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To Our Valued Clients:

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## Melanie's Law Caution - It's Not Just About Drunk Drivers

Melanie's Law, the Act increasing penalties for drunk drivers in the Commonwealth of Massachusetts, went into effect on October 28, 2005. As suggested by its name, its purpose is to enhance the penalties and administrative sanctions for Operating Under the Influence (OUI) offenders in Massachusetts. You can go to "What's New" on the RMV website (<http://www.mass.gov/rmv/>) to see a complete list of the new criminal offenses.

However, we felt we should alert you that **Melanie's Law has also defined the penalties for allowing or employing any unlicensed driver to operate a Motor Vehicle.** This provision would include anyone whose license is suspended for any reason - not just OUI. This would include relatives, friends, or known acquaintances, as well as employees.

### Penalties And RMV Suspensions For Employing Or Allowing An Unlicensed Operator To Operate A Motor Vehicle

New Law	Penalty	Loss of License
No person shall employ an individual with a suspended license as a motor vehicle operator	1st Offense = up to a \$500 fine 2nd Offense = up to 1 year imprisonment in a house of correction and/or a fine up to \$1000	License and/or registration suspension up to 1 year
No person shall allow a vehicle owned by him/her or under his/her control to be operated by an unlicensed person	1st Offense = 1 year imprisonment in a house of correction and a fine of not more than \$500 2nd Offense = 2 ½ years imprisonment in a house of correction and/or a fine of up to \$1000	License and/or registration suspension up to 1 year
No person shall allow an individual with an Ignition Interlock restriction* to operate a vehicle not equipped with the device	1st Offense = 1 year imprisonment in a house of correction and a fine of up to \$500 2nd Offense = up to 2 ½ years imprisonment in a house of correction and/or a fine of up to \$1000	License and/or registration suspension up to 1 year

#### \*Ignition Interlock Device Requirements

Starting January 1, 2006, any driver with a second or subsequent operating under the influence offense who is eligible for a hardship license or for license reinstatement will be required to have an Ignition Interlock Device attached to any vehicle the driver owns, leases, or operates (including an employer's vehicle) at the driver's expense.

#### New License Restriction Z

A Z license restriction will be added to licenses that require the Ignition Interlock Device as terms of the hardship license or reinstatement. The Z restriction indicates Ignition Lock/Hours Restriction.

In light of these new penalties, we strongly urge you to confirm, on a regular basis, that the licenses of all who drive your vehicles are active, and unrestricted.

Very truly yours,

DeSanctis Insurance Agency, Inc.