

HOUSE No. 1532

The Commonwealth of Massachusetts

PRESENTED BY:

Alice Hanlon Peisch

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 improving apprehension of drunk drivers and other law violators.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>
<i>John H. Rogers</i>	<i>12th Norfolk</i>
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>
<i>Mark J. Cusack</i>	<i>5th Norfolk</i>
<i>Ann-Margaret Ferrante</i>	<i>5th Essex</i>
<i>John W. Scibak</i>	<i>2nd Hampshire</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>
<i>Geoff Diehl</i>	<i>7th Plymouth</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>James M. Cantwell</i>	<i>4th Plymouth</i>
<i>Jeffrey N. Roy</i>	<i>10th Norfolk</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>
<i>Shaunna L. O'Connell</i>	<i>3rd Bristol</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>

<i>Paul Brodeur</i>	<i>32nd Middlesex</i>
<i>Angelo L. D'Emilia</i>	<i>8th Plymouth</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>
<i>Paul Tucker</i>	<i>7th Essex</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>

HOUSE No. 1532

By Ms. Peisch of Wellesley, a petition (accompanied by bill, House, No. 1532) of Alice Hanlon Peisch and others relative to improving the apprehension of drunk drivers and other law violators. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1549 OF 2013-2014.]

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act improving apprehension of drunk drivers and other law violators.

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 98A of chapter 41 of the General Laws, as appearing in the 2012
2 Official Edition, is hereby amended by striking out said section and inserting in place thereof the
3 following section:

4 Section 98A. A police officer of a city or town may stop a person or vehicle in a city or
5 town that border's the officer's city or town if the officer has reason to believe that the person or
6 vehicle recently traveled through his or her city or town under circumstances where the officer
7 would have had the authority to stop the person or vehicle for the purpose of making an arrest,
8 placing an operator in protective custody, issuing a citation or taking any other enforcement
9 action. Said officer may return any person so arrested or placed in protective custody to the
10 jurisdiction wherein said offense was committed or other condition or violation was observed.

11 No criminal case shall be dismissed, and no evidence in a criminal case shall be suppressed,
12 based on the fact that a stop of a person or motor vehicle did not comport with this section.
13 Nothing contained in this section shall be construed as limiting the powers of a police officer to
14 make arrests and in so far as possible this section shall be deemed to be declaratory of the
15 common law of the commonwealth.