

# HOUSE . . . . . No. 1487

By Mr. Hill of Ipswich, petition of Bradford Hill relative to the penalty for persons operating motor vehicles involved in police pursuits. The Judiciary.

## The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

### AN ACT RELATIVE TO STRENGTHENING THE LAWS AGAINST MOTOR VEHICLE PURSUITS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 90 of the General Laws is hereby amended by inserting  
2 after section 25 the following section:—

3 Section 25A. Any person who while operating a motor vehicle  
4 refuses to stop when signaled to by a police officer, and who then  
5 drives in an unsafe or dangerous manner while refusing to stop, shall  
6 be punished by imprisonment in the house of correction for up to  
7 two and one-half years, or by imprisonment in the State Prison for  
8 not more than five years. Upon a conviction of this offense, the Reg-  
9 istrar of Motor Vehicles shall suspend the license or right to operate  
10 of the individual for five years, and no hearing for a hardship license  
11 shall be granted.

12 Each police department shall have on file an active policy in  
13 regards to the procedures to be followed when initiating a motor  
14 vehicle pursuit, conduct during the pursuit, and when to terminate  
15 said pursuit. The policy shall be filed with the Secretary of Public  
16 Safety, and updated by the department every two years, subject to  
17 approval by the Secretary. The Secretary of Public Safety shall have  
18 the authority to promulgate such regulations as is necessary to set  
19 forth the minimum requirements for said policies, and for the timeta-  
20 bles and filing requirements of the departments. In no instance shall  
21 any act, omission, or failure to comply with the provisions of this  
22 paragraph be a defense in a criminal proceeding for a violation of  
23 the first paragraph of this section.