



Office of
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Commonwealth of Massachusetts

For Immediate Release

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**Representative Kane votes to repeal 1989
license suspension law**
*Bill would continue to maintain penalties for drug
traffickers*

BOSTON – State Representative **Hannah E. Kane (R-Shrewsbury)**, voted yesterday to support legislation that repeals a 1989 law requiring individuals to forfeit their driver’s license for up to five years for certain drug-related offenses, but continues to maintain these sanctions for drug traffickers.

House Bill 4088, An Act relative to motor vehicle license suspension, passed the House of Representatives unanimously on a vote of 156-0. The final bill, which reflects compromise language reached by a six-member conference committee, retains a provision that was first put forth by the House Republican Caucus in January to require driving license suspensions to continue to be imposed on those convicted of trafficking in narcotics.

“The repeal of the antiquated license suspension law is a reflection of the legislature’s commitment towards changing the way in which we view substance abuse, as a disease rather than a crime,” said **Representative Hannah E. Kane**. “I am proud to be a part of the legislative body that unanimously supports the repeal, recognizing that we need to remove the obstacles individuals face while working to rehabilitate and begin new lives. Likewise, the legislation does not impact the ability of our law enforcement to enforce existing, strong penalties against those who seek to profit from the drug trade.”

The Massachusetts Sheriffs Association, the Massachusetts District Attorneys Association and the Attorney General all support the repeal of the mandatory license suspension law, which is seen as an obstacle that limits the ability of individuals who commit minor drug crimes to secure a job or receive treatment for their addiction after serving time in prison.

Under current law, the Registrar of Motor Vehicles is required to suspend the license or right to drive of any person convicted of a violation under the Controlled Substances Act, without a hearing, for up to five years. House Bill 4088 removes this requirement and allows individuals to retain or secure a driver’s license if the crime for which they were convicted did not involve the use of a motor vehicle.

House Bill 4088 also includes language authorizing the Registrar of Motor Vehicles to suspend the license or right to operate a motor vehicle for up to five years, without a hearing, for individuals convicted of trafficking in heroin, cocaine, morphine, fentanyl and other narcotics. Although the bill allows individuals to apply for a hardship license after completion of time served, and requires that they be granted a hearing, the decision to approve a hardship request will be subject to the discretion of the Registrar.

The bill also waives retroactive license reinstatement fees for prior suspensions due to violations of the Controlled Substances Act. In addition, it directs the Registrar to shield records related to these suspensions from the public.

The Senate voted today on the conference committee report as a final vote on enactment is required in both branches before the bill can be sent to Governor Charlie Baker for his signature.

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