

**SENATE . . . . . No. 1807**

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The Commonwealth of Massachusetts

PRESENTED BY:

***William N. Brownsberger***

*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>William N. Brownsberger</i>	<i>Second Suffolk and Middlesex</i>
<i>Kenneth J. Donnelly</i>	<i>Fourth Middlesex</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>
<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>
<i>Timothy R. Madden</i>	<i>Barnstable, Dukes and Nantucket</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>
<i>Sonia Chang-Diaz</i>	<i>Second Suffolk</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>
<i>Brian A. Joyce</i>	<i>Norfolk, Bristol and Plymouth</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>

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By Mr. Brownsberger, a petition (accompanied by bill, Senate, No. 1807) of William N. Brownsberger, Kenneth J. Donnelly, Jason M. Lewis, Jay D. Livingstone and other members of the General Court for legislation to protect vulnerable road users. Transportation.

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The Commonwealth of Massachusetts

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**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**  
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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, as appearing in the 2012  
2 Official Edition, is hereby amended by inserting after the definition of “Transporter” the  
3 following sentence:-  
4           “Vulnerable user” means (a) a pedestrian, including those persons actually engaged in  
5 work upon a way, or in work upon utility facilities along a way, or engaged in the provision of  
6 emergency services within the way; or (b) a person operating a bicycle, handcycle, tricycle,  
7 skateboard, roller skates, in-line skates, non-motorized scooter, wheelchair, electric personal  
8 assistive mobility device, horse-drawn carriage, motorized bicycle, motorized scooter, farm  
9 tractor or similar vehicle designed primarily for farm use, or motorcycle; or (c) a person riding  
10 an animal.

11 SECTION 2: Said section 14 of Chapter 90 of the General Laws, as so appearing, is  
12 hereby amended by striking, in line 9, the sentence beginning with the words :- “In  
13 approaching...” and inserting in place thereof the following sentence:-

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

19 SECTION 3: Section 2 of Chapter 89 of the General Laws, as so appearing, is hereby  
20 amended by striking, in line 6, the sentence beginning with the words:- “If it is not possible ....”  
21 and inserting in place thereof the following sentence:-

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