

SENATE No. 662

The Commonwealth of Massachusetts

PRESENTED BY:

Stephen M. Brewer

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 improving apprehension of drunk drivers and other law violators..

PETITION OF:

NAME:

Stephen M. Brewer

DISTRICT/ADDRESS:

Worcester, Hampden, Hampshire and Middlesex

SENATE No. 662

By Mr. Brewer, a petition (accompanied by bill, Senate, No. 662) of Stephen M. Brewer for legislation to improve the apprehension of drunk drivers and other law violators. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1742 OF 2009-2010.]

The Commonwealth of Massachusetts

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In the Year Two Thousand Eleven
—————

An Act improving apprehension of drunk drivers and other law violators..

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 98A of Chapter 41 of the General Laws as appearing in the 2006
2 Official Edition is amended by replacing the entire section with the following: A police officer
3 of a city or town may stop a person or vehicle in a city or town that borders the officer’s city or
4 town if the officer has reason to believe that the person or vehicle recently traveled through his
5 or her city or town under circumstances where the officer would have had the authority to stop
6 the person or vehicle for the purpose of making an arrest, placing an operator in protective
7 custody, issuing a citation or taking any other enforcement action. Said officer may return any
8 person so arrested or placed in protective custody to the jurisdiction wherein said offence was
9 committed or other condition or violation was observed. No criminal case shall be dismissed, and
10 no evidence in a criminal case shall be suppressed, based on the fact that a stop of a person or
11 motor vehicle did not comport with this section. Nothing contained in this section shall be

- 12 construed as limiting the powers of a police officer to make arrests and in so far as possible this
- 13 section shall be deemed to be declaratory of the common law of the commonwealth.