

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Menard, Joan (SEN)

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 improving apprehension of drunk drivers and other law violators.

PETITION OF:

NAME:

Menard, Joan (SEN)

DISTRICT/ADDRESS:

First Bristol and Plymouth

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S00947 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT IMPROVING APPREHENSION OF DRUNK DRIVERS AND OTHER LAW VIOLATORS.

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. Section 98A of Chapter 41 of the General Laws as appearing in the 2006
2 Official Edition is amended by replacing the entire section with the following:

3 A police officer of a city or town may stop a person or vehicle in a city or town that borders the
4 officer's city or town if the officer has reason to believe that the person or vehicle recently
5 traveled through his or her city or town under circumstances where the officer would have had
6 the authority to stop the person or vehicle for the purpose of making an arrest, placing an
7 operator in protective custody, issuing a citation or taking any other enforcement action. Said
8 officer may return any person so arrested or placed in protective custody to the jurisdiction
9 wherein said offence was committed or other condition or violation was observed. No criminal
10 case shall be dismissed, and no evidence in a criminal case shall be suppressed, based on the fact
11 that a stop of a person or motor vehicle did not comport with this section. Nothing contained in
12 this section shall be construed as limiting the powers of a police officer to make arrests and in so

13 far as possible this section shall be deemed to be declaratory of the common law of the
14 commonwealth.

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