

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

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The Commonwealth of Massachusetts

PRESENTED BY:

***Brendan P. Crighton, (BY REQUEST)***

*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 establishing a medical delay for the payment of civil motor vehicle fines and municipal parking tickets for persons suffering from a serious illness.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Charles J. Lawless Jr.</i>		<i>3/16/2016</i>

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

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By Mr. Crighton of Lynn (by request), a petition (subject to Joint Rule 12) of Charles J. Lawless, Jr., relative to medical delays for the payment of civil motor vehicle fines and municipal parking tickets for persons suffering from a serious illness. Transportation.

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The Commonwealth of Massachusetts

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**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**  
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An Act establishing a medical delay for the payment of civil motor vehicle fines and municipal parking tickets for persons suffering from a serious illness.

*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. Chapter 90C of the General Laws, as appearing in the 2014 Official  
2 Edition, is hereby amended by inserting after section 3 the following section:-

3 Section 3A. (a) A violator subject to a scheduled or imposed assessment for a civil motor  
4 vehicle infraction under section 3 who has a serious illness shall be granted a medical necessity  
5 grace period by the registrar if: (i) a registered physician certifies in writing to the registrar that  
6 such serious illness exists; and (ii) upon submission by the violator of a statement of financial  
7 hardship, the register determines that a financial hardship exists. During such grace period, the  
8 registrar shall not, due to nonpayment of such assessment: (i) assess any late fees or fines; (ii)  
9 suspend or revoke the violator’s license to operate, permit or right to operate; or (iii) place an  
10 activity hold on the violator’s record that would prevent a license or registration renewal at the  
11 registrar.

12 A medical necessity grace period granted by the registrar shall expire upon a  
13 determination by the registrar that a financial hardship no longer exists or 365 days after being  
14 granted; provided, however, the registrar shall grant extensions to the grace period if: (i) a  
15 registered physician certifies in writing to the registrar that such serious illness continues to exist;  
16 and (ii) upon submission by the violator of a new statement of financial hardship, the registrar  
17 determines that the violator has demonstrated that his or her financial hardship continues to exist.  
18 Any such extension shall expire upon a determination by the registrar that a financial hardship no  
19 longer exists or 365 days after being granted.

20 (b) Upon the expiration of a medical necessity grace period or an extension to such grace  
21 period granted under subsection (a), the registrar shall immediately notify the violator by  
22 certified mail that the full amount of the assessment shall be due within 40 days of such  
23 expiration, and that if the violator fails to pay the full amount by such date, the violator shall be  
24 subject to late fees, fines and punishments due to nonpayment of a scheduled or imposed  
25 assessment pursuant to section 3. Said notice shall also include a list of any previous payments  
26 made towards such assessment and shall specify the remaining balance due. For such period of  
27 40 days after the expiration of the grace period, the registrar shall not, due to nonpayment of  
28 such assessment: (i) assess any late fees or fines; (ii) suspend or revoke the violator's license to  
29 operate, permit or right to operate; or (iii) place an activity hold on the violator's record that  
30 would prevent a license or registration renewal at the registrar.

31 (c) A person subject to a scheduled or imposed assessment or fine for a violation of any  
32 rule, regulation, order, ordinance or by-law regulating the parking of motor vehicles by any city  
33 or town, who has a serious illness shall be granted a medical necessity grace period by the city or  
34 town if: (i) a registered physician certifies in writing to the city or town that such serious illness

35 exists; and (ii) upon submission by the person subject to such assessment or fine of a statement  
36 of financial hardship, the city or town determines, based on the criteria established by the  
37 registrar, that a financial hardship exists. During such grace period, the city or town shall not,  
38 due to nonpayment of such assessment: (i) assess any late fees or fines; (ii) cause the suspension  
39 or revocation of the person's license to operate, permit or right to operate; or (iii) cause an  
40 activity hold to be placed on the person's record that would prevent a license or registration  
41 renewal at the registrar.

42 A medical necessity grace period granted by the city or town shall expire upon a  
43 determination by the city or town, based on the criteria established by the registrar, that a  
44 financial hardship no longer exists or 365 days after being granted; provided, however, the city  
45 or town shall grant extensions to the grace period if: (i) a registered physician certifies in writing  
46 to the city or town that such serious illness continues to exist; and (ii) upon submission by the  
47 person subject to the assessment or fine of a new statement of financial hardship, the city or  
48 town, based on the criteria established by the registrar, determines that the person has  
49 demonstrated that his or her financial hardship continues to exist. Any such extension shall  
50 expire upon a determination by the city or town, based on criteria established by the registrar,  
51 that a financial hardship no longer exists or 365 days after being granted.

52 (d) Upon the expiration of a medical necessity grace period or an extension to such grace  
53 period granted under subsection (c), the city or town shall immediately notify the person by  
54 certified mail that the full amount of the assessment shall be due within 40 days of such  
55 expiration, and that if the person fails to pay the full amount by such date, the person shall be  
56 subject to late fees, fines and punishments due to nonpayment of a scheduled or imposed  
57 assessment or fine for a municipal parking violation. Said notice shall also include a list of any

58 previous payments made towards such assessment and shall specify the remaining balance due.  
59 For such period of 40 days after the expiration of the grace period, the city or town shall not, due  
60 to nonpayment of such assessment: (i) assess any late fees or fines; (ii) cause the suspension or  
61 revocation of the person's license to operate, permit or right to operate; or (iii) place an activity  
62 hold on the person's record that would prevent a license or registration renewal at the registrar.

63 (e) The registrar of motor vehicles shall promulgate rules and regulations as is  
64 reasonable and necessary to carry out the provisions of this section, including regulations  
65 establishing criteria for determining whether a violator has demonstrated a financial hardship for  
66 purposes of granting or extending a medical necessity grace period.

67 SECTION 2. Said Chapter 90C is hereby further amended by inserting after section 7A  
68 the following section:-

69 Section 7B. (a) Upon receipt of payment from a person for a citation, the nonpayment of  
70 which could result in an activity hold on said person's record that could prevent transactions with  
71 the registrar of motor vehicles, a city or town shall immediately notify the registrar of motor  
72 vehicles electronically that such payment has been made.

73 (b) The registrar of motor vehicles may promulgate rules and regulations to carry out the  
74 provisions of this act.