

SENATE No. 1890

The Commonwealth of Massachusetts

PRESENTED BY:

Bruce E. Tarr

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 relative to increasing the civil fines and financial responsibilities and criminal penalties of motorists who violate the right of way of other motorists, motorcyclists, bicyclists and/or pedestrians, resulting in serious bodily injury and/or death.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Viriato M. deMacedo</i>	<i>Plymouth and Barnstable</i>
<i>Robert L. Hedlund</i>	<i>Plymouth and Norfolk</i>
<i>Donald F. Humason, Jr.</i>	<i>Second Hampden and Hampshire</i>

SENATE No. 1890

By Mr. Tarr, a petition (accompanied by bill, Senate, No. 1890) of Bruce E. Tarr, Denise Provost, Viriato M. deMacedo, Robert L. Hedlund and others for legislation to increase the civil fines and penalties of motorists who violate the right of way of other motorists. Transportation.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1710 OF 2013-2014.]

The Commonwealth of Massachusetts

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

An Act relative to increasing the civil fines and financial responsibilities and criminal penalties of motorists who violate the right of way of other motorists, motorcyclists, bicyclists and/or pedestrians, resulting in serious bodily injury and/or death.

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 8 of chapter 89 of the General Laws, as appearing in the 2014
2 Official Edition, is hereby amended by striking out, in line 31, the word “thirty-five” and
3 replacing it with the words “two hundred.”

4 SECTION 2. Section 8 of said chapter 89 of the General Laws, as so appearing, is
5 hereby further amended by adding at the end of said section the following new paragraph:-

6 “Any person who is found guilty of or pleads guilty or nolo contendere to a violation of
7 the provisions of this section shall be subject to the following penalties:

8 (a) If the violation results in the injury of another person, the offender shall, in addition to
9 any other penalties, be fined two hundred dollars and have their driver's or commercial driver's
10 license or permit or nonresident operating privilege suspended for a period of not less than thirty
11 days, or both.

12 (b) If the violation results in the serious bodily injury of another person, the offender
13 shall, in addition to any other penalties, be fined five hundred dollars and have their driver's or
14 commercial driver's license or permit or nonresident operating privilege suspended for a period
15 of not less than ninety days, or both.

16 (c) If the violation results in the death of another person, the offender shall, in addition to
17 any other penalties, be fined one thousand dollars and have their driver's or commercial driver's
18 license or permit or nonresident operating privilege suspended for a period of not less than one
19 hundred eighty days, or both.

20 (d) For purposes of this section, "serious bodily injury" shall mean a bodily injury which
21 involves unconsciousness, extreme physical pain, or protracted and obvious disfigurement,
22 protracted loss or impairment of the function of a bodily member, organ, or mental faculty, or a
23 substantial risk of death."