

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:
<i>Harold P. Naughton, Jr.</i>	<i>12th Worcester</i>	<i>1/18/2017</i>

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 disaster
4 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.

10 "Operator", any person who operates a motor vehicle as defined in section 1 of chapter
11 90.

12 "Person", a natural person, corporation, association, partnership or other legal entity.

13 "Recovery vehicle", a vehicle that is specifically designed to assist a disabled vehicle or
14 to tow a disabled vehicle.

15 "Utility Vehicle," a vehicle being used to install, maintain, repair, operate, or restore
16 electric or gas distribution or transmission service in an emergency and that is operated by an
17 employee of or a person under contract with an electric distribution, transmission, or natural gas
18 distribution company as defined by section 1 of chapter 164.

19 (b) Upon approaching a stationary emergency vehicle, highway maintenance vehicle,
20 utility vehicle or recovery vehicle with flashing lights an operator shall:

21 (1) proceed with due caution, reduce the speed of the vehicle to that of a reasonable and
22 safe speed for road conditions, and, if practicable and on a highway having at least 4 lanes with
23 not less than 2 lanes proceeding in the same direction as the operator's vehicle, yield the right-of-
24 way by making a lane change into a lane not adjacent to that of the emergency response vehicle,
25 highway maintenance vehicle or recovery vehicle; or

26 (2) if changing lanes is impracticable, proceed with due caution and reduce the speed of
27 the vehicle to that of a reasonable and safe speed for road conditions.

28 (c) Violation of this section shall be punished by a fine of not more than \$100.