  
6 access all records of the suspension and the underlying offense, including records of the  
7 expiration of the suspension, any hearings or appeals related to the suspension and the  
8 reinstatement following the suspension.

9 SECTION 3. ~~Clause (36)~~ of section 33 of said chapter 90, as so appearing, is hereby  
10 amended by striking out, in line 231, the words “, (e) and (f)” and inserting in place thereof the  
11 following words:- and (e).

*Notwithstanding any general or special law to the contrary,*

12 SECTION 4. The registrar of motor vehicles shall reinstate, issue or renew the license or  
13 right to operate a motor vehicle, without fee, of any person whose license or right to operate a

Senate, Thursday, January 14, 2015 - Text of the  
further Senate amendment (Senator Chandler) to the  
Senate Bill relative to motor vehicle license  
suspension (Senate, No. 2021).

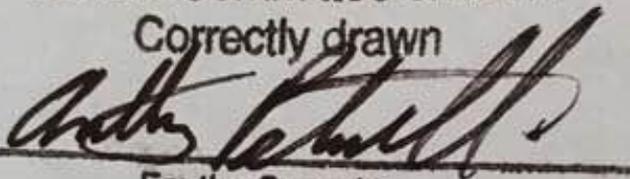
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*A. Dept*

Senate Committee on BTR

Correctly drawn



For the Committee

**SENATE . . . . . No. 2094**

Senate, Thursday, January 14, 2015 - Text of the further Senate amendment (Senator Chandler) to the Senate Bill relative to motor vehicle license suspension (Senate, No. 2021).

**The Commonwealth of Massachusetts**

In the One Hundred and Eighty-Ninth General Court  
(-)

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2      Official Edition, is hereby amended by striking out subsection (f).

3           SECTION 2. Section 30 of said chapter 90, as so appearing, is hereby amended by adding  
4      the following paragraph:- Upon expiration of the term of suspension of driving privileges  
5      suspended under subsections (g), (h), or (i) of section 22, the registrar shall shield from public  
6      access all records of the suspension and the underlying offense, including records of the  
7      expiration of the suspension, any hearings or appeals related to the suspension and the  
8      reinstatement following the suspension.

9           SECTION 3. Clause (36) of section 33 of said chapter 90, as so appearing, is hereby  
10     amended by striking out the words “, (e) and (f)” and inserting in place thereof the following  
11     words:- and (e).

12           SECTION 4. The registrar of motor vehicles shall reinstate, issue or renew the license or  
13     right to operate a motor vehicle, without fee, of any person whose license or right to operate a  
14     motor vehicle has been suspended under subsection (f) of section 22 of chapter 90 of the General  
15     Laws, if the person is otherwise entitled to such reinstatement, issuance or renewal.

H.R., January 27, 2016.

The House non-concurred with the Senate in its amendment; and appointed a committee of conference on the disagreeing votes of the two branches. Representatives Strus of Mattapoisett, Fernandes of Milford and Hill of Ipswich are appointed the committee on the part of the House.

Sent to the Senate to be joined.

*Stewart James*

, Clerk.

**SENATE, JANUARY 28, 2016**

Senate insisted on its further amendment and concurred in the appointment of a committee of conference on the disagreeing votes of the two branches. Senators McGee, Chandler and Tarr were appointed the committee on the part of the Senate.

Papers returned to the House.

*William F. Welch*

, Clerk.

H.R., January 6, 2016.

Passed to be engrossed, in concurrence, with amendments inserting after section 4 [at "C"] the following section:

"SECTION 4A. Chapter 90 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting the following new section:—

22 ½. The registrar shall suspend, without hearing, the license or right to operate of a person who is convicted of a violation of paragraphs (b) (c) or (d) of section 32E of chapter ninety-four C or adjudged a delinquent child by reason of having violated paragraphs (b) (c) or (d) of section 32E of chapter ninety-four C; provided, however, that the period of such suspension shall not exceed five years; and provided further, however, that such person may after the completion of any time served apply for and shall be granted a hearing before the registrar for the purpose of requesting the issuance of a new license for employment or educational purposes or any other hardship purpose for the balance of any such license suspension. The registrar, at his or her discretion, may issue such license under such terms or conditions as he may prescribe."; striking sections 5, 6 and 7 [at "A"] and inserting in place thereof, the following section:

"SECTION 5. Sections 2 and 4 shall take effect July 1, 2016."; and inserting before the enacting clause [at "B"], the following emergency preamble:

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the prohibition of automatic license suspensions for non-vehicle-related drug offenses, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."

Sent to the Senate for concurrence in the amendments.

*Steven James*, Clerk.

Senate, January 14, 2014.

Senate concurs in the House amendment with a further amendment [at "D"] by striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2094.

*Michael P. Hale*, Assistant Clerk,  
Acting Clerk

14 motor vehicle has been suspended <sup>pursuant to</sup> ~~under~~ subsection (f) of section 22 of chapter 90 of the General  
15 Laws, if the person is otherwise entitled to such reinstatement, issuance or renewal.

16 The registrar of motor vehicles shall shield from public access all records of the  
17 suspension of driving privileges issued under said subsection (f) of said section 22 of said  
18 chapter 90 and all records of the underlying offense, including records of the expiration of the  
19 suspension, any hearings or appeals related to the suspension and the reinstatement, issuance or  
20 renewal.

21 [K] SECTION 5. The registrar of motor vehicles shall issue a report on the implementation of  
22 sections 2 and 3. The report shall include, but not be limited to, the fiscal impact to the registry  
23 of motor vehicles and shall identify any impediments to the implementation of those sections.  
24 The registrar shall file the report with the clerks of the house of representatives and senate, the  
25 chairs of the house and senate committees on ways and means and the chairs of the joint  
26 committee on transportation not later than 30 days after the effective date of this act.

27 SECTION 6. Notwithstanding any general or special law to the contrary, the division of  
28 insurance shall conduct a study on the feasibility of reducing the amount of time unsafe drivers  
29 points remain on a drivers record. Said report along with recommendations shall be submitted to  
30 the clerks of the house and senate, the joint committee on transportation and the house and senate  
31 committee on ways and means by December 31, 2015.

32 SECTION 7. Sections 2 and 4 shall take effect 60 days after the effective date of this act.

## **Appendix B: Joint Committee on Transportation Files**