

**HOUSE . . . . . No. 3662****The Commonwealth of Massachusetts**

PRESENTED BY:

***Brandy Fluker-Reid***

*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 increase opportunity by ending debt-based driving restrictions.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Brandy Fluker-Reid</i>	<i>12th Suffolk</i>	<i>1/16/2025</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/6/2025</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>	<i>2/6/2025</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>2/6/2025</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>2/6/2025</i>
<i>Erika Uyterhoeven</i>	<i>27th Middlesex</i>	<i>2/6/2025</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Worcester and Middlesex</i>	<i>2/6/2025</i>
<i>Danillo A. Sena</i>	<i>37th Middlesex</i>	<i>2/6/2025</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>	<i>2/6/2025</i>
<i>Samantha Montaño</i>	<i>15th Suffolk</i>	<i>2/6/2025</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>2/10/2025</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/12/2025</i>
<i>Jennifer Balinsky Armini</i>	<i>8th Essex</i>	<i>2/12/2025</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>2/12/2025</i>
<i>James C. Arena-DeRosa</i>	<i>8th Middlesex</i>	<i>2/12/2025</i>
<i>Steven Owens</i>	<i>29th Middlesex</i>	<i>2/19/2025</i>
<i>Carlos González</i>	<i>10th Hampden</i>	<i>2/19/2025</i>
<i>Antonio F. D. Cabral</i>	<i>13th Bristol</i>	<i>3/6/2025</i>

<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>	<i>3/11/2025</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>	<i>3/18/2025</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>	<i>3/18/2025</i>
<i>Adrian C. Madaro</i>	<i>1st Suffolk</i>	<i>3/18/2025</i>
<i>Marcus S. Vaughn</i>	<i>9th Norfolk</i>	<i>4/1/2025</i>
<i>Michael P. Kushmerek</i>	<i>3rd Worcester</i>	<i>4/1/2025</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>	<i>4/1/2025</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>4/1/2025</i>
<i>Rob Consalvo</i>	<i>14th Suffolk</i>	<i>4/8/2025</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>4/8/2025</i>
<i>John Francis Moran</i>	<i>9th Suffolk</i>	<i>4/9/2025</i>
<i>Homar Gómez</i>	<i>2nd Hampshire</i>	<i>4/16/2025</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>4/16/2025</i>
<i>Tackey Chan</i>	<i>2nd Norfolk</i>	<i>4/16/2025</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>5/21/2025</i>
<i>Margaret R. Scarsdale</i>	<i>1st Middlesex</i>	<i>5/21/2025</i>
<i>Thomas W. Moakley</i>	<i>Barnstable, Dukes and Nantucket</i>	<i>5/29/2025</i>
<i>Patricia A. Duffy</i>	<i>5th Hampden</i>	<i>6/3/2025</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>6/13/2025</i>
<i>Amy Mah Sangiolo</i>	<i>11th Middlesex</i>	<i>6/13/2025</i>
<i>Daniel M. Donahue</i>	<i>16th Worcester</i>	<i>9/2/2025</i>
<i>Tara T. Hong</i>	<i>18th Middlesex</i>	<i>9/2/2025</i>
<i>Michelle L. Badger</i>	<i>1st Plymouth</i>	<i>9/2/2025</i>
<i>Kristin E. Kassner</i>	<i>2nd Essex</i>	<i>11/3/2025</i>
<i>Hannah Bowen</i>	<i>6th Essex</i>	<i>11/3/2025</i>

# HOUSE . . . . . No. 3662

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By Representative Fluker-Reid of Boston, a petition (accompanied by bill, House, No. 3662) of Brandy Fluker-Reid and others relative providing notices and taking certain other actions to reduce debt-based driving restrictions. Transportation.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 3314 OF 2023-2024.]

## The Commonwealth of Massachusetts

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

An Act to increase opportunity by ending debt-based driving restrictions.

*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 2A of chapter 60A of the General Laws, as appearing in the 2022  
2   Official Edition, is hereby amended by striking out, in lines 31 – 32, the words “the license to  
3   operate a motor vehicle of the registered owner of said vehicle or”.

