HOUSE DOCKET, NO. 1917 FILED ON: 1/15/2015

HOUSE . . . . . No. 3054

The Commonwealth of Massachusetts

PRESENTED BY:

Harold P. Naughton, Jr.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the move over law.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Harold P. Naughton, Jr.	*12th Worcester*

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HOUSE . . . . . No. 3054

By Mr. Naughton of Clinton, a petition (accompanied by bill, House, No. 3054) of Harold P. Naughton, Jr., relative to the safety or emergency vehicle “move over law”, so-called. Transportation.

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act relative to the move over law.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 89, Section 7C. (a) As used in this section the following words shall, unless the context clearly requires otherwise, have the following meanings:

"Emergency response vehicle", a fire apparatus, police vehicle, ambulance, or disaster vehicle.

"Highway maintenance vehicle", a vehicle used for the maintenance of highways and roadways: (1) that is owned or operated by the executive office of transportation and public works, a county, a municipality or any political subdivision thereof; or (2) that is owned or operated by a person under contract with the executive office of transportation and public works, a county, a municipality or any political subdivision thereof.

"Operator", any person who operates a motor vehicle as defined in section 1 of chapter 90.

"Person", a natural person, corporation, association, partnership or other legal entity.

"Recovery vehicle", a vehicle that is specifically designed to assist a disabled vehicle or to tow a disabled vehicle.

"Utility Vehicle," a vehicle being used to install, maintain, repair, operate, or restore electric or gas distribution or transmission service in an emergency and that is operated by an employee of or a person under contract with an electric distribution, transmission, or natural gas distribution company as defined by section 1 of chapter 164.

(b) Upon approaching a stationary emergency vehicle, highway maintenance vehicle, utility vehicle or recovery vehicle with flashing lights an operator shall:

(1) proceed with due caution, reduce the speed of the vehicle to that of a reasonable and safe speed for road conditions, and, if practicable and on a highway having at least 4 lanes with not less than 2 lanes proceeding in the same direction as the operator's vehicle, yield the right-of-way by making a lane change into a lane not adjacent to that of the emergency response vehicle, highway maintenance vehicle or recovery vehicle; or

(2) if changing lanes is impracticable, proceed with due caution and reduce the speed of the vehicle to that of a reasonable and safe speed for road conditions.

(c) Violation of this section shall be punished by a fine of not more than $100.