

HOUSE No. 1819

The Commonwealth of Massachusetts

PRESENTED BY:

Michael S. Day

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 increase safety on public ways.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|---|--|
| <i>Michael S. Day</i> | <i>31st Middlesex</i> |
| <i>Middlesex District Attorney Marian T. Ryan</i> | <i>15 Commonwealth Avenue Woburn, MA 01801</i> |
| <i>Sheila C. Harrington</i> | <i>1st Middlesex</i> |
| <i>James R. Miceli</i> | <i>19th Middlesex</i> |
| <i>Bruce E. Tarr</i> | <i>First Essex and Middlesex</i> |
| <i>José F. Tosado</i> | <i>9th Hampden</i> |
| <i>Steven Ultrino</i> | <i>33rd Middlesex</i> |
| <i>Chris Walsh</i> | <i>6th Middlesex</i> |
| <i>Timothy R. Whelan</i> | <i>1st Barnstable</i> |

HOUSE No. 1819

By Mr. Day of Stoneham, a petition (accompanied by bill, House, No. 1819) of Michael S. Day and others relative to the towing of motor vehicles under operation by incapacitated persons. Transportation.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act to increase safety on public ways.

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: General Laws Part I Title XVI Chapter 111E, is amended to include the
2 following Section 9B which provides:

3 (a) For the purposes of this section, “incapacitated” shall have the same meaning as
4 is defined in Section 9A of Chapter 111E.

5 (b) Where an incapacitated person is found to be the operator of or in possession of a
6 motor vehicle on a public way, that motor vehicle shall be towed away and impounded for a
7 period of twelve (12) hours.

8 (c) This (12) hour impoundment period shall be calculated from the time the vehicle
9 is towed. The costs for the towing, storage and maintenance of the vehicle shall be borne by the
10 operator or individual who retrieves the vehicle after the twelve (12) hour hold period is
11 complete.