

The Commonwealth of Massachusetts

House of Representatives, March 2, 1970

The Committee on Insurance, to whom was referred so much of the interim report of the special commission (under Chapter 97 of the Resolves of 1968 and most recently revived and continued by Chapter 5 of the Resolves of 1969) relative to compulsory basic protection insurance for all registered motor vehicles and amending and repealing laws related thereto and certain other matters related to motor vehicle liability insurance (House, No. 5046) as relates to requiring analysis of the blood of persons who have died as a result of motor vehicle accidents (App. M), report the accompanying bill (House, No. 5124) [Senator Randall, and Representative Greenberg of Pittsfield, dissenting].

For the Committee

EDWARD J. DEVER, JR.

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND SEVENTY-

AN ACT REQUIRING ANALYSIS OF THE BLOOD OF PERSONS WHO HAVE DIED AS A RESULT OF MOTOR VEHICLE ACCIDENTS.

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.

1 Chapter 90 of the General Laws is hereby amended by
2 adding after section 26 the following new section:—
3 Section 26A. The medical examiner of the district of
4 the county wherein the body lies shall take a blood sample
5 from any deceased person over sixteen years of age who
6 has died as a result of a motor vehicle accident, provided
7 such person was a pedestrian or the operator of any vehicle
8 involved in such accident. Said samples shall be tested or
9 analyzed at a state police laboratory so that the per-
10 centage, by weight, of alcohol in the deceased's blood, at
11 the time of his death, may be determined. The results of
12 tests or analysis conducted under this section shall be
13 retained by the Department of Public Safety solely for the
14 purpose of developing a highway safety program and such
15 results shall not be admissible as evidence in any civil or
16 criminal proceeding.