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Senate, House, Pass Motor Vehicle License Suspension Bill

BOSTON - **Senator Anne M. Gobi (D-Spencer)** has announced that the Massachusetts Legislature approved final passage of *An Act relative to motor vehicle license suspension*.

This bill repeals the current law that subjects individuals convicted of a non-violent drug offense to an automatic license suspension for up to five years and a license reinstatement fee of \$500, even if the offense does not involve motor vehicles in any way. Thirty-four states, including every other New England state, have already taken action to repeal similar laws.

The bill would have no effect on license suspension penalties for driving under the influence of alcohol or other drugs, and only removes the outdated state requirement that penalizes every drug offense with a license suspension, even for non-driving offenses. It will also allow anyone previously subject to this provision to have their license reinstated without a fee.

"There are many antiquated and ineffective laws that need to be repealed," said **Senator Gobi**. "This is a practical step in protecting public safety and allowing people to have their driving privileges reinstated."

"Today, the Senate took an important step towards reforming our criminal justice system by taking off the books an ineffective and unfair law that made it harder for those who have paid for their mistakes to re-enter society," said **Senate President Stan Rosenberg (D-Amherst)**. "Approximately 7,000 people had their license suspended last year due to a drug conviction even if that conviction had nothing to do with the operation of a motor vehicle. That's 7,000 people who cannot drive to their jobs and miss court dates and rehabilitation meetings, making it harder for them to rejoin their families and their communities."

“We must seize every opportunity possible to help residents reintegrate into society, find fulfilling jobs and support their families,” said **House Speaker Robert A. DeLeo** (D-Winthrop). “Repealing this law does just that and represents an immediate step we’re taking as we prepare for comprehensive criminal justice reform legislation. I’m proud that it also advances our efforts to help those battling addiction. I thank Chairs Malia, Straus and Dempsey for their diligence and insight.”

In recognition of the ongoing opioid crisis and the danger of highly addictive stimulants, members of the conference committee included compromise language that would maintain automatic suspensions for trafficking heroin, fentanyl, and cocaine.

The compromise maintains a pathway for reformed convicts to receive temporary licenses for education or employment purposes, while holding the Registry of Motor Vehicles accountable for any denials. This targeted approach is expected to reduce an overwhelming majority of licenses suspended by the Commonwealth under this law.

The compromise also directs the Registry of Motor Vehicles to report back to the legislature on the total number of licenses that have been suspended under the new trafficking provisions and the total number of temporary licenses issued for education or employment purposes.

Driving records currently include non-driving license suspensions. Prospective employers and others can purchase warrants from the Massachusetts Registry of Motor Vehicles (RMV) for under \$10. This can be used as a “back door CORI” check, where employers purchase RMV records for the purpose of obtaining information about criminal records, even if they would normally be sealed, expunged, or shielded by CORI reform.

The bill prevents these checks, which harm the chances of employment for individuals convicted of a drug offense, and shields driving records revealing CORI information from public view. However, information would still be available to RMV employees and others with a legitimate need for access.

The bill now goes to the Governor for his signature.

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