

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, May 22, 1986.

The committee on Public Safety, to whom were referred the petition (accompanied by bill, Senate, No. 1161) of Jack H. Backman, the American Automobile Association, by Richard W. Hoover, Richard A. Kraus, John A. Businger and Eleanor Myerson for legislation to establish a specified fund and granting authority for additional fees accumulated under the drunk driving laws, the petition (accompanied by bill, Senate, No. 1163) of Louis P. Bertonazzi, Walter J. Boverini, Anna P. Buckley and Mary L. Padula for legislation to aid local communities in preventing and deterring drunk drivers, the petition (accompanied by bill, Senate, No. 1211) of Arthur Joseph Lewis, Jr., for legislation relative to the driver alcohol education programs, the petition (accompanied by bill, House, No. 779) of the American Automobile Association of Massachusetts and John A. Businger for legislation to control the transportation of hazardous materials in the Commonwealth, the petition (accompanied by bill, House, No. 1358) of William Constantino, Jr., and Angelo Picucci for legislation to establish a specified fund and granting authority for additional fees accumulated under the drunk driving laws, and the petition (accompanied by bill, House, No. 2089) of Thomas P. White and another for legislation to establish a specified fund and granting authority for additional fees accumulated under the drunk driving laws, reports recommending that the accompanying bill (House, No. 5776) ought to pass.

For the committee,

THOMAS P. WHITE.

The Commonwealth of Massachusetts

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

AN ACT ESTABLISHING A SPECIFIED FUND AND GRANTING AUTHORITY FOR ADDITIONAL FEES ACCUMULATED UNDER THE DRUNK DRIVING LAWS.

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 10 of the General Laws, is hereby amend-
2 ed by inserting after section 17B the following new section: —
3 Section 17C. There shall be established and set up on the books
4 of the commonwealth a separate fund to be known as the highway
5 safety, treatment and alcohol education fund. Said fund shall con-
6 sist of the proceeds received from additional fees paid to the chief
7 probation officer of each court by each person placed in a driver
8 alcohol education program as provided in section twenty-four D of
9 chapter ninety. Said fund shall be expended for highway safety,
10 treatment and alcohol education related activities which shall
11 include but not be limited to selective enforcement patrols, equip-
12 ment for effective detection, apprehension and prosecution of driv-
13 ing under the influence violations, preventative and informative
14 alcohol education programs and rehabilitation and treatment
15 programs.

1 SECTION 2. Section 24D of Chapter 90, as most recently
2 amended by Chapter 373 of the Acts of 1982, is hereby further
3 amended by striking out the 9th paragraph and inserting in place
4 thereof the following new paragraph: —
5 An additional fee of two hundred dollars shall be paid to the chief
6 probation officer of each court by each person placed in a program
7 of driver alcohol education pursuant to this section and all such fees
8 shall be deposited in the highway safety, treatment and alcohol
9 education fund as established in section seventeen-C of chapter ten
10 and expended, subject to appropriation, for the support of pro-
11 grams for the apprehension, detection and prosecution of individu-

12 als driving under the influence, alcohol education of a preventative
13 and informative nature, and treatment and rehabilitation of those
14 persons convicted of or charged with driving under the influence of
15 intoxicating liquor or drugs.

1 SECTION 3. Chapter 90A of the General Laws, as most
2 recently amended by Section 5 of Chapter 806 of the Acts of 1973, is
3 hereby further amended by inserting after Section 1 the following
4 new section: —

5 Section 2. The secretary of public safety through the governor's
6 highway safety bureau hereinafter referred to as the bureau in this
7 section, may expend funds from the highway safety, treatment and
8 alcohol education fund established in section seventeen-C of chap-
9 ter ten. Such expenditures shall include but not be limited to
10 selective enforcement patrols; equipment for effective detection,
11 apprehension and prosecution of driving under the influence viola-
12 tions, preventative and informative alcohol education programs
13 and rehabilitation and treatment programs. The bureau, in cooper-
14 ation and consultation with the Division of Alcoholism, Depart-
15 ment of Public Health, shall establish an application procedure and
16 guidelines to be followed by such organizations applying for such
17 grants. In its review of a proposal, the bureau shall consider the
18 comprehensiveness and probable effectiveness of such proposals
19 and their compatibility with existing alcohol safety and education
20 programs. Awards for alcohol education and treatment and reha-
21 bilitation programs shall be made in consultation with the approval
22 of the Division of Alcoholism, and the Department of Mental
23 Health. Each grant recipient shall be subject to periodic reporting
24 requirements as established by the bureau outlining the administra-
25 tion and effectiveness of their programs.

26 The bureau shall annually report to the house and senate com-
27 mittees of ways and means and the commissioner of administration
28 on the expenditures from the highway safety and alcohol education
29 fund. Such report shall include the name of each grant recipient and
30 the amount of funds received by each recipient and shall provide an
31 evaluation of the overall effectiveness of the funded programs
32 including the number of arrests for driving under the influence, the
33 number of alcohol-related fatalities and injuries and any recom-
34 mendations for programmatic changes.

