

HOUSE No. 3073

The Commonwealth of Massachusetts

PRESENTED BY:

David M. Rogers

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 to protect vulnerable road users.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>
<i>Paul A. Schmid, III</i>	<i>8th Bristol</i>
<i>Leonard Mirra</i>	<i>2nd Essex</i>
<i>Timothy R. Madden</i>	<i>Barnstable, Dukes and Nantucket</i>
<i>John C. Velis</i>	<i>4th Hampden</i>
<i>Gailanne M. Cariddi</i>	<i>1st Berkshire</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>Peter V. Kocot</i>	<i>1st Hampshire</i>
<i>Carole A. Fiola</i>	<i>6th Bristol</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>
<i>Aaron Vega</i>	<i>5th Hampden</i>
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>
<i>Jeffrey N. Roy</i>	<i>10th Norfolk</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>

<i>Frank I. Smizik</i>	<i>15th Norfolk</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Daniel M. Donahue</i>	<i>16th Worcester</i>
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>
<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>
<i>Danielle W. Gregoire</i>	<i>4th Middlesex</i>
<i>Bradford R. Hill</i>	<i>4th Essex</i>
<i>Daniel Cullinane</i>	<i>12th Suffolk</i>
<i>Shawn Dooley</i>	<i>9th Norfolk</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>

HOUSE No. 3073

By Mr. Rogers of Cambridge, a petition (accompanied by bill, House, No. 3073) of David M. Rogers and others for legislation to define and further protect vulnerable persons on the roads of the Commonwealth. Transportation.

The Commonwealth of Massachusetts

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

An Act to protect 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 is hereby amended by
2 inserting the following sentence:

3 “Vulnerable user” means (a) a pedestrian, including those persons actually
4 engaged in work upon a way, or in work upon utility facilities along a way, or engaged in the
5 provision of emergency services within the way; or (b) a person operating a bicycle, handcycle,
6 tricycle, skateboard, roller skates, in-line skates, non-motorized scooter, wheelchair, electric
7 personal assistive mobility device, horse-drawn carriage, motorized bicycle, motorized scooter,
8 farm tractor or similar vehicle designed primarily for farm use, or motorcycle; or (c) a person
9 riding an animal.

10 SECTION 2: Section 14 of Chapter 90 of the General Laws is hereby amended
11 by replacing the sentence:

12 In approaching or passing a person on a bicycle the operator of a motor vehicle shall slow
13 down and pass at a safe distance and at a reasonable and proper speed.

14 with the sentence:

15 In approaching or passing a vulnerable user (as defined in Section 1 of Chapter 90 of the
16 General Laws), the operator of a motor vehicle shall slow down and pass at a safe distance and at
17 a reasonable and proper speed, where a safe distance is defined as at least three feet when the
18 motor vehicle is traveling at thirty miles per hour or less, and one additional foot of clearance is
19 required for every ten miles per hour above thirty miles per hour.

20 SECTION 3: Section 2 of Chapter 89 of the General Laws is hereby amended by
21 replacing the sentence:

22 If it is not possible to overtake a bicycle or other vehicle at a safe distance in the same
23 lane, the overtaking vehicle shall use all or part of an adjacent lane if it is safe to do so or wait
24 for a safe opportunity to overtake.

25 with the sentence:

26 If it is not possible to overtake a vulnerable user (as defined in Section 1 of Chapter 90
27 of the General Laws) or other vehicle at a safe distance (as defined in Section 14 of Chapter 90
28 of the General Laws) in the same lane, the overtaking vehicle shall use all or part of an adjacent
29 lane, crossing the centerline if necessary, if it is safe to do so or wait for a safe opportunity to
30 overtake.