HOUSE No. 1871

The Commonwealth of Massachusetts

PRESENTED BY:

Harold P. Naughton, Jr.

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 the move over law.

PETITION OF:

NAME:DISTRICT/ADDRESS:DATE ADDED:Harold P. Naughton, Jr.12th Worcester1/18/2017

HOUSE No. 1871

By Mr. Naughton of Clinton, a petition (accompanied by bill, House, No. 1871) of Harold P. Naughton, Jr., relative to the safety or emergency vehicle "move over law", so-called. Transportation.

[SIMILAR MATTER FILED IN PREVIOUS SESSION SEE HOUSE, NO. 3054 OF 2015-2016.]

The Commonwealth of Massachusetts

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

An Act relative to the move over law.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 Chapter 89, Section 7C. (a) As used in this section the following words shall, unless the 2 context clearly requires otherwise, have the following meanings:
- 3 "Emergency response vehicle", a fire apparatus, police vehicle, ambulance, or disaster4 vehicle.
- 5 "Highway maintenance vehicle", a vehicle used for the maintenance of highways and
- 6 roadways: (1) that is owned or operated by the executive office of transportation and public
- 7 works, a county, a municipality or any political subdivision thereof; or (2) that is owned or
- 8 operated by a person under contract with the executive office of transportation and public works,
- 9 a county, a municipality or any political subdivision thereof.

- "Operator", any person who operates a motor vehicle as defined in section 1 of chapter 90.
- 12 "Person", a natural person, corporation, association, partnership or other legal entity.

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- 13 "Recovery vehicle", a vehicle that is specifically designed to assist a disabled vehicle or 14 to tow a disabled vehicle.
 - "Utility Vehicle," a vehicle being used to install, maintain, repair, operate, or restore electric or gas distribution or transmission service in an emergency and that is operated by an employee of or a person under contract with an electric distribution, transmission, or natural gas distribution company as defined by section 1 of chapter 164.
 - (b) Upon approaching a stationary emergency vehicle, highway maintenance vehicle, utility vehicle or recovery vehicle with flashing lights an operator shall:
 - (1) proceed with due caution, reduce the speed of the vehicle to that of a reasonable and safe speed for road conditions, and, if practicable and on a highway having at least 4 lanes with not less than 2 lanes proceeding in the same direction as the operator's vehicle, yield the right-of-way by making a lane change into a lane not adjacent to that of the emergency response vehicle, highway maintenance vehicle or recovery vehicle; or
 - (2) if changing lanes is impracticable, proceed with due caution and reduce the speed of the vehicle to that of a reasonable and safe speed for road conditions.
 - (c) Violation of this section shall be punished by a fine of not more than \$100.