

HOUSE No. 3861

The Commonwealth of Massachusetts

PRESENTED BY:

Manny Cruz

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 relative to junior operators.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Manny Cruz</i>	<i>7th Essex</i>	<i>1/20/2023</i>

HOUSE No. 3861

By Representative Cruz of Salem, a petition (accompanied by bill, House, No. 3861) of Manny Cruz for legislation to establish a junior operator’s license fund to be administered by the Registrar of Motor Vehicles. Transportation.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to junior operators.

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 29 of the General Laws is hereby amended by inserting after
2 section 2AAAAAA the following section:-

3 Section 2BBBBBB. (a) There shall be established and set upon the books of the
4 commonwealth a separate fund to be known as the Junior Operator’s License Fund. The fund
5 shall be administered by the registrar of motor vehicles.

6 (b) The fund shall be credited with: (i) revenue from appropriations and other money
7 authorized by the general court and specifically designated to be credited to the fund; (ii) funds
8 from public and private sources such as gifts, grants and donations; and (iii) interest earned on
9 money in the fund. The fund shall not be subject to section 5C of chapter 29 and shall be subject
10 to appropriation.

11 (c)(1) The fund shall be used to provide financial assistance to persons from
12 disadvantaged backgrounds seeking a junior operator’s license by providing grants to reduce or

13 eliminate the cost of a driver education and training course required pursuant to section 8 of
14 chapter 90.

15 (2) Students shall be eligible to receive financial assistance from the fund if the student or
16 the student's household is eligible for any 1 of the following 5 programs: (i) free or reduced
17 lunch pursuant to the federal school lunch program; (ii) MassHealth; (iii) the supplemental
18 nutrition assistance program; (iv) the federal program of temporary assistance for needy families;
19 and (v) the residential assistance for families in transition program.

20 (3) The registrar shall create an application form to be used for determining eligibility for
21 all persons seeking financial assistance from the fund.

22 (d) The registrar shall establish rules and regulations that are necessary to implement this
23 section.

24 SECTION 2. Section 8 of chapter 90 of the General Law is hereby amended by striking
25 out, in line 90, as appearing in the 2020 Official Edition, the words "6 months" and inserting in
26 place thereof the following words:- 90 days.

27 SECTION 3. Said chapter 90 is hereby further amended by inserting after section 8M the
28 following section:-

29 Section 8N. (a) Before enrolling a student in a driver education and training course, as
30 described in section 8, the provider of the course shall provide written notice to the student
31 identifying the requirements of the course and the amount of time needed to complete all
32 requirements of the course.

33 (b) The provider of a driver education and training course shall refund all payments made
34 by the student for the course if:

35 (1) either (i) the provider of the course fails to provide the notice required pursuant to
36 subsection (a), or (ii) the provider of the course fails to complete the course within the amount of
37 time specified in the notice made pursuant to subsection (a), unless failure to complete the course
38 was due to delays caused by the student; and

39 (2) the student's learner's permit issued under section 8B expires prior to the student's
40 completion of the course.

41 (c) The notice required by subsection (a) shall identify a student's right to a refund
42 pursuant to subsection (b).

43 (d) The registrar shall collect data on: (i) the number of annual enrollments in driver
44 education and training courses in the commonwealth; (ii) the number of people whose learner's
45 permit expired before obtaining a junior operator's license; (iii) if known, the reasons for a
46 learner's permit expiring before a person obtained their junior operator's license; and (iv) the
47 name and location of any person or entity providing a driver education and training course in the
48 commonwealth and the number of learner's permits that expired while applicants were enrolled
49 in their program.

50 (e) The registrar shall file an annual report on the data collected pursuant to subsection
51 (d) with the attorney general's office. The attorney general's office shall create an advisory board
52 to review the annual report and make recommendations to the registrar relative to the data.

53 (f) The attorney general’s office, in consultation with the registrar, shall establish a form
54 to be used for making a request for a refund pursuant to subsection (b). Students making a
55 request for a refund pursuant to said subsection (b) shall complete and submit the form
56 established pursuant to this subsection to: (i) the attorney general’s office; and (ii) the provider of
57 the education and training course.

58 (g) The attorney general’s office shall assess fines and civil penalties not more than
59 \$1,000 for any violation of subsection (a), (b) or (c).

60 (h) The attorney general’s office, in consultation with the registrar, shall make rules and
61 regulations to enforce this section.