

When you turn 18

Commonwealth of Massachusetts
Office of the Attorney General



Table of Contents

A Note from Attorney General Maura Healey	1
Voting	2
Jury Duty	4
Money and Finances	6
Credit	8
Education	10
Driving	12
Purchasing and Insuring a Car	14
Employment	16
Contracts	18
Housing	20
Military Service	23
ID Theft	24
AGO Hotlines	26

A Note from Attorney General Maura Healey

Congratulations,

You're 18! In Massachusetts you've now reached the age of legal adulthood.

With this milestone, you have nearly all the legal rights and responsibilities of an adult. Among your new rights are the right to vote and serve on a jury, to marry, to enlist in the military or choose medical care, and to be responsible for any contracts you sign.

This is an exciting time, opening the door to new opportunities and challenges. This guide gives an overview of some of these new opportunities to participate as a legal adult and gives some tips for handling finances, understanding the legal obligations involved when signing a contract, fully participating in our civic life, and much more.

This guide highlights just some of the laws that may apply to you at this important turning point in your life. Keep in mind that laws are subject to change and that this a guide only and, as such, does not contain legal advice.

Cordially,



Maura Healey

Massachusetts Attorney General

voting

you can now vote in any local, state, or national election.

Voting is not only a right, but a privilege: voting gives you the opportunity to have a say in the country's future, and make a difference in your community.

who?

You are eligible to vote in Massachusetts if you are a citizen of the United States and a Massachusetts resident.

where

Each precinct in MA has its own polling location: call your local clerk or check www.wheredolvotema.com to find your location.

when?

Election dates vary by year: see a statewide election schedule for 2008-2016¹

Presidential: every 4 years – the Tuesday after the first Monday of November

State: every other year (even numbered years) – November

City: every other year (odd numbered years) – November

Town: varies by town, usually annually between February and June

how?

There are number of ways to register to vote in Massachusetts:

Online: The Secretary of the Commonwealth has a Online Voter Registration System at <https://www.sec.state.ma.us/ORV/>.

By mail: call 617-727-2828 to have a form mailed to you, or download the form online².

In person: at any local election office, at the RMV, or at any registration event held in Massachusetts

- Many colleges, universities, and high schools also have forms available to fill out any time.

If you are leaving the state for college, but want to vote in Massachusetts, apply for an absentee ballot online³.

don't know how to vote? don't worry!

All polling locations in MA have sample ballots & instructions posted, as well as volunteers available to answer any questions.

¹ <http://www.sec.state.ma.us/ele/elesched/schedidx.htm>

² <http://www.sec.state.ma.us/ele/elepdf/Voter-reg-mail-in.pdf>

³ <http://www.sec.state.ma.us/ele/eleafv/howabs.htm>

jury duty

you are now eligible to be called to serve on a jury in the Commonwealth

Serving on a jury is both a duty and privilege of citizenship in the United States; learn more about the Massachusetts Jury System at <http://www.mass.gov/courts/jury>.

When summonsed to jury duty, you are required by law to respond, even if you know you are unable to serve.

If you fail to respond to a summons, fail to appear in court as scheduled, or leave before dismissal, you are considered a delinquent juror⁴.

As a delinquent juror, you will be asked to reschedule – continued failure to respond may result in an arrest warrant, fines totaling \$2,000, and community service requirements.

When called for jury duty, you are usually asked to set aside 3 days.

According to the Office of the Jury Commissioner, 85% of those who appear complete their service in 1 day, and 95% complete it in three days.

Massachusetts employers are required to pay employees their regular rate of pay for the first three days of jury service.

If your service exceeds three days, you will be compensated at a rate of \$50 a day by the Commonwealth beginning on the fourth day of service.⁵

Additional juror information can be accessed by calling 1-800-THE-JURY (843-5879) or by visiting www.mass.gov/courts/jury.

⁴ <http://www.mass.gov/courts/jury-info/delinquent-jurors/>

⁵ <http://www.mass.gov/courts/jury-info/trial-and-grand-jurors/trial-jurors/compensation/>

money and finances

banking

You now have the ability to open your own bank account without a co-signer. This freedom brings with it many new responsibilities.

Before opening an account, make sure you know the features of different types of accounts and bank cards. Here is some general information to start you out.

checking account

An account from which you can withdraw money using checks, a debit card, an ATM card, or a withdrawal form.

Allows you to withdraw only funds that are available in your account.

