

# SENATE . . . . . No. 1992

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## The Commonwealth of Massachusetts

PRESENTED BY:

***Bruce E. Tarr***

*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 promoting motor vehicle safety.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>	<i>1/24/2017</i>
<i>Richard J. Ross</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>3/3/2017</i>

# SENATE . . . . . No. 1992

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By Mr. Tarr, a petition (accompanied by bill, Senate, No. 1992) of Bruce E. Tarr and Timothy R. Whelan for legislation to promote motor vehicle safety. Transportation.

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## The Commonwealth of Massachusetts

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In the One Hundred and Ninetieth General Court  
(2017-2018)  
\_\_\_\_\_

An Act promoting motor vehicle safety.

*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 22F of chapter 90 of the General Laws is hereby amended by  
2   striking out, in line 57, the word “four” and inserting in place thereof the following word:-  
3   “five”.

4           SECTION 2. Section 22F of said chapter 90, as so appearing, is hereby further amended  
5   by striking out, in lines 66-68, the following sentence:-

6           “An appeal to the superior court may be had, in accordance with the provisions of chapter  
7   thirty A, from any order of the registrar of motor vehicles made under the provisions of this  
8   section.”

9           SECTION 3. Section 22F of said chapter 90 is hereby further amended by inserting at the  
10   end thereof the following paragraph:-

11           “Any person previously deemed an habitual offender under this section who has not had  
12   their license or right to operate a motor vehicle restored to them by the registrar for a period of

13 more than 5 years and who is convicted of operating a motor vehicle while under the influence of  
14 intoxicating liquor or narcotic drugs in violation of paragraph (a) of subdivision (1) of section  
15 24; operating a motor vehicle recklessly or negligently so that the lives and safety of the public  
16 might be endangered; making a false statement in an application for a learner's permit or motor  
17 vehicle operator's license or in an application for a registration of a motor vehicle; going away  
18 without making known his name, residence and the registration number of his vehicle after  
19 knowingly colliding with or otherwise causing injury to any person, other vehicle or property, all  
20 in violation of paragraph (a) of subdivision (2) of section 24; operating a motor vehicle after  
21 suspension or revocation of the person's motor vehicle operator's license or his right to operate  
22 motor vehicles in violation of section 23; operating a motor vehicle without a license in violation  
23 of section 10; or the commission of any felony in the commission of which a motor vehicle is  
24 used, shall be deemed a level 3 habitual traffic offender and the registrar shall immediately  
25 revoke such person's license or right to operate and shall not issue a new license or reinstate the  
26 right to operate for a period up to life but not less than 5 years from the date of revocation, nor  
27 until such person has satisfactorily completed a driver improvement course approved by the  
28 registrar and has passed such examination as to his competence to operate motor vehicles as the  
29 registrar may require.

30 Any person previously deemed an habitual offender under this section who has not had  
31 their license or right to operate a motor vehicle restored to them by the registrar for a period of  
32 more than 5 years and who is convicted of 3 or more convictions of offenses which are required  
33 by any provision of law to be reported to the registrar and for which the registrar is authorized or  
34 required to suspend or revoke the person's license or right to operate motor vehicles for a period  
35 of 30 days or more, shall be deemed a level 2 habitual offender and the registrar shall

immediately revoke such person's license or right to operate and shall not issue a new license or  
reinstate the right to operate to such person for a period of not less than 5 years from the date of  
revocation nor more than 15 years from such date of revocation, nor until such person has  
satisfactorily completed a driver improvement course approved by the registrar and has passed  
such examination as to his competence to operate motor vehicles as the registrar may require.

Provided further, that any person previously deemed a level 2 habitual offender under this  
section who has not had their license or right to operate a motor vehicle restored to them by the  
registrar for a period of 5 years and is convicted of operating a motor vehicle while under the  
influence of intoxicating liquor or narcotic drugs in violation of paragraph (a) of subdivision (1)  
of section 24; operating a motor vehicle recklessly or negligently so that the lives and safety of  
the public might be endangered; making a false statement in an application for a learner's permit  
or motor vehicle operator's license or in an application for a registration of a motor vehicle;  
going away without making known his name, residence and the registration number of his  
vehicle after knowingly colliding with or otherwise causing injury to any person, other vehicle or  
property, all in violation of paragraph (a) of subdivision (2) of section 24; operating a motor  
vehicle after suspension or revocation of the person's motor vehicle operator's license or his  
right to operate motor vehicles in violation of section 23; operating a motor vehicle without a  
license in violation of section 10; or the commission of any felony in the commission of which a  
motor vehicle is used; or 2 or more convictions of offenses which are required by any provision  
of law to be reported to the registrar and for which the registrar is authorized or required to  
suspend or revoke the person's license or right to operate motor vehicles for a period of 30 days  
or more, shall be deemed a level 3 habitual offender and the registrar shall immediately revoke  
such person's license or right to operate and shall not issue a new license or reinstate the right to

59 operate for a period up to life but not less than 5 years from the date of revocation, nor until such  
60 person has satisfactorily completed a driver improvement course approved by the registrar and  
61 has passed such examination as to his competence to operate motor vehicles as the registrar may  
62 require. The registrar may revoke from any level 3 habitual offender who has had their license or  
63 right to operate restored and who commits an automobile law violation, as defined in section 1 of  
64 chapter 90C, the license or right to operate for a period up to life. The registrar may further issue  
65 to any habitual traffic offender who has satisfied the durational license revocation requirements  
66 provided for in this section a new license or reinstate such person's right to operate under such  
67 terms and conditions as the registrar deems appropriate and necessary. Nothing in this section  
68 shall limit the authority of the registrar to revoke a license or right to operate or issue a new  
69 license or reinstate the right to operate under section 24 of chapter 90. An appeal to the superior  
70 court may be had, in accordance with the provisions of chapter 30A, from any order of the  
71 registrar of motor vehicles made under the provisions of this section."