

By Mr. Costa of Adams, petition of Frank N. Costa, Christopher J. Hodgkins, Sherwood Guernsey and Peter C. Webber relative to the revocation or suspension of a license to operate a motor vehicle. Public Safety.

**The Commonwealth of Massachusetts**

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

AN ACT RELATIVE TO THE REVOCATION OR SUSPENSION OF A LICENSE TO OPERATE A MOTOR VEHICLE.

*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. Section 29 of chapter 90 of the General Laws, as  
2 most recently amended by chapter 262 of the acts of 1982, is hereby  
3 further amended by striking out the twelfth sentence and inserting  
4 in place thereof the following sentence: — Whenever the death of  
5 any person results from any such accident, the registrar shall  
6 suspend forthwith the license or right to operate of the person  
7 operating the motor vehicle in said accident, and shall order the  
8 said license to be delivered to him, unless a preliminary investiga-  
9 tion indicates that the operator may not have been at fault, and the  
10 registrar shall revoke the same unless, upon investigation and after  
11 a hearing, he determines that the accident occurred without  
12 serious fault upon the part of the operator of such motor vehicle,  
13 and shall order the said license to be delivered to him if not already  
14 delivered as aforesaid; provided however, that the suspension or  
15 revocation of the license or right to operate of an operator who was  
16 involved in an accident where a death occurred but where there is  
17 no evidence of said operator having operated at that time under  
18 the influence of intoxicating liquor shall be stayed upon proof that  
19 the operator has filed an appeal with the board of motor vehicle  
20 liability policies and bonds, and such suspension or revocation  
21 shall take effect only in accordance with the decision of said board.

1 SECTION 2. Notwithstanding the provisions of any general or  
2 special law to the contrary, a person convicted of operating a  
3 motor vehicle in a manner that causes the death of any person  
4 shall, upon the filing of an appeal of such conviction, retain his  
5 license or right to operate a motor vehicle until a final determina-  
6 tion of his appeal has been made provided, however, that such  
7 conviction did not involve a conviction of operating a motor  
8 vehicle under the influence of intoxicating liquor.