

HOUSE No. 1894

The Commonwealth of Massachusetts

PRESENTED BY:

Samantha Montaño

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 equity in traffic stops.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Samantha Montaño</i>	<i>15th Suffolk</i>	<i>1/17/2025</i>
<i>Danillo A. Sena</i>	<i>37th Middlesex</i>	<i>4/15/2025</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>1/6/2026</i>

HOUSE No. 1894

By Representative Montañó of Boston, a petition (accompanied by bill, House, No. 1894) of Samantha Montañó relative to evidence obtained during traffic stops in criminal proceedings. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act promoting equity in traffic stops.

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

1 The General Laws are hereby amended by inserting after section 20H of chapter 90 of the
2 General Laws the following section:-

3 Section 20I.

4 (a) Evidence obtained during a traffic stop shall be inadmissible in any criminal
5 proceeding if the evidence is unrelated to the traffic violation that was the basis for the stop,
6 unless the officer had reasonable suspicion or probable cause to believe that the operator or
7 passenger of the vehicle was engaged in an act that constitutes a felony or a misdemeanor prior
8 to initiating the stop.

9 (b) In any motion to suppress evidence under this section, the burden shall be on the
10 commonwealth to prove by a preponderance of the evidence that reasonable suspicion or
11 probable cause of criminal activity existed prior to the initiation of the traffic stop.

12 (c) Nothing in this section shall be construed to limit the authority of law enforcement to
13 enforce the traffic laws of the commonwealth. Law enforcement officers may issue citations,
14 warnings, or make arrests for violations of traffic laws; provided, however, that such
15 enforcement shall not serve as a pretext for investigating unrelated criminal activity.

16 (d) (1) Any evidence obtained in violation of this section shall be suppressed and shall
17 not be admissible in any criminal proceeding in the courts of the commonwealth.

18 (2) Any individual subjected to a traffic stop in violation of this section may pursue all
19 civil remedies available under state or federal law, including but not limited to claims for
20 injunctive relief or monetary damages.