

HOUSE No. 3371

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act providing cities and towns with a local option to increase certain motor vehicle fines to improve driving..

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. Chapter 85 of the General Laws, as appearing in the 2006 Official Edition,
2 is hereby amended by inserting after section 11D the following new section:--

3 Section 11E. Option of local government to increase penalties to improve behavior.

4 Any city or town may choose to adopt this section to increase penalties for certain
5 violations of chapter 85 of the General Laws. In any city or town which accepts the provisions
6 of this section, each

7 manager in a city having a Plan D or Plan E form of charter or the mayor, with the
8 approval of the city council or board of aldermen in any other city, or the town council or board
9 of selectmen of a town may impose additional fines for certain violations of Chapter 85, as
10 appearing in Section 11B of Chapter 85.

11 SECTION 2. Section 11B of Chapter 85 of the General Laws, as so appearing, is hereby
12 amended by inserting after the words “twenty dollars” in the last paragraph of subsection (11)

13 the following words:--provided that in any city or town that has accepted Section 11E of Chapter
14 85, violations of any provision of this section except violations of clause (iii) of subsection (2)
15 shall be punished by a fine of not more than seventy-five dollars.

16 SECTION 3. Chapter 89 of the General Laws, as so appearing, is hereby amended by
17 inserting after Section 11 the following new section:--

18 Section 12. Option of local government to increase penalties to improve behavior.

19 Any city or town may choose to adopt this section to increase penalties for certain
20 violations of Chapter 89 of the General Laws. In any city or town which accepts the provisions
21 of this section, each manager in a city having a Plan D or Plan E form of charter or the mayor,
22 with the approval of the city council or board of aldermen in any other city, or the town council
23 or board of selectmen of a town may impose additional fines for violations of Sections 9 and 11
24 of Chapter 89.

25 SECTION 4. Section 9 of Chapter 89 of the General Laws, as so appearing, is hereby
26 amended by inserting after the word "offense" in the last paragraph the following words:--
27 provided that in any city or town that has accepted Section 12 of Chapter 89, any person
28 violating the provisions of this section shall be punished by a fine not to exceed \$250 for each
29 offense.

30 SECTION 5. Section 11 of Chapter 89 of the General Laws, as so appearing, is hereby
31 amended by inserting after the word "\$200" in the third paragraph the following words:--
32 provided that in any city or town that has accepted Section 12 of Chapter 89, whoever violates
33 any provision of this section shall be punished by a fine not to exceed \$250 for each offense.

34 SECTION 6. Chapter 90 of the General Laws, as so appearing, is hereby amended by
35 adding after section 18A the following new section:--

36 Section 18A ½. Option of local government to increase penalties to improve behavior.

37 Any city or town may choose to adopt this section to increase penalties for certain
38 violations of Chapter 90 of the General Laws. In any city or town which accepts the provisions
39 of this section, each manager in a city having a Plan D or Plan E form of charter or the mayor,
40 with the approval of the city council or board of aldermen in any other city, or the town council
41 or board of selectmen of a town may impose additional fines for violations of Section 18A of
42 Chapter 90.

43 SECTION 7. Section 18A of chapter 90 of the General Laws, as so appearing, is hereby
44 amended in its first paragraph by inserting after the last sentence the following sentence:--In a
45 city or town that has accepted Section 18A ½ of Chapter 90, whoever violates any provision of
46 any such rule shall be punished by a fine of seventy-five dollars.