

HOUSE No. 00927

The Commonwealth of Massachusetts

PRESENTED BY:

Timothy R. Madden

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 relative to drivers education in public high schools.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Timothy R. Madden</i>	<i>Barnstable, Dukes and Nantucket</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>Cleon H. Turner</i>	<i>1st Barnstable</i>
<i>Daniel A. Wolf</i>	<i>Cape and Islands</i>

HOUSE No. 00927

By Mr. Timothy R. Madden of Nantucket, petition (accompanied by bill, House, No. 00927) of Timothy R. Madden and others relative to drivers education in public schools. Joint Committee on Transportation.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
□ SENATE
□ , NO. 1945 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to drivers education in public high schools.

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 10 of the general laws is hereby amended by adding the following
2 section:-
3 Section 75. There is hereby established on the books of the commonwealth a separate fund
4 known as the Young Driver Education Trust Fund. Said trust fund shall consist of monies paid to
5 the commonwealth pursuant to section 20 of chapter 90 requiring a 5 per cent surcharge on all
6 assessments for moving violations and any interest or investment earnings on such monies. The
7 state treasurer, ex officio, shall be the custodian of said trust fund and shall receive, deposit and
8 invest all monies transmitted to him under this section and shall credit interest and earnings on
9 the trust fund to the fund. Funds collected pursuant to said section 20 shall be expended without

10 further appropriation for the purpose of maintaining driver education courses in public schools
11 for high school students, as required by section 13D of chapter 71. In order to ensure that such
12 courses are continued without interruption, the comptroller may certify for payment amounts in
13 anticipation of revenues collected for the corresponding quarter during the previous fiscal year.

14 SECTION 2. Section 13D of chapter 71 of the general laws, as appearing in the 2006 Official
15 Edition, is hereby amended by striking out, in line 1, the word “may” and inserting in place
16 thereof the following word:-- shall.

17 SECTION 3. The first paragraph of section 20 of chapter 90 of the General Laws, as amended
18 by section 44 of chapter 182 of the acts of 2008, is hereby further amended by striking out, in
19 line 34, the words “and, provided further” and inserting in place thereof the following words:-
20 provided further.

21 SECTION 4. Said section 20 of said chapter 90, as so appearing, is hereby further amended by
22 striking out the word “dollars” and inserting in place thereof the following words:-- dollars;
23 provided further, that there shall be a surcharge of 5 per cent of the fine assessed against a
24 person who is convicted of or found responsible of any violation of this chapter which is a
25 moving violation for the purpose of determining surcharges on motor vehicle premiums pursuant
26 to section 113B of chapter 175, unless the court reduces or waives such surcharge upon a written
27 finding of fact that such surcharge would cause the person against whom the surcharge is
28 imposed severe financial hardship and such finding was made independently of a finding of
29 indigence for purposes of appointing counsel; and provided further, that monies accrued from
30 such 5 per cent surcharge shall be transferred by the registrar of motor vehicles to the state
31 treasurer for deposit into the Young Driver Education Trust Fund.

32 SECTION 5. This act shall be known as and may be cited as “David’s Law.”