

By Mr. Poirier of North Attleborough, petition of Kevin Poirier for legislation to authorize law enforcement officers to arrest persons violating certain laws on public transportation facilities. Criminal Justice.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Two.

AN ACT AUTHORIZING LAW ENFORCEMENT OFFICERS TO ARREST PERSONS VIOLATING CERTAIN LAWS ON PUBLIC TRANSPORTATION FACILITIES.

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

1 Chapter 159 of the General Laws, as appearing in the 1988
2 Official Edition, is hereby amended by striking section 93 and
3 inserting in place thereof the following new section: —
4 Section 93. Any law enforcement officer, including those
5 employed by the Massachusetts Bay Transportation Authority,
6 any regional transit authority, railway, steamboat, motorbus, or
7 other surface transportation corporation or authority, may act to
8 preserve order on the premises, boarding and debarking areas,
9 vehicles, vessels, or other transport facilities upon whose petition
10 they are appointed; and may, without warrant, arrest any idle,
11 noisy, disorderly, or intoxicated person upon such premises,
12 boarding and debarking areas, vehicles, vessels, or other
13 transport facilities; and may, without warrant arrest any person
14 who fraudulently evades or attempts to evade the payment of a
15 proper fare; and may, without warrant, arrest any person who
16 throws rubbish, litters or defaces property or objects on the
17 premises, boarding and debarking areas, terminals, vehicles,
18 vessels, or other transport facilities owned or operated by such
19 transportation corporations or authorities aforementioned; and
20 may, without warrant, arrest any person which said law
21 enforcement officer has probable cause to believe has violated any
22 of the offenses listed in this section.

23 Said law enforcement officers may, without a warrant, arrest
24 any person committing any of the offenses specified in section
25 ninety-four of chapter one hundred and sixty-one. In addition to
26 the aforementioned powers, said officers shall possess and exercise
27 such other powers to arrest without a warrant on the premises,
28 vehicles, vessels or other property of such corporation or authority
29 and at the wharves and landing places owned or used by such
30 carrier by water, as are conferred on police officers of the cities
31 and towns of the Commonwealth, or may arrest without a warrant
32 off such premises when in fresh and continued pursuit for a
33 violation for which such officers are empowered to arrest without
34 warrant on such premises.