

By Mr. Scibelli of Springfield, petition of Anthony M. Scibelli relative to the penalty for operating a motor vehicle while under the influence of intoxicating beverages. Criminal Justice.

The Commonwealth of Massachusetts

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

AN ACT FURTHER REGULATING THE PUNISHMENT FOR DRIVING WHILE INTOXICATED.

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

1 The fifth paragraph of subparagraph (1) of paragraph (a) of
2 section 24 of chapter 90 of the General Laws, as appearing in
3 the 1992 Official Edition, is hereby amended by inserting after
4 line 87 the following sentence:— Notwithstanding any other pro-
5 vision of this paragraph a defendant who is participating in a resti-
6 tution program or alcohol, tobacco and other drug treatment
7 program may be released without the custody of an officer of such
8 institution for a specified period of time to complete said restit-
9 tion, provided that the person in charge of the institution, treat-
10 ment obligation or the administrator of a county correctional
11 institution may designate some person or agent to monitor the
12 activities of said defendant, and report periodically of his
13 progress; and provided, further, that no person convicted of vehic-
14 ular homicide under section twenty-four G, or driving a motor
15 vehicle after suspension or revocation under section twenty-three,
16 or causing serious bodily injury under section twenty-four L shall
17 be eligible for such release.

