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**Chap. 274**

**SECTION 3.** The supreme judicial court shall have original jurisdiction of any petition for a writ of mandamus relative either to the establishment of eight executive councillor districts, or to the establishment of forty senatorial districts under section one. Every such petition shall be filed in court within ten days after the effective date of this act.

*The foregoing was laid before the Governor on the twenty-second day of November, 1993 and after ten days had the force of law as prescribed by the Constitution as it was not returned by him with his objections thereto within that time.*

**Chapter 275. AN ACT FURTHER REGULATING THE TAKING OF BLOOD SAMPLES IN CERTAIN MOTOR VEHICLE ACCIDENTS.**

*Be it enacted, etc., as follows:*

Chapter 38 of the General Laws is hereby amended by inserting after section 4 the following section:-

Section 4A. If, after making inquiry pursuant to section four, the medical examiner is of the opinion that death may have resulted from injuries sustained in a motor vehicle accident, and that the death occurred within four hours of such accident, that the deceased was the operator and sole occupant of the motor vehicle, and that no other individuals were involved in the accident, the medical examiner shall submit to the state police laboratory a sample of blood from the deceased in an amount sufficient for chemical analysis if it is obtainable at an autopsy. If such chemical analysis indicates the presence of a controlled substance or alcohol, such sample shall be preserved for no less than one hundred and twenty days from the date the sample is taken to permit an independent analysis. Such independent analysis shall be done upon the written request and at the expense of the next of kin of the decedent. No independent analysis of blood performed after sixty days pursuant to this section shall be admissible as evidence of the level of alcohol or controlled substance in any legal proceeding. The medical examiner shall not be civilly or criminally liable for any action taken in compliance with this section.

Approved December 6, 1993.

**Chapter 276. AN ACT RELATIVE TO THE GRANTING OF LICENSES FOR THE SALE OF BEER AND WINE BY CERTAIN RESTAURANTS IN THE TOWN OF ARLINGTON.**

*Be it enacted, etc., as follows:*

**SECTION 1.** Notwithstanding any limitations imposed by section eleven A and section seventeen of chapter one hundred and thirty-eight of the General Laws, or any other special or general law to the contrary, including, but not limited to chapter eight hundred and

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eighty-seven of the acts of nineteen hundred and seventy-seven, the board of selectmen of the town of Arlington shall cause to be placed on the official ballot used in said town of Arlington by registered voters of said town of Arlington at the annual town meeting to be held in the year nineteen hundred and ninety-four, the following question:

"Shall the board of selectmen be authorized to grant licenses for the sale of beer and wine in restaurants?"

Yes \_\_\_\_\_

No \_\_\_\_\_

If a majority of the votes cast in said town in answer to said question is in the affirmative, the town shall be taken to have authorized the sale in said town of beer and wine to be drunk on the premises in restaurants. Said licenses shall be subject, however, to all the other provisions of said chapter one hundred and thirty-eight.

**SECTION 2.** This act shall take effect upon its passage.

Approved December 6, 1993.

**Chapter 277. AN ACT DESIGNATING A CERTAIN BRIDGE IN THE CITY OF SOMERVILLE AS THE ALDERMAN WILLIAM J. JOYCE MEMORIAL BRIDGE.**

*Be it enacted, etc., as follows:*

The bridge containing the Boston and Maine railroad tracks that run over Medford street in the city of Somerville shall be designated and known as the Alderman William J. Joyce Memorial Bridge, in honor of Alderman William J. Joyce's many years of service in public office in said city of Somerville. A suitable marker bearing said designation shall be attached thereto by the Massachusetts Bay Transportation Authority in compliance with the standards of said authority.

*Emergency Letter: December 8, 1993 @ 10:41 A.M.*

Approved December 7, 1993.

**Chapter 278. AN ACT REQUIRING THE USE OF HELMETS FOR BICYCLE RIDERS AND THEIR PASSENGERS WHO ARE UNDER THE AGE OF TWELVE.**

*Be it enacted, etc., as follows:*

**SECTION 1.** The second paragraph of section 11B of chapter 85 of the General Laws, as appearing in the 1992 Official Edition, is hereby amended by striking out clause (2) and inserting in place thereof the following clause:-