

By Mrs. Gray of Framingham, petition of Barbara E. Gray, Carol C. Cleven and Marie-Louise Kehoe for legislation to authorize the Registrar of Motor Vehicles to suspend a driver's license or learner's permit of any person under age eighteen who withdraws voluntarily or involuntarily from school. Public Safety.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO SUSPENDING THE DRIVER'S LICENSES/LEARNER'S PERMITS OF ALL PERSONS UNDER THE AGE OF 18 WHO DROP OUT OF SCHOOL.

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 90:22 of the Massachusetts General
2 Laws, as appearing in the 1988 Official Edition, is hereby amended
3 by adding the following new section:

4 The Registry of Motor Vehicles shall suspend a driver's license
5 or learner's permit for the operation of a motor vehicle of any
6 person under the age of eighteen (18), in compliance with all other
7 sections of this chapter, who withdraws voluntarily or
8 involuntarily from:

- 9 1) a secondary school of this state or any other state or,
- 10 2) a course leading to a General Education Equivalency (GED)
- 11 certificate from a state approved institution or organization,
- 12 unless the person is excused from such requirement due to
- 13 circumstances beyond the person's control. The chief administra-
- 14 tor shall determine whether or not the circumstances are beyond
- 15 the person's control based on the following hardship conditions:
- 16 1) Due to mental and/or physical handicap or need of the
- 17 individual, an immediate family member, or a dependent that
- 18 requires the use of an automobile.
- 19 2) Due to the financial necessity of the individual, an immediate

20 family member, or a dependent that requires the use of an
21 automobile.

22 3) Due to other extreme hardship circumstances of a personal
23 nature that requires the use of an automobile.

24 In all of these circumstances, however, every effort should be
25 made by the individual, the family, and the school system to ensure
26 that the person can continue with an individual educational plan.

27 The chief administrator or principal of the school shall be
28 responsible for reporting any person under the age of eighteen (18)
29 who withdraws from their school or institution to the Registry
30 of Motor Vehicles. The procedures for reporting said withdrawals
31 and for suspending said licenses shall be determined by the Board
32 of Education and the Registry of Motor Vehicles, respectively.
33 These procedures shall include an appeals procedure, as well as
34 guidelines for the mandatory exit interview of the student.

35 Withdrawal, for the purposes of this section, shall be defined
36 as more than ten consecutive or fifteen days total unexcused
37 absences during a single semester. Suspension or expulsion from
38 school or imprisonment in a jail or a penitentiary is not a
39 circumstance beyond the control of such person.

1 SECTION 2. Chapter 90:8, as appearing in the Massachusetts
2 General Laws 1988 Official Edition is hereby amended by adding
3 the following after paragraph two:

4 The Registry of Motor Vehicles shall deny a junior operating
5 license to any person under the age of eighteen (18), in compliance
6 with all other provisions of this chapter, who does not at the time
7 of application present:

8 1) a diploma or other certificate of graduation issued to the
9 person from a secondary high school of this state or any other
10 state; or

11 2) documentation showing that the person is enrolled in a
12 secondary school of this state or any other state; or

13 3) documentation showing that the person is enrolled in a course
14 leading to the General Education Equivalency (GED) certificate
15 from a state approved institution or organization; or

16 4) documentation showing that the person is excused from said
17 requirement due to one or more of the hardship circumstances
18 listed in 90:22H.

19 The Registry of Motor Vehicles shall reinstate the driver's
20 license or learner's permit of any person under the age of eighteen
21 (18), whose license has been suspended due to the requirements
22 of this section, only after the person has presented documentation
23 showing that the person:

24 1) has been re-admitted in the school or program the person
25 had been attending; or

26 2) has enrolled in a new secondary school of this state or any
27 other state; or

28 3) has enrolled in a course leading to the General Education
29 Equivalency (GED) certificate from a state approved institution
30 or organization; or

31 4) is excused from such requirements due to one or more of
32 the hardship circumstances listed in 90:22H.

33 The proper method of said documentation shall be determined
34 by the Board of Education, and the procedures for reinstating said
35 licenses shall be determined by the Registry of Motor Vehicles.

1 SECTION 3. Chapter 90:8B of the Massachusetts General
2 Laws, as appearing in the 1988 Official Edition, is hereby amended
3 by adding the following after paragraph two:

4 The Registry of Motor Vehicles shall deny a learner's permit
5 to any person under the age of eighteen (18), in compliance with
6 all other sections of this chapter, who does not at the time of
7 application present:

8 1) a diploma or other certificate of graduation issued to the
9 person from a secondary high school of this state or any other
10 state; or

11 2) documentation showing that the person is enrolled in a
12 secondary school of this state or any other state; or

13 3) documentation showing that the person is enrolled in a course
14 leading to a General Education Equivalency (GED) certificate
15 from a state approved institution or organization; or

16 4) documentation showing that the person is excused from said
17 requirement due to one or more of the hardship circumstances
18 listed in 90:22H.

