

SENATE No. 909

The Commonwealth of Massachusetts

PRESENTED BY:

Viriato M. deMacedo

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 leaving the scene of an accident.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Viriato M. deMacedo</i>	<i>Plymouth and Barnstable</i>	
<i>Angelo L. D'Emilia</i>	<i>8th Plymouth</i>	<i>1/22/2019</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	<i>1/29/2019</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>1/30/2019</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>	<i>1/31/2019</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>3/6/2019</i>
<i>John H. Rogers</i>	<i>12th Norfolk</i>	<i>3/13/2019</i>

SENATE No. 909

By Mr. deMacedo, a petition (accompanied by bill, Senate, No. 909) of Viriato M. deMacedo, Angelo L. D'Emilia, Michael D. Brady, Patrick M. O'Connor and others for legislation to authorize arrests without a warrant for leaving the scene of a motor vehicle accident. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 947 OF 2017-2018.]

The Commonwealth of Massachusetts

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

An Act relative to leaving the scene of an accident.

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 24 of Chapter 90 of the General Laws is hereby amended by
2 deleting the word “register” as it appears in the subsection 2(a), and inserting the word
3 “registration” in place thereof.

4 SECTION 2. Section 24 of Chapter 90 of the General Laws is hereby amended by
5 inserting the following language at the end of subsection 2(a½)(1): “Any police officer who has
6 probable cause to believe that an operator is committing or has committed such aforementioned
7 violation may be arrested without a warrant.”

8 SECTION 3. Section 21 of Chapter 90 of the General Laws is hereby amended by
9 deleting the second paragraph in its entirety and in place thereof, inserting the following:

10 “Any officer authorized to make arrests, provided such officer is in uniform or
11 conspicuously displaying his badge of office, may arrest without a warrant and keep in custody
12 for not more than twenty-four hours, unless Saturday, Sunday or legal holiday intervenes, any
13 person, regardless of whether or not such person has in his possession a license to operate motor
14 vehicles issued by the registrar, if such person upon any way or in any place to which the public
15 has the right of access, or upon any way or in any place to which members of the public have
16 access as invitees, operates a motor vehicle after his license or right to operate motor vehicles in
17 this state has been suspended or revoked by the registrar, or whoever upon any way or place to
18 which the public has the right of access, or upon any way or in any place to which members of
19 the public have access as invitees, or who the officer has probable cause to believe has operated
20 or is operating a motor vehicle while under the influence of intoxicating liquor, marihuana or
21 narcotic drugs, or depressant or stimulant substances, all as defined in section one of chapter
22 ninety-four C, or under the influence of the vapors of glue, carbon tetrachloride, acetone,
23 ethylene, dichloride, toluene, chloroform, xylene or any combination thereof, or whoever uses a
24 motor vehicle without authority knowing that such use is unauthorized, or any person who, while
25 operating or in charge of a motor vehicle, violates the provisions of section twenty-five of
26 chapter ninety, or whoever operates a motor vehicle upon any way or in any place to which
27 members of the public have a right of access as invitees or licensees whom the officer has
28 probable cause to believe has operated or is operating a motor vehicle without first stopping and
29 making known his name, residence and the registration number of his motor vehicle goes away
30 after knowingly colliding with or otherwise causing injury to any person or damage to property,
31 or whoever operates a motor vehicle recklessly or negligently so that the lives or safety of the
32 public might be endangered in violation of paragraph (a) of subdivision (2) of section 24 and by

- 33 such operation causes another person serious bodily injury as defined in section 24L, or whoever
- 34 commits motor vehicle homicide in violation of subsection (a) or (b) of section 24G.”