HOUSE DOCKET, NO. 924 FILED ON: 1/19/2011

HOUSE . . . . . No. 927

The Commonwealth of Massachusetts

PRESENTED BY:

Timothy R. Madden

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 drivers education in public high schools.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Timothy R. Madden	*Barnstable, Dukes and Nantucket*
Angelo J. Puppolo, Jr.	*12th Hampden*
Cleon H. Turner	*1st Barnstable*
Daniel A. Wolf	

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HOUSE . . . . . No. 927

By Mr. Madden of Nantucket, a petition (accompanied by bill, House, No. 927) of Timothy R. Madden and others relative to drivers education in public schools. Transportation.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *1945* OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to drivers education in public high schools.

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 10 of the general laws is hereby amended by adding the following section:-

Section 75. There is hereby established on the books of the commonwealth a separate fund known as the Young Driver Education Trust Fund. Said trust fund shall consist of monies paid to the commonwealth pursuant to section 20 of chapter 90 requiring a 5 per cent surcharge on all assessments for moving violations and any interest or investment earnings on such monies. The state treasurer, ex officio, shall be the custodian of said trust fund and shall receive, deposit and invest all monies transmitted to him under this section and shall credit interest and earnings on the trust fund to the fund. Funds collected pursuant to said section 20 shall be expended without further appropriation for the purpose of maintaining driver education courses in public schools for high school students, as required by section 13D of chapter 71. In order to ensure

12 that such courses are continued without interruption, the comptroller may certify for payment
13 amounts in anticipation of revenues collected for the corresponding quarter during the previous
14 fiscal year.

15 SECTION 2. Section 13D of chapter 71 of the general laws, as appearing in the 2006
16 Official Edition, is hereby amended by striking out, in line 1, the word "may" and inserting in
17 place thereof the following word:-- shall.

18 SECTION 3. The first paragraph of section 20 of chapter 90 of the General Laws, as
19 amended by section 44 of chapter 182 of the acts of 2008, is hereby further amended by striking
20 out, in line 34, the words "and, provided further" and inserting in place thereof the following
21 words:- provided further.

22 SECTION 4. Said section 20 of said chapter 90, as so appearing, is hereby further
23 amended by striking out the word "dollars" and inserting in place thereof the following words:--
24 dollars; provided further, that there shall be a surcharge of 5 per cent of the fine assessed against
25 a person who is convicted of or found responsible of any violation of this chapter which is a
26 moving violation for the purpose of determining surcharges on motor vehicle premiums pursuant
27 to section 113B of chapter 175, unless the court reduces or waives such surcharge upon a written
28 finding of fact that such surcharge would cause the person against whom the surcharge is
29 imposed severe financial hardship and such finding was made independently of a finding of
30 indigence for purposes of appointing counsel; and provided further, that monies accrued from
31 such 5 per cent surcharge shall be transferred by the registrar of motor vehicles to the state
32 treasurer for deposit into the Young Driver Education Trust Fund.

33 SECTION 5. This act shall be known as and may be cited as "David's Law."