

HOUSE No.

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>

HOUSE No.

[Pin Slip]

[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 Section 47B of chapter 62C of the General Laws is hereby repealed.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 Section 22G of chapter 90 of the General Laws is hereby repealed.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:-

9 Any person convicted of operating a motor vehicle after their license to operate has been
10 suspended or revoked, or after notice of the suspension or revocation of their right to operate a

11 motor vehicle without a license has been issued by the registrar and received by such person or
12 by their agent or employer, and prior to the restoration of such license or right to operate or to the
13 issuance to them of a new license to operate, and any person convicted of operating or causing or
14 permitting any other person to operate a motor vehicle after the certificate of registration for such
15 vehicle has been suspended or revoked and prior to the restoration of such registration or to the
16 issuance of a new certificate of registration for such vehicle, or whoever exhibits to an officer
17 authorized to make arrests, when requested by said officer to show their license, a license issued
18 to another person with intent to conceal their identity, shall, except as provided by section 28 of
19 chapter 266, be punished by a fine of not more than \$500, and any person who attaches or
20 permits to be attached to a motor vehicle or trailer a number plate assigned to another motor
21 vehicle or trailer, or who obscures or permits to be obscured the figures on any number
22 plate attached to any motor vehicle or trailer, or who fails to display on a motor vehicle or trailer
23 the number plate and the register number duly issued therefor, with intent to conceal the identity
24 of such motor vehicle or trailer, shall be punished by a fine of not more than \$100. Any person
25 convicted of operating a motor vehicle after their license to operate has been revoked by reason
26 of their having been found to be an habitual traffic offender, as provided in section 22F, or after
27 notice of such revocation of their right to operate a motor vehicle without a license has been
28 issued by the registrar and received by such person or by their agent or employer, and prior to the
29 restoration of such license or right to operate or the issuance to them of a new license to operate
30 shall be punished by a fine of not less than \$500 nor more than \$5,000 or by imprisonment for
31 not more than two years, or both. In no case shall a person be prosecuted for operating after
32 suspension or revocation of a license upon a failure to pay an administrative reinstatement fee.

33 Notwithstanding the preceding paragraph or any other general or special law to the
34 contrary, whoever has been found responsible for or convicted of, or against whom a finding of
35 delinquency or a finding of sufficient facts to support a conviction has been rendered on, a
36 complaint charging a violation of operating a motor vehicle after their license to operate has been
37 suspended or revoked, or after notice of the suspension or revocation of their right to operate a
38 motor vehicle without a license has been issued by the registrar and received by such person or
39 by their agent or employer, and prior to the restoration of such license or right to operate or to the
40 issuance to them of a new license to operate shall be punished by a fine of not more than \$500.
41 This paragraph shall not apply to any person who is charged with operating a motor vehicle after
42 their license to operate has been suspended or revoked pursuant to a violation of paragraph (a) of
43 subdivision (1) of section 24, or section 24D, 24E, 24G, 24L or 24N, of this chapter,
44 subsection (a) of section 8 or section 8A or 8B of chapter 90B, section 8, 9 or 11 of chapter 90F
45 or after notice of such suspension or revocation of their right to operate a motor vehicle without a
46 license has been issued and received by such person or by their agent or employer, and prior to
47 the restoration of such license or right to operate or the issuance to them of a new license or right
48 to operate because of any such violation.

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

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

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

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

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

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

64 greater of \$500 or one year's premium for compulsory motor vehicle insurance for the
65 highest rated territory and class or risk in effect at the time of the commission of the offense.

66 Said liability shall be in addition to all other liabilities imposed on the person so convicted or so
67 pleading whether civil or criminal. The said plan shall apply any sums collected hereunder, to

68 defray its costs of collection and to defray in whole or in part its expenses for preventing fraud
69 and arson. Furthermore, any person who is convicted of, or enters a plea of guilty to a violation

70 of this section shall have their motor vehicle registration suspended upon the registrar's receipt of
71 notification from the clerk of any court which enters any conviction hereunder or which accepts

72 such plea of guilty until said person provides the registrar with proof of a motor vehicle liability
73 policy in accordance with the provisions of this chapter. The clerk of any court which enters any

74 conviction hereunder or which accepts such plea shall promptly notify the registrar of motor
75 vehicles and the Commonwealth Auto Reinsurers pursuant to section 113 of chapter 175 or any

76 successor thereto of such entry of acceptance of such plea.

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

80 or request an assessment reduction or waiver based on financial hardship

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

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

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

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

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

95 (4) An individual may request an assessment reduction or waiver or contest responsibility
96 for the infraction by making a signed request for a noncriminal hearing on the citation and
97 mailing such citation, together with a \$25 court filing fee, to the registrar at the address indicated

98 on the citation within 20 days of the citation. If the individual requests an assessment reduction
99 or waiver, the court filing fee shall be waived, unless the assessment reduction or waiver is
100 denied.

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

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

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

108 or the individual requests an assessment reduction or waiver

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

111 In any case where an individual owes an assessment or is facing suspension, non-
112 renewal, or revocation penalties for failure to pay an unpaid fee, fine, assessment or judgment,
113 such individual may request (i) a noncriminal hearing at any time to determine a reduction or
114 waiver of such assessment and any associated fines or fees, including but not limited to
115 administrative and late fees, owed to the registry of motor vehicles or other agent of the
116 commonwealth, and (ii) a removal of any non-renewal penalties otherwise required by law.

117 If the individual is a recipient of any needs-based public assistance or the individual’s
118 income and assets are exempt pursuant to section 34 of chapter 235, all fees, including but not

119 limited to administrative and late fees, and any remaining assessment owed to the registry of
120 motor vehicles or other agent of the commonwealth, shall be waived.

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

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

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

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

136 (ii) fails to appear for a noncriminal hearing before a magistrate or a justice at the time
137 required after having been given notice of such hearing either personally or by first class mail
138 directed to such individual's mail address as reported to the registrar and after notice of such
139 failure has been given to the registrar by the clerk-magistrate, the registrar shall notify such
140 individual by first class mail directed to such individual's mail address that unless and until the

141 individual appears for a noncriminal hearing before a magistrate or justice or pays to the registrar
142 the full amount of the scheduled or imposed assessments for such civil motor vehicle infractions,
143 plus any late fees or other administrative fees provided for by law or regulation:

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

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

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

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

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

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

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

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

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

176 SECTION 19. Notwithstanding any general or special law to the contrary, within three
177 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.