HOUSE DOCKET, NO. 3455 FILED ON: 1/18/2013

HOUSE . . . . . No. 1690

The Commonwealth of Massachusetts

PRESENTED BY:

Daniel B. Winslow and Richard J. Ross

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:

An Act relative to traffic stops.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Daniel B. Winslow	*9th Norfolk*
Massachusetts Fraternal Order of Police	*250 East Main Street Norton, MA 02766*
Richard J. Ross	*Norfolk, Bristol and Middlesex*
Keiko M. Orrall	*12th Bristol*

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HOUSE . . . . . No. 1690

By Representative Winslow of Norfolk and Senator Ross, a joint petition (accompanied by bill, House, No. 1690) of Daniel B. Winslow, Richard J. Ross and others relative to traffic stops. The Judiciary.

The Commonwealth of Massachusetts

An Act relative to traffic stops.

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

SECTION 1. Section 98A of Chapter 41 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out the section in its entirety and replacing it thereof with the following paragraph:-

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