

**HOUSE . . . . . No. 1690**

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PRESENTED BY:

***Daniel B. Winslow and Richard J. Ross***

*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 traffic stops.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Daniel B. Winslow</i>	<i>9th Norfolk</i>	<i>1/18/2013</i>
<i>Massachusetts Fraternal Order of Police</i>	<i>250 East Main Street Norton, MA 02766</i>	
<i>Richard J. Ross</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>1/31/2013</i>
<i>Keiko M. Orrall</i>	<i>12th Bristol</i>	

**HOUSE . . . . . No. 1690**

By Representative Winslow of Norfolk and Senator Ross, a joint petition (accompanied by bill, House, No. 1690) of Daniel B. Winslow, Richard J. Ross and others relative to traffic stops. The Judiciary.

**In the Year Two Thousand Thirteen**

An Act relative to traffic stops.

*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 2010  
2 Official Edition, is hereby amended by striking out the section in its entirety and replacing it  
3 thereof with the following paragraph:-

4 A police officer of a city or town may stop a person or vehicle in a city or town that  
5 borders the officers city or town if the officer has reason to believe that the person or vehicle  
6 recently traveled through his or her city or town under circumstances where the officer would  
7 have had the authority to stop the person or vehicle for the purpose of making an arrest, placing  
8 an operator in protective custody, issuing a citation or taking any other enforcement action. Said  
9 officer may return any person so arrested or placed in protective custody to the jurisdiction  
10 wherein said offence was committed or other condition or violation was observed. No criminal  
11 case shall be dismissed, and no evidence in a criminal case shall be suppressed, based on the fact  
12 that a stop of a person or motor vehicle did not comport with this section. Nothing contained in  
13 this section shall be construed as limiting the powers of a police officer to make arrests and in so  
14 far as possible this section shall be deemed to be declaratory of the common law of the  
15 commonwealth.