4           SECTION 2. Section 47B of chapter 62C of the General Laws is hereby repealed.

5           SECTION 3. Section 22G of chapter 90 of the General Laws is hereby repealed.

6           SECTION 4. Section 23 of said chapter 90, as appearing in the 2022 Official Edition is  
7   hereby amended by striking the first two paragraphs and inserting in place thereof the following  
8   paragraphs:-

Any person convicted of operating a motor vehicle after their license to operate has been suspended or revoked, or after notice of the suspension or revocation of their right to operate a motor vehicle without a license has been issued by the registrar and received by such person or by their agent or employer, and prior to the restoration of such license or right to operate or to the issuance to them of a new license to operate, and any person convicted of operating or causing or permitting any other person to operate a motor vehicle after the certificate of registration for such vehicle has been suspended or revoked and prior to the restoration of such registration or to the issuance of a new certificate of registration for such vehicle, or whoever exhibits to an officer authorized to make arrests, when requested by said officer to show their license, a license issued to another person with intent to conceal their identity, shall, except as provided by section 28 of chapter 266, be punished by a fine of not more than \$500, and any person who attaches or permits to be attached to a motor vehicle or trailer a number plate assigned to another motor vehicle or trailer, or who obscures or permits to be obscured the figures on any number plate attached to any motor vehicle or trailer, or who fails to display on a motor vehicle or trailer the number plate and the register number duly issued therefor, with intent to conceal the identity of such motor vehicle or trailer, shall be punished by a fine of not more than \$100. Any person convicted of operating a motor vehicle after their license to operate has been revoked by reason of their having been found to be an habitual traffic offender, as provided in section 22F, or after notice of such revocation of their right to operate a motor vehicle without a license has been issued by the registrar and received by such person or by their agent or employer, and prior to the restoration of such license or right to operate or the issuance to them of a new license to operate shall be punished by a fine of not less than \$500 nor more than \$5,000 or by imprisonment for

not more than two years, or both. In no case shall a person be prosecuted for operating after suspension or revocation of a license upon a failure to pay an administrative reinstatement fee.

Notwithstanding the preceding paragraph or any other general or special law to the contrary, whoever has been found responsible for or convicted of, or against whom a finding of delinquency or a finding of sufficient facts to support a conviction has been rendered on, a complaint charging a violation of operating a motor vehicle after their license to operate has been suspended or revoked, or after notice of the suspension or revocation of their right to operate a motor vehicle without a license has been issued by the registrar and received by such person or by their agent or employer, and prior to the restoration of such license or right to operate or to the issuance to them of a new license to operate shall be punished by a fine of not more than \$500.

This paragraph shall not apply to any person who is charged with operating a motor vehicle after their license to operate has been suspended or revoked pursuant to a violation of paragraph (a) of

subdivision (1) of section 24, or section 24D, 24E, 24G, 24L or 24N, of this chapter, subsection (a) of section 8 or section 8A or 8B of chapter 90B, section 8, 9 or 11 of chapter 90F or after notice of such suspension or revocation of their right to operate a motor vehicle without a license has been issued and received by such person or by their agent or employer, and prior to the restoration of such license or right to operate or the issuance to them of a new license or right to operate because of any such violation.

SECTION 5. Said section 23 of said chapter 90, as so appearing, is hereby further amended by striking out the sixth and seventh paragraphs.

SECTION 6. Section 26A of said chapter 90, as so appearing, is hereby amended by striking out the last sentence of paragraph (a).

SECTION 7. Section 33 of said chapter 90, as so appearing, is hereby amended by inserting at the end of paragraph 38, the following paragraph:-

(39) For the renewal or reinstatement of any license to operate a motor vehicle, an applicant may request a reduction or waiver of any unpaid fees or fines, or request a noncriminal hearing to determine eligibility for a reduction or waiver of such fees or fines based on financial hardship as determined by section 3 of chapter 90C.

