

**HOUSE . . . . . No. 04146**

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The Commonwealth of Massachusetts

PRESENTED BY:

*Geoff Diehl*

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 passage of the accompanying bill:

An Act to insure benefits through enhanced Selective Service registration.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Geoff Diehl</i>	<i>7th Plymouth</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>
<i>Richard Bastien</i>	<i>2nd Worcester</i>
<i>Nicholas A. Boldyga</i>	<i>3rd Hampden</i>
<i>Timothy R. Madden</i>	<i>Barnstable, Dukes and Nantucket</i>
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>
<i>George T. Ross</i>	<i>2nd Bristol</i>

# HOUSE . . . . . No. 04146

By Mr. Diehl of Whitman, a petition (subject to Joint Rule 12) of Geoff Diehl and others for legislation to authorize the Registry of Motor Vehicles to register eighteen year old male applicants for military selective service. Transportation.

## The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act to insure benefits through enhanced Selective Service registration.

*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. Chapter 90 of the General Laws, as appearing in the 2010 Official Edition, is  
2 hereby amended by inserting after section 8M the following section:-
- 3 Section 8N. (a) A male applicant who applies for an operator’s license, learner’s permit,  
4 identification card or a renewal of any such permit or license and who is at least 18 years of age  
5 but less than 26 years of age authorizes the registrar to register the applicant with the Selective  
6 Service System in compliance with section 3 of the Military Selective Service Act through the  
7 applicant’s signature on the application unless the applicant indicates otherwise as described in  
8 subsection (b).
- 9 (b) The registrar shall give notice to any male applicant who is at least 16 years of age but less  
10 than 26 years of age that the applicant has a duty under federal law to register with the Selective  
11 Service System at age 18. If the applicant has not registered within 30 days after reaching 18

12 years of age, he shall be informed that he still has an affirmative obligation under federal law to  
13 register with the Selective Service System before reaching 26 years of age. The registrar shall  
14 also notify the applicant that his signature on an application for any such license, permit,  
15 identification card or renewal shall constitute consent to authorize the registrar to forward the  
16 applicant's information to the Selective Service System, registering the applicant with the  
17 Selective Service System unless the applicant declines to give such consent by signing a  
18 statement so stating on the application.

19 (c) If the applicant is at least 16 years of age but less than 18 years of age the registrar shall  
20 notify the applicant that his signature on an application for any such license, permit,  
21 identification card or renewal shall constitute consent authorizing the applicant to be registered  
22 upon attaining 18 years of age as required by federal law.

23 (d) The registrar shall notify the applicant that a refusal to grant such consent shall not be  
24 grounds for denial of driving privileges nor shall it be a basis for the registrar to discriminate  
25 against the applicant, and that the opportunity to give such consent to the registrar is provided  
26 only for the convenience of the applicant. This notice shall be made both verbally and through a  
27 written document available in English, Spanish and such other languages as the registrar  
28 determines. If the applicant grants that authority, the registrar shall forward to the Selective  
29 Service System, in an electronic format, no sooner than the applicant's eighteenth birthday, only  
30 the information necessary for registration of the applicant.

31 (e) Failure to grant such authority as provided in this section shall not be a basis for the registrar  
32 or any other related government agency to discriminate against the applicant, including but not  
33 limited to the denial of driving privileges.

34 (f) The registrar shall not distribute or make available to any person or governmental agency in  
35 any way any list of those applicants who declined to grant the registrar authority to forward their  
36 information to the Selective Service System. The registrar shall not compile, develop or  
37 maintain any such list unless it is necessary for the administration and operation of the registry,  
38 and such list shall not be given to any other governmental or non-governmental agency. The  
39 registrar shall not distribute or make available to any person or governmental agency any list of  
40 those applicants who did grant the registrar authority to forward their information to the  
41 Selective Service System except as otherwise authorized by this section.

42 SECTION 2. Chapter 90F of the General Laws, as appearing in the 2010 Official Edition, is  
43 hereby amended by inserting after section 16 the following section:-

44 Section 17. (a) A male applicant who applies for a commercial driver license or a renewal of  
45 that license and who is at least 18 years of age but less than 26 years of age authorizes the  
46 registrar to register the applicant with the Selective Service System in compliance with section 3  
47 of the Military Selective Service Act through the applicant's signature on the application unless  
48 the applicant indicates otherwise as described in subsection (b).

49 (b) The registrar shall give notice to any male applicant who is at least 18 years of age but less  
50 than 26 years of age that the applicant has a duty under federal law to register with the Selective  
51 Service System at age 18. If the applicant has not registered within 30 days after reaching 18  
52 years of age, he shall be informed that he still has an affirmative obligation under federal law to  
53 register with the Selective Service System before reaching 26 years of age. The registrar shall  
54 also notify the applicant that his signature on an application for any such license or renewal shall  
55 constitute consent to authorize the registrar to forward the applicant's information to the

56 Selective Service System to register the applicant with the Selective Service System unless the  
57 applicant declines to give such consent by signing a statement so stating on the application. The  
58 registrar shall notify the applicant that a refusal to grant such consent shall not be grounds for  
59 denial of driving privileges nor shall it be a basis for the registrar to discriminate against the  
60 applicant, and that the opportunity to give such consent to the registrar is provided only for the  
61 convenience of the applicant. This notice shall be made both verbally and through a written  
62 document available in English, Spanish and such other languages as the registrar determines. If  
63 the applicant grants that authority, the registrar shall forward to the Selective Service System, in  
64 an electronic format, no sooner than the applicant's eighteenth birthday, only the information  
65 necessary for registration of the applicant.

66 (c) Failure to grant such authority as provided in this section shall not be a basis for the registrar  
67 or any other related government agency to discriminate against the applicant, including but not  
68 limited to the denial of driving privileges.

69 (d) The registrar shall not distribute or make available to any person or governmental agency in  
70 any way any list of those applicants who declined to grant the registrar authority to forward their  
71 information to the Selective Service System. The registrar shall not compile, develop or  
72 maintain any such list unless it is necessary for the administration and operation of the registry,  
73 and such list shall not be given to any other governmental or non-governmental agency. The  
74 registrar shall not distribute or make available to any person or governmental agency any list of  
75 those applicants who did grant the registrar authority to forward their information to the  
76 Selective Service System except as otherwise authorized by this section.

77 SECTION 3. Implementation of this act shall be contingent on the receipt by the registrar of  
78 motor vehicles of sufficient federal funds to pay a reasonable portion of the initial start-up costs  
79 for computer programming changes necessary to implement the requirements of this section  
80 related to the reporting of information to the Selective Service Administration. The registrar  
81 shall initiate and monitor efforts to obtain federal funds for the purposes stated in this act and  
82 shall report promptly to the joint committee on public safety and the house and senate  
83 committees on ways and means when federal funds have been received by the department.