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CHARLES D. BAKER
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SECOND ORDER AUTHORIZING ACTIONS TO LIMIT IN-PERSON TRANSACTIONS AT THE REGISTRY OF MOTOR VEHICLES

COVID-19 Order No. 39

WHEREAS, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus ("COVID-19");

WHEREAS, on March 11, 2020, the COVID-19 outbreak was characterized as a pandemic by the World Health Organization;

WHEREAS, the Federal Centers for Disease Control and Prevention have advised that COVID-19 is spread mainly by person to person contact and that the best means of slowing the spread of the virus is through practicing social distancing and by minimizing in-person contact with others and with environments where this potentially deadly virus may be transmitted including, in particular, spaces that present enhanced risks because of limited ventilation or numbers of persons present or passing through who may spread the virus through respiratory activity or surface contacts;

WHEREAS, as a precaution against the spread of COVID-19, the Registry of Motor Vehicles ("RMV") closed the majority of its service centers to in-person transactions, and, in an effort to ensure social distancing, substantially reduced the number of customers permitted to enter the centers that remained open;

WHEREAS, despite a sustained trend of improvement in public health data permitting a carefully phased relaxation of certain restrictions on businesses and other organizations, it remains imperative to continue to minimize opportunities for person-to-person spread of the

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COVID-19 virus while the Commonwealth remains in the midst of the COVID-19 public health emergency;

WHEREAS, the reduction of service center capacity, though necessary to protect the public health, prevented a significant number of people from conducting transactions, such as registering newly-acquired vehicles and obtaining learner's permits, junior operator's licenses, and REAL IDs, all of which require an in-person visit to an RMV service center;

WHEREAS, in order to address these backlogs but continue to limit in-person transactions at service centers, the RMV needs flexibility to encourage online transactions and reduce demand for in-person transactions for learner's permits, licenses, and registrations; and

WHEREAS, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise any and all authority over persons and property necessary or expedient for meeting a state of emergency, including but not limited to authority to modify the terms and conditions of licenses, permits, or certificates of registration issued by the Commonwealth or any of its agencies or political subdivisions, and to regulate transportation and travel by vehicle or otherwise, including the use of registration plates, signs, or markers.

NOW, THEREFORE, I hereby order the following:

Section 1. ***Supervised Driving Receipt.*** Any person who has reached or will reach his or her sixteenth birthday between (a) March 1, 2020 and (b) June 30, 2020, may, upon or following his or her birthday and the successful completion of an online learner's permit examination as required by the Registrar of Motor Vehicles, operate a Class D motor vehicle for up to 90 days within the Commonwealth. Any person operating a motor vehicle pursuant to this section shall:

(a) be accompanied at all times by an operator who is duly licensed by his or her state of residence, is 21 years of age or over, has had at least 1 year of driving experience, and is occupying a seat beside the driver;
(b) not operate a motor vehicle between the hours of 12:00 A.M. and 5:00 A.M.;
(c) carry a printed copy of the person's supervised driving receipt demonstrating successful completion of the learner's permit examination and proof that the driver is lawfully present in the United States, which may include the original or a copy of a birth certificate or the original of a passport.

The Registrar shall publish a list of required documents and procedures for obtaining driving privileges pursuant to this section on the Registry of Motor Vehicle's website.

The supervised driving receipt demonstrating successful completion of the learner's permit examination shall permit the holder to enroll in a certified driving education and training course, and hours driven pursuant to this section shall be counted towards the supervised driving hours required by G.L. c. 90, § 8, par. 2(c), as those hours are temporarily modified by section 2 of this Order.

The supervised driving receipt shall not be considered a learner's permit and the period of time during which a person holds a supervised driving receipt shall not count towards the 6 months of incident-free driving experience, which is a condition of licensure pursuant to G.L. c. 90, § 8, par. 2(a). The Registrar may suspend or revoke driving privileges granted under this section for any violation of the provisions of G.L. c. 90, or any regulations promulgated under the authority of said chapter.

Section 2. ***Modified Observation Requirement.*** Persons operating a motor vehicle under section 1 of this Order and holders of learner's permits issued between (a) June 12, 2020 and (b) the earlier of August 12, 2020 or the date on which the state of emergency is terminated, shall not be required to observe another student driver for 6 hours in order to be issued a junior operator's license, as ordinarily required by G.L. c. 90, § 8, par. 2(c). Instead, such persons shall be required to complete an additional 6 hours of supervised driving accompanied by a duly licensed adult who is 21 years of age or over and who has at least 1 year of driving experience, in addition to the 40 hours of supervised driving (or 30 hours if the applicant has successfully completed a driver skills development program) required by G.L. c. 90, § 8, par. 2(c).

Section 3. ***Waiver of Fee to Upgrade to REAL ID.*** The Registrar may treat the payment for the online renewal of a standard driver's license or identification, renewed between (a) June 12, 2020 and (b) the earlier of August 12, 2020 or the date on which the state of emergency is terminated, as inclusive of payment for a subsequent amendment of that credential to a REAL ID driver's license or identification; provided, that to receive the subsequent amendment at no additional cost, a driver shall not apply for an amended REAL ID driver's license or identification card until at least 6 months following the date on which the state of emergency is terminated.

Section 4. ***Extension of Grace Period to Transfer Registration.*** A person 18 years of age or older who intends to transfer the registration of a previously-owned motor vehicle or trailer to a newly-acquired motor vehicle or trailer shall be permitted to operate such newly-acquired motor vehicle or trailer for 21 calendar days before completing the transfer of the registration to the newly-acquired vehicle, notwithstanding the ordinary limitation on such a practice to 7 days pursuant to G.L. c. 90, § 2, par. 5. All of the other conditions of G.L. c. 90, § 2, par. 5 remain in effect.

This section shall be effective for vehicles and trailers acquired between (a) June 12, 2020 and (b) the earlier of August 12, 2020 or the date on which the emergency is terminated.

Section 5. This Order is effective immediately and shall remain in effect until the earlier of August 12, 2020 or the date on which the State of Emergency is terminated. The rescission of this order shall not impair the rights or extensions granted herein.

The Registrar shall publish on the Registry of Motor Vehicle's website any policies or guidance issued pursuant to this Order.

Given in Boston at 10:40AM this 12th day of June, two thousand and twenty

CHARLES D. BAKER
GOVERNOR