

HOUSE No. 2752

The Commonwealth of Massachusetts

PRESENTED BY:

Sarah K. Peake

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 regarding right of way violations.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>	<i>1/20/2017</i>
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>	
<i>F. Jay Barrows</i>	<i>1st Bristol</i>	
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	
<i>William L. Crocker, Jr.</i>	<i>2nd Barnstable</i>	
<i>Peter J. Durant</i>	<i>6th Worcester</i>	
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>	
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>	
<i>Keiko M. Orrall</i>	<i>12th Bristol</i>	
<i>Todd M. Smola</i>	<i>1st Hampden</i>	
<i>Randy Hunt</i>	<i>5th Barnstable</i>	
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>	
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>	
<i>Richard J. Ross</i>	<i>Norfolk, Bristol and Middlesex</i>	
<i>Julian Cyr</i>	<i>Cape and Islands</i>	
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>	
<i>Gailanne M. Cariddi</i>	<i>1st Berkshire</i>	

HOUSE No. 2752

By Ms. Peake of Provincetown, a petition (accompanied by bill, House, No. 2752) of Sarah K. Peake and others relative to the penalties for right-of-way violations at intersections. Transportation.

The Commonwealth of Massachusetts

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

An Act regarding right of way violations.

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 32 the word “thirty-five” and replacing
3 it with the following: “two hundred.”

4 SECTION 2. Section 8 of chapter 89 of the General Laws, as so appearing, is hereby
5 amended by adding at the end thereof, 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.