

SENATE No. 1373

By Mr. Backman, a petition (accompanied by bill, Senate, No. 1373) of Jack H. Backman, George Bachrach, Richard A. Kraus and others for legislation to establish a specified fund and to grant authority for additional fees accumulated under the drunk driving laws. Public Safety.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-four.

**AN ACT ESTABLISHING A SPECIFIED FUND AND GRANTING AUTHORITY
FOR ADDITIONAL FEES ACCUMULATED UNDER THE DRUNK DRIVING
LAWS.**

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. Chapter 10 of the General Laws, is hereby amend-
2 ed by inserting after section 17B the following new section: —

3 Section 17C. There shall be established and set up on the books
4 of the commonwealth a separate fund to be known as the
5 highway safety and alcohol education fund. Said fund shall
6 consist of the proceeds received from additional fees paid to
7 the chief probation officer of each court by each person plac-
8 ed in a driver alcohol education program as provided in sec-
9 tion twenty-four D of chapter ninety. Said fund shall be expend-
10 ed for highway safety and alcohol education related activities
11 which shall include but not be limited to selective enforcement
12 patrols, equipment for effective detection, apprehension and
13 prosecution of driving under the influence violations, preven-
14 tative and informative alcohol education programs and
15 rehabilitation and treatment programs.

1 SECTION 2. Section 24D of Chapter 90, as most recently
2 amended by Chapter 373 of the Acts of 1982, is hereby further
3 amended by striking out the 9th paragraph and inserting in
4 place thereof the following new paragraph: —

5 An additional fee of two hundred dollars shall be paid to the
6 chief probation officer of each court by each person placed in
7 a program of driver alcohol education pursuant to this section

8 and all such fees shall be deposited in the highway safety and
9 alcohol education fund as established in section seventeen-C of
10 chapter ten and expended, subject to appropriation, for the
11 support of programs for the apprehension, detection and pro-
12 secution of individuals driving under the influence, alcohol
13 education of a preventative and informative nature, and treat-
14 ment and rehabilitation of those persons convicted of or charg-
15 ed with driving under the influence of intoxicating liquor or
16 drugs.

1 SECTION 3. Chapter 90A of the General Laws, as most
2 recently amended by Section 5 of Chapter 806 of the Acts of
3 1973, is hereby further amended by inserting after Section 5
4 the following new section: —

5 *Section 6:* The secretary of public safety through the gover-
6 nor's highway safety bureau hereinafter referred to as the
7 bureau in this section, may expend funds from the highway
8 safety and alcohol education fund established in section
9 seventeen-C of chapter ten. Such distribution shall include but
10 not be limited to selective enforcement patrols; equipment for
11 effective detection, apprehension and prosecution of driving
12 under the influence violations, preventive and informative
13 alcohol education programs and rehabilitation and treatment
14 programs. The bureaus shall establish an application pro-
15 cedure and guidelines to be followed by such organizations ap-
16 plying for such grants. In its review of a proposal, the bureau
17 shall consider the comprehensiveness and probable effec-
18 tiveness of such proposals and their compatibility with existing
19 alcohol safety and education programs. Each grant recipient
20 shall be subject to periodic reporting requirements as
21 established by the bureau outlining the administration and ef-
22 fectiveness of their programs.

23 The bureau shall annually report to the house and senate
24 committees of ways and means and the commissioner or ad-
25 ministration on the expenditures from the highway safety and
26 alcohol education fund. Such report shall include the name of
27 each grant recipient and the amount of funds received by each
28 recipient and shall provide an evaluation of the overall effec-
29 tiveness of the funded programs including the number of ar-
30 rests for driving under the influence, the number of alcohol-
31 related fatalities and injuries and any recommendations for
32 programmatic changes.