Be careful not to write checks for amounts that exceed your available funds. In that instance, your check will “bounce” and you may be charged a penalty (unless you have opted into an Overdraft Protection feature).

savings account

An account in which money is stored and accumulates interest over time, and from which you can withdraw money using a withdrawal form or an ATM card.

atm /automated teller machine card

The most basic type of bank card; it allows you to deposit funds into, or withdraw from, your bank account (many ATM cards have a Visa or Mastercard logo and also allow you to pay for items at stores or online). This card is tied to the actual funds you have in your bank account – it is **NOT** a credit card.

Debit cards and **credit** cards give you the ability to deposit or withdraw funds from a bank account, and both allow you to make purchases with your card (as opposed to with cash or a check).

The main **difference** between the cards is that money is deducted directly from your checking account when you use a debit card, and you must have this money available at the time of the purchase.

credit

Effective February 2010, the CARD Act requires you to have an adult co-sign the application, or have proof of income in order to obtain a credit card.⁶

If you have obtained a credit card, there are certain things you should know. The AGO's Guide to Consumer Credit⁷ is a good start in the process of learning your rights and responsibilities.

One risk with credit cards is that your card balance accumulates over time, between additional purchases and accruing interest. Many people find that in a relatively short time, they are unable to pay off the balance, and thus accumulate large amounts of debt. In August 2010, the CARD Act placed regulations on credit card fees.⁸

A credit report is a summary of how you have paid your bills, or repaid loans, over time – as well as what your monthly debts are, and other similar information.

Your credit report is reviewed each time you apply for a credit card, a loan, or other types of credit – if you have a poor credit report, you may be denied loans, jobs, leases, etc., or may be subject to high interest rates.

You have the right to review your credit report for free once a year at www.annualcreditreport.com.

⁶ 123 STAT. 1734 § 301

⁷ <http://www.mass.gov/ago/docs/consumer/consumer-credit-guide.pdf>

⁸ 123 STAT. 1734 § 171

Credit card fraud is an unfortunate reality, but there are steps you can take to protect yourself:

Never share your credit card number unless you initiated the transaction. For instance, if you have called to order something on the phone or initiated an online transaction it may then be appropriate to disclose your information to complete the transaction. In an online transaction, you are well advised to ensure that there is some indicator that you are putting your card information into a secure site. However if another party initiates the transaction, calls or e-mails you with an offer and then asks for the information, you are likely falling into a trap.

Be wary of offers that require money up front.

Check your monthly statement to assure that all charges are legitimate and your own. If you encounter charges that are not your own, immediately call your credit card company to determine the origin of the charges.

If you lose your credit card, be sure to report the loss to your credit card company immediately. If you report the loss prior to any unauthorized charges, your credit card company cannot hold you liable for any of these charges. If your card is used before your report the loss, you may be liable for up to \$50 in charges.

education

Post-secondary education choices are sometimes an adult's first major contract. Agreeing to go to a school means agreeing to pay for that school. This includes tuition and other costs, such as housing or student activity fees.

There are different types of post-secondary school and training program options and not all schools are created equal:

- **Public:** Programs that are publically funded. Massachusetts has several public post-secondary education options, including 15 community colleges, 9 state colleges and 6 University of Massachusetts campuses. Average loan default rate = 9.7%.
- **Private Non-Profit:** Programs that are privately funded but do not operate to make a profit. Examples: Boston University, Stonehill College, Suffolk University. Average loan default rate = 6.8%.
- **Private For-Profit:** Programs that are privately funded and operate in the interest of making a profit. Examples: University of Phoenix, ITT Tech, Salter College. Average loan default rate = 22.3%.

A loan default rate indicates the percentage of students who attended that school or type of school are who are in default on their loans. National average loan default rate = 12.3%.

Be Careful of For-Profit Schools: Some for-profit schools over-charge students, under-deliver on results and over-promise the quality of education students will receive. Do your homework to know your options. Ask specific questions to know as much information as possible. Don't get pressured by school representatives.

payment options

FAFSA: When assessing your ability to pay for school, take into account any financial aid that the school has to offer. In order to access financial aid, prospective students must fill out what is called a Free Application for Federal Student

Aid (FAFSA). Once this application is filled out, the Federal Student Aid Office will determine how much and what type of financial aid you will be given to attend a particular school.

Loans vs. Grants: a loan is one that a student is responsible for paying back upon graduating whereas a grant does not need to be paid back.

The four most common types of financial aid given to students:

- **Pell Grant** – An award where the amount depends on the student’s financial need and the college’s cost of attendance.
- **Stafford Loan** – A Federal Direct subsidized or unsubsidized loan with a fixed interest rate.
- **Federal Perkins Loan** – Low-interest loans where amount of the award depends on the student’s financial need, the amount of other aid the student receives, and the availability of funds at his/her college.
- **The Federal Work-Study Program** – A program where students can get part-time work, up to a certain amount, in which the federal government pays half of a student’s wage and the school pays the other half.

