HOUSE DOCKET, NO. 4082 FILED ON: 10/13/2011

# HOUSE . . . . . No. 4146

The Commonwealth of Massachusetts

PRESENTED BY:

***Geoff Diehl***

*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 passage of the accompanying:

An Act to insure benefits through enhanced Selective Service registration.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|---|---|
| *Geoff Diehl* | *7th Plymouth* |
| *Brian M. Ashe* | *2nd Hampden* |
| *Richard Bastien* | *2nd Worcester* |
| *Nicholas A. Boldyga* | *3rd Hampden* |
| *Timothy R. Madden* | *Barnstable, Dukes and Nantucket* |
| *Elizabeth A. Poirier* | *14th Bristol* |
| *George T. Ross* | *2nd Bristol* |

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By Mr. Diehl of Whitman, a petition (subject to Joint Rule 12) of Geoff Diehl and others for legislation to authorize the Registry of Motor Vehicles to register eigtheen year old male applicants for military selective service. Transportation.

## The Commonwealth of Massachusetts

An Act to insure benefits through enhanced Selective Service registration.

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

SECTION 1. Chapter 90 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after section 8M the following section:-

Section 8N. (a) A male applicant who applies for an operator's license, learner's permit, identification card or a renewal of any such permit or license and who is at least 18 years of age but less than 26 years of age authorizes the registrar to register the applicant with the Selective Service System in compliance with section 3 of the Military Selective Service Act through the applicant's signature on the application unless the applicant indicates otherwise as described in subsection (b).

(b) The registrar shall give notice to any male applicant who is at least 16 years of age but less than 26 years of age that the applicant has a duty under federal law to register with the Selective Service System at age 18. If the applicant has not registered within 30 days after reaching 18 years of age, he shall be informed that he still has an affirmative obligation under federal law to register with the Selective Service System before reaching 26 years of age. The registrar shall also notify the applicant that his signature on an application for any such license, permit, identification card or renewal shall constitute consent to authorize the registrar to forward the applicant's information to the Selective Service System, registering the applicant with the Selective Service System unless the applicant declines to give such consent by signing a statement so stating on the application.

(c) If the applicant is at least 16 years of age but less than 18 years of age the registrar shall notify the applicant that his signature on an application for any such license, permit, identification card or renewal shall constitute consent authorizing the applicant to be registered upon attaining 18 years of age as required by federal law.

23 (d) The registrar shall notify the applicant that a refusal to grant such consent shall not be
24 grounds for denial of driving privileges nor shall it be a basis for the registrar to discriminate
25 against the applicant, and that the opportunity to give such consent to the registrar is provided
26 only for the convenience of the applicant. This notice shall be made both verbally and through a
27 written document available in English, Spanish and such other languages as the registrar
28 determines. If the applicant grants that authority, the registrar shall forward to the Selective
29 Service System, in an electronic format, no sooner than the applicant's eighteenth birthday, only
30 the information necessary for registration of the applicant.

31 (e) Failure to grant such authority as provided in this section shall not be a basis for the
32 registrar or any other related government agency to discriminate against the applicant, including
33 but not limited to the denial of driving privileges.

34 (f) The registrar shall not distribute or make available to any person or governmental
35 agency in any way any list of those applicants who declined to grant the registrar authority to
36 forward their information to the Selective Service System. The registrar shall not compile,
37 develop or maintain any such list unless it is necessary for the administration and operation of
38 the registry, and such list shall not be given to any other governmental or non-governmental
39 agency. The registrar shall not distribute or make available to any person or governmental
40 agency any list of those applicants who did grant the registrar authority to forward their
41 information to the Selective Service System except as otherwise authorized by this section.

42 SECTION 2. Chapter 90F of the General Laws, as appearing in the 2010 Official
43 Edition, is hereby amended by inserting after section 16 the following section:-

44 Section 17. (a) A male applicant who applies for a commercial driver license or a
45 renewal of that license and who is at least 18 years of age but less than 26 years of age authorizes
46 the registrar to register the applicant with the Selective Service System in compliance with
47 section 3 of the Military Selective Service Act through the applicant's signature on the
48 application unless the applicant indicates otherwise as described in subsection (b).

49 (b) The registrar shall give notice to any male applicant who is at least 18 years of age
50 but less than 26 years of age that the applicant has a duty under federal law to register with the
51 Selective Service System at age 18. If the applicant has not registered within 30 days after
52 reaching 18 years of age, he shall be informed that he still has an affirmative obligation under
53 federal law to register with the Selective Service System before reaching 26 years of age. The
54 registrar shall also notify the applicant that his signature on an application for any such license or
55 renewal shall constitute consent to authorize the registrar to forward the applicant's information
56 to the Selective Service System to register the applicant with the Selective Service System unless
57 the applicant declines to give such consent by signing a statement so stating on the application.
58 The registrar shall notify the applicant that a refusal to grant such consent shall not be grounds
59 for denial of driving privileges nor shall it be a basis for the registrar to discriminate against the

60 applicant, and that the opportunity to give such consent to the registrar is provided only for the
61 convenience of the applicant. This notice shall be made both verbally and through a written
62 document available in English, Spanish and such other languages as the registrar determines. If
63 the applicant grants that authority, the registrar shall forward to the Selective Service System, in
64 an electronic format, no sooner than the applicant's eighteenth birthday, only the information
65 necessary for registration of the applicant.

66 (c) Failure to grant such authority as provided in this section shall not be a basis for the
67 registrar or any other related government agency to discriminate against the applicant, including
68 but not limited to the denial of driving privileges.

69 (d) The registrar shall not distribute or make available to any person or governmental
70 agency in any way any list of those applicants who declined to grant the registrar authority to
71 forward their information to the Selective Service System. The registrar shall not compile,
72 develop or maintain any such list unless it is necessary for the administration and operation of
73 the registry, and such list shall not be given to any other governmental or non-governmental
74 agency. The registrar shall not distribute or make available to any person or governmental
75 agency any list of those applicants who did grant the registrar authority to forward their
76 information to the Selective Service System except as otherwise authorized by this section.

77 SECTION 3. Implementation of this act shall be contingent on the receipt by the
78 registrar of motor vehicles of sufficient federal funds to pay a reasonable portion of the initial
79 start-up costs for computer programming changes necessary to implement the requirements of
80 this section related to the reporting of information to the Selective Service Administration. The
81 registrar shall initiate and monitor efforts to obtain federal funds for the purposes stated in this
82 act and shall report promptly to the joint committee on public safety and the house and senate
83 committees on ways and means when federal funds have been received by the department.