SECTION 8. Section 34J of said chapter 90, as so appearing, is hereby amended by striking out the third paragraph and inserting in place thereof the following paragraph:-

Any person who is convicted of, or who enters a plea of guilty to a violation of this section shall be liable to the plan organized pursuant to section 113H of chapter 175 in the amount of the

greater of \$500 or one year's premium for compulsory motor vehicle insurance for the highest rated territory and class or risk in effect at the time of the commission of the offense. Said liability shall be in addition to all other liabilities imposed on the person so convicted or so pleading whether civil or criminal. The said plan shall apply any sums collected hereunder, to defray its costs of collection and to defray in whole or in part its expenses for preventing fraud and arson. Furthermore, any person who is convicted of, or enters a plea of guilty to a violation of this section shall have their motor vehicle registration suspended upon the registrar's receipt of notification from the clerk of any court which enters any conviction hereunder or which accepts such plea of guilty until said person provides the registrar with proof of a motor vehicle liability policy in accordance with the provisions of this chapter. The clerk of any court which enters any conviction hereunder or which accepts such plea shall promptly notify the registrar of motor

vehicles and the Commonwealth Auto Reinsurers pursuant to section 113 of chapter 175 or any successor thereto of such entry of acceptance of such plea.

SECTION 9. Section 3 of said chapter 90C, as so appearing, is hereby amended by inserting in the second paragraph after the words “contest responsibility for the infraction,”, in lines 11-12, the following words:-

or request an assessment reduction or waiver based on financial hardship

SECTION 10. Section 3 of said chapter 90C, as so appearing, is hereby further amended by adding after paragraph (A)(3) the following paragraphs:-

To facilitate efficient payment of citations under this section, the Registry of Motor Vehicles shall electronically notify any driver who has an unpaid assessment on the following schedule:

not less than one week after the citation is issued, seven days before the assessment becomes due, and on the date the assessment is due. The notice shall be sent by text message and electronic mail to any phone number and email address provided by the driver of the vehicle.

Said notice shall include the amount of the assessment, the date due for payment, instructions on how to pay the assessment, and information regarding the right to request a noncriminal hearing to contest responsibility or request a reduction or waiver of the assessment based on financial hardship.

SECTION 11. Section 3 of said chapter 90C, as so appearing, is hereby further amended by striking out the first sentence of (A)(4) and inserting in place thereof the following:

(4) An individual may request an assessment reduction or waiver or contest responsibility for the infraction by making a signed request for a noncriminal hearing on the citation and mailing such citation, together with a \$25 court filing fee, to the registrar at the address indicated on the citation within 20 days of the citation. If the individual requests an assessment reduction or waiver, the court filing fee shall be waived, unless the assessment reduction or waiver is denied.

SECTION 12. Section 3 of said chapter 90C, as so appearing, is hereby further amended by inserting at the end of the second paragraph of (A)(4) the following sentence:-

This paragraph shall not apply to an individual requesting an assessment reduction or waiver.

SECTION 13. Section 3 of said chapter 90C, as so appearing, is hereby further amended by inserting in the eighth paragraph of (A)(4) after the words “imposed assessment” the following words:-

or the individual requests an assessment reduction or waiver

SECTION 14. Section 3 of said chapter 90C, as so appearing, is hereby further amended by inserting at the end of (A)(4) the following paragraphs:

In any case where an individual owes an assessment or is facing suspension, non-renewal, or revocation penalties for failure to pay an unpaid fee, fine, assessment or judgment, such individual may request (i) a noncriminal hearing at any time to determine a reduction or waiver of such assessment and any associated fines or fees, including but not limited to



administrative and late fees, owed to the registry of motor vehicles or other agent of the commonwealth, and (ii) a removal of any non-renewal penalties otherwise required by law.

If the individual is a recipient of any needs-based public assistance or the individual's income and assets are exempt pursuant to section 34 of chapter 235, all fees, including but not limited to administrative and late fees, and any remaining assessment owed to the registry of motor vehicles or other agent of the commonwealth, shall be waived.

If the individual is not a recipient of any needs-based public assistance and the individual's income and assets are not exempt pursuant to section 34 of chapter 235, then any fees, including but not limited to administrative and late fees, and any remaining assessment owed to the registry of motor vehicles or other agent of the commonwealth, may be reduced or waived if the magistrate or justice determines that payment of the foregoing will cause financial hardship to the individual or the family or dependents thereof.

