SENATE DOCKET, NO. 484 FILED ON: 2/1/2021

SENATE . . . . . No. 2348

The Commonwealth of Massachusetts

PRESENTED BY:

Jason M. Lewis

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 to strengthen the review process for a medically conditioned license to operate a motor vehicle.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Jason M. Lewis	*Fifth Middlesex*

SENATE DOCKET, NO. 484 FILED ON: 2/1/2021

SENATE . . . . . No. 2348

By Mr. Lewis, a petition (accompanied by bill, Senate, No. 2348) of Jason M. Lewis for legislation to strengthen the review process for a medically conditioned license to operate a motor vehicle. Transportation.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *2112* OF 2019-2020.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act to strengthen the review process for a medically conditioned license to operate a motor vehicle.

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

SECTION 1. Section 8C of chapter 90 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by striking the section in its entirety and inserting in place thereof the following section:-

"Section 8C. There is hereby created in the registry a medical advisory board, consisting of the commissioner of the department of public health or his designee, who shall serve as chairman thereof, and fifteen members appointed by the registrar and approved by said commissioner, who shall be registered under the laws of the commonwealth as qualified physicians, optometrists or chiropractors, but not more than one of said appointees shall be a chiropractor and not more than one of said appointees shall be an optometrist. The members of

the said board except said commissioner, shall serve at the pleasure of the registrar. The registrar may refer to said board for advisory opinions on standards of fitness for applicants for learner's permits or licenses to operate motor vehicles, and, in addition, for advisory opinions on the applications of persons who apply for learner's permits or licenses to operate motor vehicles or whose right to operate has been suspended or revoked, or whenever the registrar has reason to believe that the operation of a motor vehicle by such persons upon any way or in any place to which members of the public have access as invitees or licensees would be a threat to the safety and the welfare of the public because of physical or mental disability. The board shall develop a more stringent review process for the review of applications submitted by operators who have had a license suspended or revoked due to the driver’s demonstrated inability to operate a vehicle because of an illness that requires ongoing monitoring and active management of the illness. This review shall examine closely the driving and criminal record of the applicant. The registrar, upon the recommendation of the board, shall either deny or conditionally approve the application. If the application is conditionally approved, the registrar shall condition the license with reasonable requirements that the operator demonstrate their continued ability to responsibly operate a motor vehicle through responsible management and treatment of their condition. Upon receipt of an application for a medical exemption for the benefit of the owner or operator of a motor vehicle whose vision is determined by the board to be light sensitive or photosensitive, said board shall grant an exemption indicating the need for special window treatment as a medical necessity. The board shall meet at the call of said commissioner at such times and places as he may select, but shall convene at the request of the registrar. Said commissioner shall provide such facilities as he may determine to be necessary or appropriate to the function of the

board. Each member of the board shall receive as compensation for his service thereon a sum not to exceed thirty-five dollars for each meeting he attends."