

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Buoniconti, Stephen (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 relative to driver impairment.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Buoniconti, Stephen (SEN)	Hampden

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

RESOLVE

Resolved,

1 SECTION 1. Resolved, that the automobile is typically the most important method of
2 transportation for adults in the Commonwealth, a license to operate and the ability to drive often is a
3 key element in maintaining independence. However, individual driving must be balanced with public
4 safety. A range of medical problems can affect the ability of adults to drive safely; cognitive impairment
5 plays an increasingly important role in ones ability to operate a motor vehicle, other medical
6 conditions, visual problems, motor problems, flexibility limitations contribute to a persons ability to
7 safely operate a motor vehicle.

8 Therefore a special commission is hereby established for the purpose of making an investigation and
9 study into current laws and regulations relative to the right to have a license to operate and how
10 cognitive impairment may affect that right to operate. Said commission shall consist of 3 members of
11 the Senate appointed by the Senate President; 3 members of the House of Representatives appointed
12 by the Speaker of the House; the Registrar of Motor Vehicles or their designee; the Secretary of Elder
13 Affairs or their designee; 2 persons to be appointed by the governor 1 of whom shall be a representative
14 of AARP of Massachusetts, and one of whom shall be a consumer, a resident of the commonwealth of
15 driving age and holding a valid drivers license; 2 persons to be appointed by the Speaker of the House,
16 one of whom shall be a member of the Massachusetts Psychiatric Society specializing in Geriatric

17 psychiatry, one of whom shall be a member for the Massachusetts Association for Occupational
18 Therapy; 2 persons appointed by the President of the Senate one of whom shall be a member of the
19 Massachusetts Medical Society specializing in brain injuries and one of whom shall represent the auto
20 insurance industry.

21 Said commissions investigation and review shall include but not be limited to the following:

22 Who may report to the to the registry of motor vehicles a drivers impairment; What format and
23 information must that communication include and recommendations to protect the reporter from civil
24 liability;

25 Development of programs within the registry to evaluate the impaired driver including standards of
26 what is an adequate evaluation; formation of multidisciplinary teams of psychiatrist, neuropsychologist,
27 OT, neurologist, social worker, and driving instructor to assist in the development of standards as well as
28 in the conducting of the evaluation;

29

30 Auto insurance discounts to senior drivers;

31 Dissemination and availability of alternative means of transportation for seniors;

32 Driver reeducation programs cost, availability or discounts;

33 Driving rehabilitation specialists, cost and availability;

34 Health or auto insurance reimbursement for driver reeducation or rehabilitation programs;

35 Process and testing for certain drivers before renewal of a license including online and length of

36 renewal.

37 SECTION 2. Said Commission may consult with any experts it deems necessary particularly
38 neuropsychologists, driving rehabilitation specialists, physicians, social workers, occupational therapists,
39 psychiatrists

40 Said commission shall make its recommendation in the form of legislation no later than December 31,
41 2007 and shall file such with the clerk of the Senate and the clerk of the House.