Defaulting on Loans: When one is unable to meet loan pay back obligations and begins to miss payments, this typically means one is defaulting on their loans. This can lead to paying more in the long-term and to negative impacts to your credit score. Therefore, when taking out student loans, use an online student loan calculator to evaluate your expected monthly payments and expected salary after graduation to assess your overall ability to pay back your loans.

Be an educated student, make an informed choice. Check out [mass.gov/ago/schools](https://www.mass.gov/ago/schools) for more information.

driving

you are now liable for your own traffic violations and accidents!

Make sure you are familiar with the Massachusetts Driver's Manual⁹ to avoid potential problems.

junior operator restrictions no longer apply to you at age 18.

As a driver, you no longer have passenger restrictions or time restrictions.

You can now obtain a commercial driver's license in order to operate a commercial motor vehicle. To learn more about a CDL and how to get one, read the Massachusetts RMV's Commercial Driver's License Manual.¹⁰

If you do not yet have your license and are looking to get one, you are no longer required to take professional driving lessons (though taking lessons will increase your chances of passing a driving test – see the Guide to Driver's Education Programs).¹¹

Click here to find out how to get a learner's permit¹² or license¹³ in Massachusetts.

⁹ http://www.massrmv.com/rmv/dmanual/Drivers_Manual.pdf

¹⁰ <http://www.massrmv.com/rmv/license/8cdl.htm>

¹¹ <http://www.massrmv.com/rmv/driversed/>

¹² <http://www.massrmv.com/rmv/jol/permitChk.htm>

¹³ <http://www.massrmv.com/rmv/license/5classd.htm>

¹⁴ <http://www.massrmv.com/SafeDrivingLawSummary.aspx>

other laws to keep in mind:

While you have many new rights & privileges, drinking and driving is not one of them (nor will it ever be).

If you are under 21-years-old, it is illegal to drive with a blood alcohol content (BAC) of **0.01 or higher**, which is equivalent to less than one alcoholic drink.

Don't Text and Drive: In Massachusetts, the Safe Driving Law prohibits drivers from writing, sending, or reading texts/emails while driving.

Click-it or ticket: in Massachusetts, you are required by law to be properly restrained by a safety belt while driving or riding in a car, van, or truck.

Massachusetts Safe Driving Law¹⁴: As an 18 year old, you are now able to use your mobile phone while operating a motor vehicle. However, certain restrictions remain on the use of your mobile phone while behind the wheel.

purchasing and insuring a car

you are now eligible to purchase your own car

before you purchase

Make a **budget** before you begin to look

Determine exactly how much money you can spend on this car.

Don't forget: the money you'll be spending on a car will continue years after the initial purchase, so factor in expenses like insurance and gasoline as you think about your budget.

Be a smart shopper.

Inspecting a car before you buy it may take extra time, but will be well worth it in the long run.

Check the interior and exterior to make sure all parts are intact and functioning, listen for strange noises, look for leaks, tests all systems (like radio and AC), and make sure to take the car for a test drive.

For a more comprehensive list of things to inspect in your new car, see the Car Smart Inspecting a Car Check List.

Know your rights as a consumer:

Massachusetts Lemon Law : protects consumers who have purchased or leased a new car that has serious defects by requiring that, if a defect is not able to be repaired after a reasonable number of attempts, the consumer has the right to a full refund or replacement of the vehicle.¹⁵

Used Vehicle Warranty Law : protects consumers who have purchased a used vehicle by requiring a written warranty against defects that impact the vehicle's function or safety.¹⁶

after you purchase:

Purchasing motor vehicle insurance is mandatory in Massachusetts.

While you are a student, you can remain on your parents' car insurance, but only if they own, or are co-owners, of your car.

Before purchasing insurance, do some research:

There are basic levels of insurance required by law, but you may want additional coverage – talk to an insurance agent to understand your options.

Contact your insurance agent for a free copy of the state sponsored insurance brochure, "Smart Choices".

Talk to friends and family members about their experiences with various insurance companies.

¹⁵ <http://www.mass.gov/ocabr/consumer-rights-and-resources/autos/lemon-laws/>

¹⁶ Id.

employment

you can now work without first getting a special work permit. you are no longer protected by child labor laws.

While child labor protections no longer apply, there are lots of worker safety, wage and hour laws designed to protect your rights.

