

# HOUSE . . . . . No. 4088

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## The Commonwealth of Massachusetts

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The Committee of Conference on the disagreeing votes of the two branches with reference to the Senate further amendment of the Senate Bill relative to motor vehicle license suspension (Senate, No. 2021, amended), reports that the House recede from its non-concurrence with the Senate in its further amendment (striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2094) and concur therein with a still further amendment by striking all after the enacting clause and inserting in place thereof the text of House document numbered 4088; and that the Senate concur in the still further amendment. March 15, 2016.

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# HOUSE . . . . . No. 4088

The Committee of Conference on the disagreeing votes of the two branches with reference to the Senate further amendment of the Senate Bill relative to motor vehicle license suspension (Senate, No. 2021, amended), reports recommending that the House recede from its non-concurrence with the Senate in its further amendment (striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2094) and concur therein with the following still further amendment:

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In the Year Two Thousand Sixteen

By striking out all after the enacting clause and inserting in place thereof the following:

1           “SECTION 1. Section 22 of chapter 90 of the General Laws, as appearing in the 2014  
2 Official Edition, is hereby amended by striking out subsection (f).

3           SECTION 2. Said chapter 90 is hereby further amended by inserting after section 22 the  
4 following section:-

5           Section 22 ½. The registrar shall suspend, without a hearing, the license or right to  
6 operate of a person who is convicted of a violation of subsection (b), (c) or (c½) of section 32E  
7 of chapter 94C or adjudged a delinquent child by reason of having violated said subsection (b),  
8 (c) or (c½) of said section 32E of said chapter 94C; provided, however, that the period of such  
9 suspension shall not exceed 5 years from the date of conviction; and provided further, that the  
10 person may, after the completion of any time served, apply for and shall be granted a hearing  
11 before the registrar to request the issuance of a new license for employment or educational  
12 purposes or for any other hardship purpose for the balance of the license suspension. The  
13 registrar may issue such license under such terms or conditions as he or she may prescribe. If the  
14 registrar denies the applicant’s request for a hardship license, the registrar shall issue written  
15 findings supporting the denial.

16           SECTION 3. Section 30 of said chapter 90, as appearing in the 2014 Official Edition, is  
17 hereby amended by adding the following paragraph:-

18           Upon expiration of the term of suspension of driving privileges suspended under  
19 subsections (g), (h) or (i) of section 22 or under section 22½, the registrar shall shield from  
20 public access all records of the suspension and the underlying offense, including records of the  
21 expiration of the suspension, any hearings or appeals related to the suspension and the  
22 reinstatement following the suspension.

23           SECTION 4. Section 33 of said chapter 90, as so appearing, is hereby amended by  
24 striking out in line 231, the words ‘, (e) and (f)’ and inserting in place thereof the following  
25 words:- and (e).

26           SECTION 5. The registrar of motor vehicles shall issue, renew or reinstate the license or  
27 right to operate a motor vehicle, without fee, of any person whose license or right to operate a  
28 motor vehicle has been suspended under subsection (f) of section 22 of chapter 90 of the General  
29 Laws, if the person is otherwise entitled to such issuance, renewal or reinstatement.

30           SECTION 6. The registrar of motor vehicles shall shield from public access all records of  
31 the suspension of driving privileges issued under subsection (f) of section 22 of chapter 90 of the  
32 General Laws and all records of the underlying offense, including records of the expiration of the  
33 suspension, any hearings or appeals related to the suspension and the issuance, renewal or  
34 reinstatement.

35           SECTION 7. The registrar of motor vehicles shall issue a report on the implementation of  
36 this act. The report shall include, but not be limited to: (i) the number of license suspensions,  
37 hardship licenses applied for and hardship licenses issued under section 22½ of chapter 90 of the  
38 General Laws; (ii) the number of licenses reinstated as a result of section 5; (iii) the fiscal impact  
39 to the registry of motor vehicles; and (iv) any impediments to the implementation of sections 3, 5  
40 and 6. The registrar shall file a report with the clerks of the senate and house of representatives,  
41 the chairs of the house and senate committees on ways and means and the senate and house  
42 chairs of the joint committee on transportation not later than 1 year after implementation.

43           SECTION 8. Sections 3 and 6 shall take effect 6 months after the effective date of this  
44 act.”; and that the Senate concur in the still further amendment.