

**HOUSE . . . . . No. 4149**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*James Arciero*

*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 speed limitations near waste or recycling collection vehicles.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>James Arciero</i>	<i>2nd Middlesex</i>
<i>Hannah Kane</i>	<i>11th Worcester</i>
<i>David K. Muradian, Jr.</i>	<i>9th Worcester</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>

**HOUSE . . . . . No. 4149**

By Mr. Arciero of Westford, a petition (subject to Joint Rule 12) of James Arciero and others relative to violations for passing a stopped or stationary waste or recycling collection vehicle on a public way. The Judiciary.

**The Commonwealth of Massachusetts**

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

An Act relative to speed limitations near waste or recycling collection vehicles.

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

1 SECTION 1. Section 1 of chapter 90 is hereby amended by inserting the following  
2 definition:-

3 “Waste or Recycling Collection Vehicle,” a garbage, waste, or recycling collection  
4 vehicle which provides curbside collection and is not fully automated.

5 SECTION 2. Chapter 90 is hereby amended by inserting after section 17B the following  
6 section:-

7 Section 17C. (a) No person shall operate a motor vehicle, nor shall any owner of a  
8 vehicle permit to be operated, in a manner where the owner or operator accelerates at a rate of  
9 speed in excess of fifteen miles per hour when passing on either side of a stopped or stationary  
10 waste or recycling collection vehicle on a public way.

11           (b) This section shall only apply when (1) the waste or recycling collection vehicle is  
12 identifiable as a waste or recycling collection vehicle based on the vehicle configuration or  
13 makings on the vehicle; (2) the waste or recycling collection vehicle operator gives visual notice  
14 by means of a stationary sign or flashing lights notifying the owner or operator of an approaching  
15 vehicle of the presence of workers; and (3) the waste or recycling collection vehicle is not  
16 located on a private way, controlled access highway, interstate highway, turnpike or road or  
17 highway with a center line and more than two lanes.

18           (c) Whoever violates this section shall be punished by imprisonment in the house of  
19 correction for not more than 1 year or by a fine of not more than \$500. A subsequent violation,  
20 or one resulting in serious bodily injury of a waste or recycling collection worker, shall be  
21 punished by imprisonment in the house of correction for not more than 2 1/2 years and by a fine  
22 of not more than \$1,000 and the registrar shall suspend such violator's license for a period of not  
23 less than 180 days.