

SENATE No. 1547

The Commonwealth of Massachusetts

PRESENTED BY:

Harriette L. Chandler

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 traffic stops and racial profiling.

PETITION OF:

NAME:

Harriette L. Chandler

DISTRICT/ADDRESS:

First Worcester

SENATE No. 1547

By Ms. Chandler, a petition (accompanied by bill, Senate, No. 1547) of Harriette L. Chandler for legislation relative to traffic stops and racial profiling. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to traffic stops and racial profiling.

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. (a) There shall be a Task Force on Traffic Stops and Racial Profiling.

2 (b) The task force shall consist of the following members or a designee: The House and

3 Senate Chairs of the Joint Committee on Public Safety and Homeland Security, who shall serve

4 as co-chairs, and members to be appointed by the co-chairs, 1 of whom shall be the Secretary of

5 the Executive Office of Public Safety and Security or their designee, 1 of whom shall be the

6 Secretary of the Massachusetts Department of Transportation or their designee, 1 of whom shall

7 be a police officer working for a municipality in the Commonwealth, 1 of whom shall be a police

8 office employed by the Massachusetts State Police, 1 of whom shall be the Colonel of the State

9 Police or their designee, 1 of whom shall be the President of the Massachusetts Association of

10 Minority Law Enforcement Officers, Inc. or their designee, 1 of whom shall be the executive

11 director of the American Civil Liberties Union or their designee, 1 of whom shall be the

12 President of the NAACP New England Area Conference (NEAC) or their designee, 1 of whom

13 shall represent academic institutions and have specific expertise in the area of law enforcement,

14 1 of whom shall represent academic institutions and have specific expertise in the area of racial
15 discrimination or profiling, 1 of whom shall be the executive director of Lawyers for Civil Rights
16 Boston or their designee, 1 of whom shall be the executive director of Livable Streets or their
17 designee, and 1 of whom shall be the executive director of AAA Northeast, or their designee.

18 (c) The task force shall:

19 (1) Compile demographic data on traffic stops and analyze demographic trends in
20 traffic enforcement, escalation, and resulting criminal penalties.

21 (2) Examine ways to reduce the occurrence of unequal enforcement of traffic
22 violations, including but not limited to assessment of procedures in place in other states and other
23 countries for the enforcement of traffic laws.

24 (3) Review data from the Registry of Motor Vehicles regarding the incidence of
25 license suspension caused by failure to pay a traffic fine and make recommendations as to how to
26 reduce or eliminate license suspension caused by failure to pay a fine.

27 (4) Review income-based fines as implemented in other states and countries and
28 recommend what, if any, income-based system would be appropriate for Massachusetts.

29 (5) Recommend policies that would lead to more equitable enforcement of traffic
30 laws, reduce traffic stops, reduce escalation of traffic stops, and reduce criminal incidents
31 resulting from traffic stops.

32 (6) Work directly with policymakers, police departments, and any others the task
33 force deems appropriate to inform their recommendation.

34 (7) Review the provisions created by Section 2 of this act and make recommendations
35 as to how to proceed with automated enforcement and whether it should be expanded to
36 additional traffic citations.

37 (8) Review traffic crimes for which there is a criminal penalty and make
38 recommendations as to whether they should remain criminal or be reduced to a civil penalty.

39 (9) Make recommendations as to whether speed, red light cameras or other forms of
40 automated enforcement should be in use in the state of Massachusetts and if so, under what
41 circumstances.

42 (10) Make recommendations as to privacy protections that should be put in place in
43 order to implement their recommendations while protecting the privacy and security of the
44 people of Massachusetts.

45 (11) Review and seek to determine by surveys and other means whether traffic
46 violations and vehicle malfunction citations issued by law enforcement officers are more or less
47 of a deterrent for such violations than those issued through the mail and not by law enforcement
48 officers in hand.

49 (d) The Task Force shall submit a report of its findings and recommendations on or
50 before June 31, 2022 to the clerks of the senate and the house of representatives.

51 SECTION 2. Section 7A of Chapter 90 of the General Laws, as appearing in the 2018
52 Official Edition, is hereby amended by inserting at the end, the following paragraph:-

53 The provisions of this section shall be enforced by law enforcement agencies only when
54 an operator of a motor vehicle has been stopped for a violation of the motor vehicle laws or some

55 other offense. The Register of Motor Vehicles shall develop and adopt a system for remote
56 assessment of traffic citations. The provisions of this section may be enforced by law
57 enforcement agencies through the use of the remote system created by this section.

58 SECTION 3. Section 9 of Chapter 90 of the General Laws, as appearing in the 2018
59 Official Edition, is hereby amended by inserting at the end, the following paragraph:-

60 The provisions of this section shall be enforced by law enforcement agencies only when
61 an operator of a motor vehicle has been stopped for a violation of the motor vehicle laws or some
62 other offense. The provisions of this section may be enforced by law enforcement agencies
63 through the use of the remote system created by section 7A of this chapter.