

SENATE NO. 947

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
11 fact that a stop of a person or motor vehicle did not comport with this section. Nothing
12 contained in this section shall be construed as limiting the powers of a police officer to make
13 arrests and in so far as possible this section shall be deemed to be declaratory of the common
14 law of the commonwealth.