

HOUSE No. 3062

The Commonwealth of Massachusetts

PRESENTED BY:

Sean Garballey, (BY REQUEST)

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 regarding rules of the road.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Mark Kaepplein</i>	<i>11 Palmer St Arlington, MA 02474</i>	

HOUSE No. 3062

By Mr. Garballey of Arlington (by request), a petition (accompanied by bill, House, No. 3062) of Mark Kaepplein relative to the rules of the road, so-called, for motor vehicle operators, motorcyclists and bicyclists. Transportation.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act regarding rules of the road.

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. Resolved, that, notwithstanding any general law, or special law to the
2 contrary, the following amendments shall be made to Massachusetts General Law:

3 Section 11B Bicycles; operation and equipment; regulations; federal product safety
4 standards, effect; races; violations; penalties

5 1. Add to the last sentence of the first paragraph: “and shall not exceed the running
6 speed of a pedestrian.”

7 2. In part 11, fourth paragraph, “twenty dollars” is replaced with “eighty dollars”.

8 Section 11E Traffic law violations by bicyclist

9 1. In the second sentence, “\$20” is replaced by “\$50” and “\$50” is replaced by
10 “\$500”. (Ch. 159, Sec. 101).

11 2. In the second sentence, “but no person shall be arrested without a warrant for any
12 other traffic law violation committed while operating a bicycle” is stricken.

13 3. In the third sentence, “the violation shall not affect the status of the bicyclist’s
14 license to operate a motor vehicle nor shall it” is replaced by “it shall not”.

15 4. In the third paragraph, “All” is replaced by “Five percent of”.

16 5. A fourth paragraph is added as follows:

17 “Nonpayment of fines for bicycle violations are subject to suspension or non-renewal of a
18 driving license as set forth for motor vehicle infractions. If the records of the registrar indicate
19 that the violator has no current information on file and the violator is under 17 years of age, the
20 record shall be retained until such time as the violator is eligible for a license to operate a motor
21 vehicle under chapter 90. The violator shall pay the fine before being issued said license. If the
22 records of the registrar indicate that the violator has no current information on file and the
23 violator is 17 years of age or older and the violator fails to pay the fine or request a hearing, a
24 surcharge of \$100 shall be assessed to each violation.” [See Ch. 151, Sec. 101, part (e)]

25 Section 17 Penalty for violation of Sec. 15 or 16

26 1. In the first sentence, “five” is replaced by “fifty”.

27 MGL Chapter 89

28 Section 4A Driving vehicles in a single lane; motorcycles, riding and passing

29 1. In the second sentence, three instances of “motorcycle” are replaced with “two
30 and three wheeled vehicle”.

31 2. In the second sentence, the word “motor” is stricken.

32 Section 11 Marked crosswalks; yielding right of way to pedestrians; penalty

33 1. All instances of the word “motor” are stricken.

34 CHAPTER 90 MOTOR VEHICLES AND AIRCRAFT

35 Section 8M Use of mobile telephone, hands-free mobile telephone or mobile electronic
36 device by person under 18 years of age while operating motor vehicle prohibited;
37 penalties;affirmative defenses

38 1. Instances of “motor” are stricken.

39 Section 13B Composing, sending or reading of electronic messages while operating a
40 motor vehicle prohibited; penalties

41 1. Instances of “motor” are stricken.

42 Section 14 Precautions for safety of other travelers

43 1. Instances of “motor” are stricken.

44 2. Instances of “metropolitan district commission” are replaced by “department of
45 conservation and recreation”.

46 Section 14B Uniform stopping and turning signals on ways

- 47 1. Instances of “motor” are stricken.
- 48 Section 15 Precautions at railroad crossings
- 49 1. Instances of “motor” are stricken.
- 50 Section 17 Speed limits
- 51 1. Instances of “motor” are stricken.
- 52 Section 21 Arrest without warrant
- 53 1. In the second paragraph, the last two instances of “motor” are stricken, with the
54 word “vehicle” following the second instance, replaced by “vehicular”.
- 55 2. In the fourth paragraph, the first instance of “motor” is stricken.
- 56 Section 22A Suspension of operator’s license or registration certificates, unsatisfied
57 judgment; reinstatement of license
- 58 1. The instance of the word “motor” is stricken.
- 59 Section 22C Abandoned motor vehicles; removal and disposal
- 60 1. “Motor” is stricken from the section title.
- 61 2. Instances of “motor” are stricken.
- 62 Section 22E Abandoned vehicles; removal of parts; penalty
- 63 1. The instance of the word “motor” is stricken.
- 64 Section 24F Civil liability to owner for unauthorized use of motor vehicle
- 65 1. “Motor” is stricken from the section title.
- 66 2. Instances of “motor” are stricken.
- 67 Section 24G Homicide by motor vehicle; punishment
- 68 1. “Motor” is stricken from the section title.
- 69 2. Instances of “motor” are stricken.
- 70 Section 24L Serious bodily injury by motor vehicle while under influence of
71 intoxicating substance; penalties
- 72 1. “Motor” is stricken from the section title.

- 73 2. Instances of “motor” are stricken.
- 74 Section 27 Court records; motor vehicle violations
- 75 1. The section title shall have “and bicycle” inserted after “vehicle”.
- 76 2. In the first paragraph, “and bicycle” shall be inserted after instances of “motor
77 vehicle”.
- 78 3. In the second paragraph, “and bicycles” is inserted after “motor vehicles”.
- 79 Section 30 Records of registrar; certified copies; destruction
- 80 1. “motor” is stricken from the third sentence.
- 81 Section 30B Interstate compact; motor vehicle convictions
- 82 1. “motor” is stricken from part (I)(c), (III)(1)
- 83 Section 31 Use and operation of motor vehicles or trailers; conduct of operators and
84 chauffeurs; rules and regulations
- 85 1. “Motor” is stricken from the section title.
- 86 2. Instances of “motor” are stricken.
- 87 CHAPTER 90C PROCEDURE FOR MOTOR VEHICLE OFFENSES
- 88 1. “Motor” is stricken from the title of Chapter 90C.
- 89 Section 1 Definitions
- 90 1. Under “Automobile law violation”, the second sentence shall have “bicycle,”
91 inserted before “motorized bicycle” and “all” shall replace “both”. This gives bicyclists due
92 process under subsequent sections.
- 93 Section 7 Reciprocal and mutual agreements with other states
- 94 1. Instances of “motor” are stricken.