To ensure debt that has been sold to a debt collector can be waived or reduced in accordance with the procedures set forth above, any contract between the registry of motor vehicles or other

agent of the commonwealth and a debt collector must provide that the debt is returnable to or recallable by the registry of motor vehicles or other agent of the commonwealth. The debt shall be returned or recalled upon an individual's request for a noncriminal hearing as described in this section.

SECTION 15. Section 3 of said chapter 90C, as so appearing, is hereby further amended by striking (A)(6)(a)(ii) and inserting in place thereof the following paragraphs:-

(ii) fails to appear for a noncriminal hearing before a magistrate or a justice at the time required after having been given notice of such hearing either personally or by first class mail directed to such individual's mail address as reported to the registrar and after notice of such failure has been given to the registrar by the clerk-magistrate, the registrar shall notify such individual by first class mail directed to such individual's mail address that unless and until the individual appears for a noncriminal hearing before a magistrate or justice or pays to the registrar the full amount of the scheduled or imposed assessments for such civil motor vehicle infractions, plus any late fees or other administrative fees provided for by law or regulation:

(AA) in the case of an operator violation, any license to operate a motor vehicle issued to such individual by the registrar will not be renewed upon or after the expiration date of such license; or

(BB) in the case of an owner violation, any registration of a motor vehicle issued to such individual by the registrar will not be renewed upon or after the expiration date of such registration.

Unless such notice is sooner canceled by the registrar, in the case of an operator violation, such individual's operators license, learners permit or right to operate, or in the case of an owner violation any registration of a motor vehicle issued to such individual by the registrar, shall be renewed by the registrar upon payment of the scheduled or imposed assessments for such civil motor vehicle infractions, plus any late fees or other administrative fees which the registrar is required or authorized by law or regulation to impose, unless such fees are waived in whole or in part by the registrar or a magistrate or justice.

The registrar shall waive all unpaid fines or fees, including late fees and administrative fees, and reinstatement fees, for any individual who is a recipient of any needs-based public assistance or whose income and assets are exempt pursuant to 34 of chapter 235.

SECTION 16. Section 3 of said chapter 90C, as so appearing, is hereby further amended by striking out paragraph (A)(6)(b).

SECTION 17. Said section 3 of said chapter 90C, as so appearing, is hereby further amended by striking out the paragraph after (B)(3)(c) and inserting in place thereof the following paragraph:-

Upon receipt of such notice, the registrar shall send a notice to the individual's mail address or last known address notifying the individual that said individual may not renew, apply for or receive any operators license, learners permit, certificate of registration or title, number plate, sticker, decal or other item issued by the registrar unless and until the individual presents the registrar with a certificate of the clerk-magistrate of the court that the matter has been fully disposed of in accordance with law or, in the case of a matter still pending before the court, that the individual is attending to the matter to the satisfaction of the court. The court shall not

unreasonably withhold such certificate. The registrar shall cancel such revocation, and so notify the court, if satisfied that it resulted through error of the registrar or the court.

SECTION 18. Section 2A of chapter 211D, as so appearing, is hereby amended by striking out the last sentence of paragraph (h).

SECTION 19. Notwithstanding any general or special law to the contrary, within three months of the effective date of this act the registrar of motor vehicles shall reinstate all licenses,

178 privileges to operate a motor vehicle and registrations suspended or revoked based upon  
179 penalties pursuant to: section 2A of chapter 60A; section 47B of chapter 62C; sections 20A,  
180 22G, 26A, and 34J of chapter 90; section 3 of chapter 90C; or section 2A of chapter 211D.

181         Within three months of the effective date of this act the registrar of motor vehicles shall  
182 reinstate all licenses, privileges to operate a motor vehicle and registrations suspended or  
183 revoked based upon debt owed to any debt collector to whom debt arising from said penalties has  
184 been sold.

185         The registrar shall notify such persons by first class mail directed to such person's mail  
186 address of the reinstatement of their license, privileges to operate a motor vehicle and  
187 registration, along with an account of any unpaid assessments, instructions on how to pay such  
188 assessments, and information regarding the right to request a noncriminal hearing to contest  
189 responsibility or request a reduction or waiver of assessments based on financial hardship.

190         The registrar may not suspend, revoke or condition renewal or reinstatement of any  
191 license, motor vehicle registration or privilege to operate a motor vehicle based upon debt that is  
192 owned by a debt collector.