

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 74

Approved February 26, 1982

WHEREAS, There is presently pending before the House Committee on Corporations, an Act to provide that the Municipal Court in the City of Providence be given the discretion to order the suspension of a driver's license and/or registration for periods of up to six months, for those persons failing to respond to ten or more parking violations within a forty-eight month period, and

WHEREAS, If a person should fail to respond to a moving violation, he is then issued a show-cause citation which is also heard before the Municipal Court, if he fails to respond to the citation, then the mandatory provisions of suspension reattach and the Judge is then permitted in his discretion to suspend or not,

NOW, THEREFORE, BE IT RESOLVED, That the Members of the Providence City Council hereby endorse House Bill 81-H 5830, Substitute A, relating to the Providence Municipal Courts.

IN CITY COUNCIL

FEB 18 1982
READ AND PASSED

Robert F. Lynch
PRES.
Rose M. Menlove
CLERK

APPROVED
FEB 26 1982
Vincent A. Cianci
MAYOR

THE COMMITTEE ON

FINANCE

Approved Passage of
The Wilson Resolution

Rose M. Mendonca
Chairman

February 9, 1912

RECEIVED
FEB 10 1912

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Col. Anthony J. Mancuso

CHIEF OF POLICE

M. J. Mancuso
2/1/82

Providence Police Department

Headquarters

209 Fountain Street

Providence, Rhode Island 02903

January 14, 1982

Mrs. Carolyn Brassil, Chairwoman
Committee on Finances
City of Providence
City Hall
Providence, RI

Dear Madam Chairwoman:

I am enclosing a copy of a bill regarding the Municipal Court in Providence, to allow Judges to suspend drivers licenses and registrations for unpaid parking violations and moving traffic violations.

As we are both aware, the problem of errant violators is a serious one, and this administration has made a major effort in the past months to correct this problem. It is my very strong feeling that passage of this legislation would be in the best interests of the City of Providence, not the least of which is public safety.

I need not point out, however, that this legislation would also go a long way towards increasing the capability of the Municipal Court and this department in assisting your committee in its function.

It has been suggested that a Resolution of the City Council to the State Legislature requesting passage of this legislation would help its proceeding. This would also provide a basis for this department to work towards the same goal.

I look forward to continuing our work on behalf of the citizens of the City of Providence, with yourself and members of the committee.

Sincerely,

Anthony J. Mancuso

ANTHONY J. MANCUSO
Colonel
Chief of Police

S T A T E O F R H O D E I S L A N D

I N G E N E R A L A S S E M B L Y

J A N U A R Y S E S S I O N , A . D . 1 9 8 1

A N A C T

R E L A T I N G T O T H E P R O V I D N E C E M U N I C I P A L C O U R T S

Introduced By: Representatives Freda and Skeffington

Date Introduced: March 6, 1981

Referred To: House Committee on Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 45-2 of the general laws entitled "Gen-
2 eral powers" is hereby amended by adding thereto the following
3 section:

4 45-2-22. Suspension of Drivers Licenses - Municipal Courts.
5 -- In the municipal or police court established by law in the
6 city of Providence, the judge thereof may in his discretion order
7 the suspension of a drivers license and/or registration of a
8 motor vehicle for up to six (6) months based upon a finding that
9 a person has failed to respond to the orders of the municipal
10 court for ten (10) or more parking violations within the city or
11 town in a forty-eight (48) month period or that a person has
12 failed to respond to the orders of the municipal court for a
13 moving motor vehicle offense for which said court is authorized
14 by law to prosecute. Provided, however, that in the event of a
15 moving motor vehicle offense the judge of the municipal court

*Robert Connors, Esq.
430 Dexter St
Central Falls
05209 606*

1 shall issue a show cause citation to be heard before the court,
2 and the defendant shall have the burden to show cause why his li-
3 cense and/or registration should not be suspended. In the event
4 the defendant fails to respond the judge may in his discretion
5 suspend the defendant's license and/or registration. If suspen-
6 sion is ordered, the court shall forward notice to the Registry
7 of Motor Vehicles who shall enforce the suspension by appropriate
8 order and notice.

9 SECTION 2. This act shall take effect upon passage.

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DL638/SUB A
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
AN ACT
RELATING TO THE PROVIDENCE MUNICIPAL COURTS

1 The provisions of this act would provide that the Municipal
2 Court in the City of Providence be given the discretion to order
3 the suspension of a driver's license and/or registration for
4 periods of up to six (6) months, for those persons failing to
5 respond to ten (10) or more parking violations within a forty-
6 eight (48) month period.

7 With respect to moving violations, if a person should fail
8 to respond to a moving violation, he is then issued a show-cause
9 citation which is also heard before the Municipal Court. At that
10 point, it is incumbent on the defendant to show cause why his li-
11 cense should not be suspended. If, however, he fails to respond
12 to the show-cause citation, then the mandatory provisions of sus-
13 pension reattach and the judge is then permitted in his discre-
14 tion to suspend or not.

15 The act would take effect upon passage.

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DL638/SUB A
=====

March 9, 1982

His Excellency J. Joseph Garrahy, Governor
222 State House
Providence, Rhode Island

Dear Governor Garrahy,

Enclosed is certified copy of Resolution No. 74
approved February 26, 1982, the same being self-explanatory.

Very truly yours,

Rose M. Mendonca,
City Clerk.

RMM/jma
Enclosure

March 9, 1982.

Representative Joseph DeAngelis
Majority Leader
2 Whitman Street
Esmond, Rhode Island 02917

Dear Representative DeAngelis,

Enclosed is certified copy of Resolution No. 74,
approved February 26, 1982, the same being self-
explanatory.

Very truly yours,

Rose M. Mendonca

Rose M. Mendonca,
City Clerk.

RMM/jma
Enclosure



State of Rhode Island and Providence Plantations

EXECUTIVE CHAMBER, PROVIDENCE

J. Joseph Garrahy
Governor

March 16, 1982

Ms. Rose M. Mendonca
City Clerk of Providence
Providence City Hall
Providence, Rhode Island

Dear Ms. Mendonca:

On behalf of Governor Garrahy I acknowledge receipt of your note of March 9, 1982 and the enclosed certified copy of Resolution No. 74 approved by the Providence City Council on February 26, 1982.

Please be assured that I shall personally bring your note and the Resolution to the Governor's attention.

Very truly yours,

William G. Brody
Executive Counsel
To The Governor

State of Rhode Island and Providence Plantations

FREDERICK LIPPITT
Providence

Minority Leader



2700 Hospital Trust Tower
Providence, Rhode Island 02903
401-274-9200

Room 106, State House
Providence, Rhode Island 02903
401-277-2259

House of Representatives

March 15, 1982

Ms. Rose M. Mendonca
City Clerk
City Hall
Providence, R. I. 02903

Dear Ms. Mendonca:

Thank you for your letter of March 9 enclosing a copy of the resolution passed by the City Council regarding suspension of a driver's license where a persons fails to appear before the Municipal Court. I appreciate your keeping me informed of the Council's views.

Sincerely yours,

A handwritten signature in cursive script that reads "Frederick Lippitt". Below the signature is a long horizontal line.