

**HOUSE . . . . . No. 3058**

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

***Sean Garballey, (BY REQUEST)***

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*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 providing for the safety of vulnerable road users.

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PETITION OF:

NAME:

*David Watson*

DISTRICT/ADDRESS:

*170 Franklin Street, #1 Arlington, MA  
02474*

**HOUSE . . . . . No. 3058**

By Mr. Garballey of Arlington (by request), a petition (accompanied by bill, House, No. 3058) of David Watson for legislation to provide for the safety of road users. Transportation.

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 3079 OF 2011-2012.]

**The Commonwealth of Massachusetts**

**In the Year Two Thousand Thirteen**

An Act providing for the safety of vulnerable road users.

*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 of the General Laws, as appearing in the 2008  
2 Official Edition, is hereby amended by inserting after line [], the following sentence:-  
3 ““Vulnerable user” means a pedestrian or a person operating a bicycle, handcycle, tricycle,  
4 skateboard, roller skates, in-line skates, or non-motorized scooter.”.

5 SECTION 2. The first sentence of paragraph (a) of Section 24G of chapter 90 of the  
6 General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after the  
7 first occurrence of the word “dollars”, in line [], the following words:- “(ten thousand dollars if  
8 the victim is a vulnerable user as defined in section one of chapter ninety)”.

9 SECTION 3. The first sentence of paragraph (a) of Section 24G of chapter 90 of the  
10 General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after the  
11 second occurrence of the word “dollars”, in line [], the following words:- “(ten thousand dollars  
12 if the victim is a vulnerable user as defined in section one of chapter ninety)”.

13 SECTION 4. The first sentence of paragraph (b) of Section 24G of chapter 90 of the  
14 General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after the  
15 word “dollars”, in line [], the following words:- “(not less than six hundred nor more than six  
16 thousand dollars if the victim is a vulnerable user as defined in section one of chapter ninety)”.

17 SECTION 5. Section 24G of chapter 90 of the General Laws, as appearing in the 2008  
18 Official Edition, is hereby amended by inserting after paragraph (c), in line [], the following  
19 paragraph:- “(d) A person convicted of a violation of this section where the victim is a vulnerable  
20 user as defined in section one of chapter ninety shall, in addition to such imprisonment and fines  
21 as provided in this section, be required to complete a traffic safety class including interactions  
22 between motorized vehicles and vulnerable users, and to perform up to 100 hours of community  
23 service related to driver improvement and providing public education on traffic safety including  
24 interactions between motorized vehicles and vulnerable users.”

25 SECTION 6. The first sentence of subdivision (1) of Section 24L of chapter 90 of the  
26 General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after the  
27 first occurrence of the word “dollars”, in line [], the following words:- “(ten thousand dollars if  
28 the victim is a vulnerable user as defined in section one of chapter ninety)”.

29 SECTION 7. The first sentence of subdivision (1) of Section 24L of chapter 90 of the  
30 General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after the  
31 second occurrence of the word “dollars”, in line [], the following words:- “(ten thousand dollars  
32 if the victim is a vulnerable user as defined in section one of chapter ninety)”.

33 SECTION 8. The first sentence of subdivision (2) of Section 24L of chapter 90 of the  
34 General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after the  
35 word “glue”, in line [], the following words:- “, or whoever operates a motor vehicle recklessly  
36 or negligently so that the lives or safety of the public might be endangered”.

37 SECTION 9. The first sentence of subdivision (2) of Section 24L of chapter 90 of the  
38 General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after the  
39 word “dollars”, in line [], the following words:- “(not less than six thousand dollars if the victim  
40 is a vulnerable user as defined in section one of chapter ninety)”.

41 SECTION 10. Section 24L of chapter 90 of the General Laws, as appearing in the 2008  
42 Official Edition, is hereby amended by inserting after subdivision (4), in line [], the following  
43 subdivision:- “(5) A person convicted of a violation of this section where the victim is a  
44 vulnerable user as defined in section one of chapter ninety shall, in addition to such  
45 imprisonment and fines as provided in this section, be required to complete a traffic safety class  
46 including interactions between motorized vehicles and vulnerable users, and to perform up to  
47 100 hours of community service related to driver improvement and providing public education  
48 on traffic safety including interactions between motorized vehicles and vulnerable users.”

49 SECTION 11. The first sentence of subparagraph (1) of paragraph (a1/2) of subdivision  
50 (2) of Section 24 of chapter 90 of the General Laws, as appearing in the 2008 Official Edition, is  
51 hereby amended by inserting after the second occurrence of the word “dollars”, in line [], the  
52 following words:- “(not less than one thousand dollars nor more than two thousand dollars if the  
53 victim is a vulnerable user as defined in section one of chapter ninety)”.

54 SECTION 12. The first sentence of subparagraph (2) of paragraph (a1/2) of subdivision  
55 (2) of Section 24 of chapter 90 of the General Laws, as appearing in the 2008 Official Edition, is  
56 hereby amended by inserting after the second occurrence of the word “dollars”, in line [], the  
57 following words:- “(not less than two thousand dollars nor more than ten thousand dollars if the  
58 victim is a vulnerable user as defined in section one of chapter ninety)”.

59 SECTION 13. The first sentence of subparagraph (2) of paragraph (a1/2) of subdivision  
60 (2) of Section 24 of chapter 90 of the General Laws, as appearing in the 2008 Official Edition, is  
61 hereby amended by inserting after the fourth occurrence of the word “dollars”, in line [], the  
62 following words:- “(not less than two thousand dollars nor more than ten thousand dollars if the  
63 victim is a vulnerable user as defined in section one of chapter ninety)”.

64 SECTION 14. Subdivision (3) of Section 24 of chapter 90 of the General Laws, as  
65 appearing in the 2008 Official Edition, is hereby amended by inserting after paragraph (c), in line  
66 [], the following paragraph:- “(d) A person convicted of a violation of subparagraph (1) or  
67 subparagraph (2) of paragraph (a 1/2) of subdivision (2) where the victim is a vulnerable user as  
68 defined in section one of chapter ninety shall, in addition to such imprisonment and fines as  
69 provided in this section, shall be required to complete a traffic safety class including interactions  
70 between motorized vehicles and vulnerable users, and to perform up to 100 hours of community  
71 service related to driver improvement and providing public education on traffic safety including  
72 interactions between motorized vehicles and vulnerable users.”

73 SECTION 15. The first sentence of subparagraph (1) of paragraph (a1/2) of subdivision  
74 (2) of Section 24 of chapter 90 of the General Laws, as appearing in the 2008 Official Edition, is  
75 hereby amended by inserting after the word “knowingly”, in line [], the following words:- “,  
76 recklessly or negligently”.

77 SECTION 16. The first sentence of subparagraph (2) of paragraph (a1/2) of subdivision  
78 (2) of Section 24 of chapter 90 of the General Laws, as appearing in the 2008 Official Edition, is  
79 hereby amended by inserting after the word “knowingly”, in line [], the following words:- “,  
80 recklessly or negligently”.