

Accompanying the seventh recommendation of the Commissioner of Public Works. Legal Affairs.

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**The Commonwealth of Massachusetts**

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In the Year One Thousand Nine Hundred and Twenty-Nine.

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An Act authorizing All Police Officers to arrest without a Warrant any Person operating a Motor Vehicle while under the Influence of Liquor, irrespective of his Possession of a License.

*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 twenty-one of chapter ninety of the Gen-  
2 eral Laws, as amended by chapter three hundred  
3 and forty-nine of the acts of nineteen hundred and  
4 twenty-one, is hereby further amended by striking  
5 out said section twenty-one and inserting in place  
6 thereof the following:—

7 *Section 21.* Any officer authorized to make  
8 arrests may arrest without warrant and keep in  
9 custody for not more than twenty-four hours, unless  
10 Sunday intervenes, any person operating a motor  
11 vehicle on any way who does not have in his pos-  
12 session a license to operate motor vehicles granted  
13 to him by the registrar, and who violates any  
14 statute, by-law, ordinance or regulation relating to  
15 the operation or control of motor vehicles; and at  
16 or before the expiration of said period of time such  
17 person shall be brought before a magistrate and

18 proceeded against according to law. Any police  
19 officer authorized to act as such in this common-  
20 wealth or any investigator or examiner appointed  
21 under section twenty-nine may arrest without war-  
22 rant, keep in custody for a like period, bring before  
23 a magistrate and proceed against in like manner,  
24 any person operating a motor vehicle while under  
25 the influence of intoxicating liquors, irrespective of  
26 his possession of such a license. Any person oper-  
27 ating a motor vehicle who is arrested as aforesaid  
28 and solely because he has violated a provision of  
29 section seventeen or a regulation under section  
30 eighteen shall be admitted to bail for his appear-  
31 ance in court upon the deposit of one hundred dol-  
32 lars in cash, in lieu of a bail bond, with any person  
33 authorized to take bail.