Your employer must pay you at least minimum wage, which is currently \$10 an hour in MA (\$11/hour beginning in 2017).

You have the right to keep all tips you receive - either directly, or through a valid tip pool.

For each hour over 40 that you work per week, your employer must pay you overtime (1.5 times your regular rate of pay), unless an exception applies.

You should be paid at least every other week, and your employer should provide you with a dated pay stub that includes your pay rate, hours worked, and any deductions to your pay.

Your employer must allow you to earn and use up to 40 hours of sick leave per year. You also may be eligible for other forms of leave under state or federal law.

Visit the AGO's website on Wage and Hour laws to learn more about all of your protections.



you have the right to:

Join or organize a union.

Work in a safe and healthy workplace and express any health and safety concerns you have to your employer or to the Occupational Safety and Health Administration (OSHA).

Work without being subject to racial or sexual harassment.

If you believe you are the victim of harassment in the workplace, you may file a Civil Rights Complaint with the AG's Office, or with the Massachusetts Commission Against Discrimination.

Receive benefits under the state's workers' compensation system if you become sick or injured as a result of your job. Contact the Department of Industrial Accidents for more information.

taxes

You may already pay taxes if you are employed.

As an employed adult, you are responsible for filing taxes.

Taxes will come out of your paycheck for: state income taxes, federal income taxes, Medicare, and Social Security (FICA.)

You must file your taxes by April 15th of every year.

Visit the Massachusetts Department of Revenue's site for information about filing taxes.

006

contracts

you can now legally make and sign contracts.

A contract is an agreement between two or more consenting and competent parties, which **creates obligations to do or not do things**. By entering into a contract, you are acknowledging a series of responsibilities you must uphold.

A contract is legally binding, meaning you are required by law to uphold your part of the agreement. If you don't, you could be sued or face other severe consequences (and remember, now that you are 18, **you can be sued in your own name**, and will be responsible for all accompanying consequences).

A contract can be in writing or it can be an oral agreement. The only difference is one of proof in court, but if you, as a now-competent adult, agree to do something, and the other person relies upon it, you may be held responsible if you fail to fulfill the agreement.

Contracts will likely become a frequent part of your adult life, and you will often enter into one without realizing its significance as a "contract":

When you join a gym, rent an apartment, or buy a cell phone, you will sign a contract.

Contracts do not all look the same: you often enter into contracts online by clicking a box that states, "I have read and agree to the terms & conditions."

Remember:

Don't sign anything unless you have read and understand all components of the agreement.

Don't alter any provisions of the contract without consulting the other party and check to make sure that the other party has not altered any terms. If they make alterations and you sign, you will be deemed to have agreed to those alterations.

Never sign a contract with blank spaces.

Keep a complete and signed copy of any contract you sign (in case you need it for future reference).

housing

finding an apartment

As you begin to look for an apartment, you may hire a **real estate broker**.

If you do so, be sure you understand the terms of your agreement before any transaction takes place.

Keep in mind that only licensed real estate brokers/salespersons can charge you money for helping you find an apartment.

As you look at potential properties to rent make sure of the following:

You can afford the apartment (include in your calculations anticipated costs like insurance and maintenance).

The apartment is in an acceptable condition, and record any maintenance requests you might have in writing.

You talk with people in the area to verify the competency and reputation of your potential landlord.

You are aware of, and understand, all components of the proposed lease.

signing a lease

When you decide on a property, you will enter into a contract or agreement with a **landlord** called a tenancy. There are several types of tenancies;

A tenant with a lease: signs a contract or a “lease” to rent a particular property for a specified time. With certain conditions, the landlord can not terminate the tenancy during the lease term, and the tenant is constrained to

stay in the apartment and pay rent for the specified term.

A tenant at will: generally rents a property for the period during which rent is paid - usually a month. A tenant at will does not sign a lease, but may sign a “tenancy at will” agreement. Either the tenant or the landlord may terminate the tenancy with a full month’s notice.

Do not put money down until you are 100% certain that you want the apartment (it may be difficult to get the money back).

renting an apartment

Renter’s insurance protects your personal property in the event that it is damaged or stolen.

This includes any of your personal belongings on the property, such as TVs, computers, furniture, or even a bicycle.

Renter’s insurance also insures you if someone is injured on your property.

The premiums for renter’s insurance average \$15-\$30/month.

Before you move in, your landlord can collect certain **fees:**

The first and last months’ rent. If last months’ rent is collected, the landlord must provide the tenant with any interest earned on this payment at the end of the tenancy.

