HOUSE DOCKET, NO. 2944 FILED ON: 1/16/2015

HOUSE . . . . . No. 3385

The Commonwealth of Massachusetts

PRESENTED BY:

Paul McMurtry

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 providing for an out of state license to be valid proof of age.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Paul McMurtry	*11th Norfolk*
Robert L. Hedlund	*Plymouth and Norfolk*
Denise Provost	*27th Middlesex*
Jeffrey N. Roy	*10th Norfolk*
Frank I. Smizik	*15th Norfolk*
Chris Walsh	*6th Middlesex*

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HOUSE . . . . . No. 3385

By Mr. McMurtry of Dedham, a petition (accompanied by bill, House, No. 3385) of Paul McMurtry and others for legislation to authorize the use of out-of-state licenses as proof of age in purchasing alcohol. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

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

An Act providing for an out of state license to be valid proof of age.

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

Section 34B of Chapter 138 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after the second paragraph the following paragraph:

Notwithstanding any general or special law to the contrary, the commission shall permit a licensee or agent or employee thereof to rely upon a valid license to operate a motor vehicle issued by another state for proof of a person's identity and age. Any licensee, or agent or employee, thereof, under this chapter who relies on such out of state license shall not suffer any modification, suspension, revocation or cancellation of a license nor shall he or she suffer any criminal liability for delivering or selling alcohol or alcoholic beverages to a person under 21 years of age. Any licensee, or agent or employee thereof, under this chapter who relies upon such a valid license for proof of a person's identity and age shall be presumed to have exercised due care in making such delivery or sale of alcohol or alcoholic beverages to a person under 21 years

12 of age. Such presumption shall be rebuttable; provided, however, that nothing contained herein

13 shall affect the applicability of section 69.