

HOUSE No. 4249

The Commonwealth of Massachusetts

PRESENTED BY:

Shawn Dooley

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 automobile and motorcycle accidents.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|---------------------|--------------------|-------------------|
| <i>Shawn Dooley</i> | <i>9th Norfolk</i> | <i>11/15/2019</i> |

HOUSE No. 4249

By Mr. Dooley of Norfolk, a petition (subject to Joint Rule 12) of Shawn Dooley relative to the identification of persons involved in automobile and motorcycle accidents by news media organizations. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to automobile and motorcycle accidents.

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

1 Chapter 214 of the General Laws, as appearing in the 2018 Official Edition, is hereby
2 amended by inserting after Section 3B, the following section:-

3 Section 3C (a) For the purposes of this section, the following terms shall have the
4 following meanings, unless the context clearly requires otherwise:

5 “News media organization”, any entity that disseminates information through a broadcast
6 station, radio station, cable television system, satellite system, newspaper, magazine, periodical
7 or website

8 “Identifying information”, any characteristic that when seen by an uninvolved bystander
9 could reasonably result in the identifying of the victim of an automobile or motorcycle accident.

10 This shall include but not be limited to names, portraits, license plates, company logos and
11 registration stickers.

12 (b) Any news media organization reporting on an automobile or motorcycle accident with
13 a fatality shall conceal the identity or any identifying information of any deceased individual
14 involved until said individual's next of kin has been notified by the appropriate law enforcement
15 agency.

16 (c) Any news media organization in violation of this section may be held civilly liable in
17 the superior court by the estate of the deceased individual whose identifying information was
18 released. Said estate may bring an action in the superior court to recover damages for any
19 injuries sustained by reason of the releasing of said identifying information. If the defendant
20 knowingly used identifying information in a prohibited or unlawful manner, the court, in its
21 discretion, may award the plaintiff compensation, the amount of which is at the discretion of the
22 court.