One month’s security deposit,

The costs of the purchase/installation of a lock and key.

paying rent:

The date your **rent is due** is part of the terms agreed to in the lease.

Paying your rent is a legal responsibility for which you will be held liable, so make sure you pay it on time.

If rent is 30 or more days late, a landlord can charge **interest or a late fee**.

Even when rent is only one day late, a landlord has the right to begin the **eviction** process.

Late and forgone payments have significant repercussions including damage to your **credit rating**, which in turn will limit your ability to do things later in life, such as taking out loans, buying a car, or obtaining a credit card.

keep in mind

Your landlord can only **increase your rent** *after* the lease term has expired.

A landlord cannot refuse to rent to you on the basis of race, religion, national origin, age, ancestry, military background, sexual preference, disability, or marital status.

If you feel you have been the victim of housing discrimination, you can file a complaint with the Massachusetts Commission Against Discrimination or the Attorney General's Civil Rights Division .

More information on the Landlord/Tenant relationship may be found in the Attorney General's Guide to Landlord/Tenant Rights.

military service

**you can now enlist in the military
without parental consent.**

Almost all male U.S. citizens must register with the Selective Service System within 30 days of your 18th birthday.

There is not currently a draft, therefore, registration does not mean that you will be inducted into the armed forces; it simply the way that the Selective Service System maintains records.

Women are not required to register with the Selective Service, but are certainly eligible to do so.

There are a number of ways that you can register:

Online by visiting the Selective Service System website, www.sss.gov.

By mail: pick up a Selective Service “mail-back” registration form at your local post office, or mail in a completed Selective Service reminder card (likely mailed to you around your 18th birthday).

By checking the appropriate box (box #29) on a Federal Student Financial Aid (FASFA) form.

At your high school – ask to speak with a Selective Service Registrar.

id theft

social media

Social Media sites are exploding. The number of teenagers and adults using social networking sites is growing daily. Sites like Facebook® and Twitter® have branched out beyond just another means for young people to communicate. We put our lives online, often without knowing who will have access.

Did you know...

Potential employers and schools are checking applicants' social media as a part of the application process.

Once you post something online, it is almost impossible to make it disappear completely.

What you post now can affect the rest of your life.

protect yourself

Understand and adjust your privacy settings.

Most sites allow you to control who has access to your page.

Be wary of letting all your friends, the friends of friends, or an even broader range of people have a window into your personal life.

identity theft

Identity theft is a risk no matter what your age. Young children, business folks in middle age, retirees and seniors have all suffered from this problem.

Identity theft is often executed online. Be careful what information you disclose on the Internet. There are a few things you can do to minimize the risks, but the most important thing is to be vigilant about what you put on the internet.

It is the World Wide Web – there is very little privacy on the Web and with few exceptions (secure sites for bona fide internet merchants), you do not want to put any personal information on the Web.

Be sure to update your virus protection software regularly.

Don't respond to unsolicited emails that ask for personal information.

Use a firewall, especially if you have a high-speed or "always on" connection to the Internet.

Visit the Reporting ID Theft section of the Attorney General's website if you believe you are a victim of identity theft.

ago hotlines

Consumer Hotline: (617) 727-8400

Massachusetts residents can call the Consumer Advocacy and Response Division (CARD) if they have a question or concern in the area of consumer protection. Specialists on the hotline will answer consumer related questions, offer referrals to the appropriate AGO divisions, other government agencies, local consumer programs, face to face mediation programs or other organizations. CARD provides a free, voluntary advocacy service that tries to help resolve matters between consumers and businesses outside of court.

Monday through Friday 10am to 4pm.

Civil Rights Division: (617) 727-2200

The Civil Rights Division (CRD) enforces state and federal laws that protect residents of and visitors to the Commonwealth from discrimination on the basis of race, national origin, gender, sexual orientation, veteran status, disability, or any other protected status. Anyone who believes that s/he is a victim of discrimination (in such areas as housing, employment, and public accommodation, for example), can file a complaint with the CRD.

Monday through Friday 9am to 5pm. Please call number listed above, press zero for the operator, ask for the Civil Rights Division.

Fair Labor Division: (617) 727-3465

The Fair Labor Division protects employees from exploitation by employers. Through prosecutions, civil suits and administrative proceedings, the division enforces the Commonwealth's wage and hour laws, including the prevailing wage, minimum wage, payment of wages, overtime, retaliation, tip pooling, child labor, and Sunday and holiday premium pay laws. The Fair Labor Hotline is available to help workers file wage complaints.

Monday through Friday 10am to 4pm.

notes

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