HOUSE DOCKET, NO. 3423 FILED ON: 1/20/2017

HOUSE . . . . . No. 3101

The Commonwealth of Massachusetts

PRESENTED BY:

Christopher M. Markey

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 reckless operation of motor vehicles.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Christopher M. Markey	*9th Bristol*	*1/20/2017*

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HOUSE . . . . . No. 3101

By Mr. Markey of Dartmouth, a petition (accompanied by bill, House, No. 3101) of Christopher M. Markey relative to the penalties for reckless operation of motor vehicles. The Judiciary.

The Commonwealth of Massachusetts

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

An Act relative to the reckless operation of motor vehicles.

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

SECTION 1. Paragraph (a) of subdivision (2) of section 24 of chapter 90 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out, in lines 766 and 767, the words “recklessly, or operates such a vehicle”.

SECTION 2. Said paragraph (a) of said subdivision (2) of said section 24 of said chapter 90, as so appearing, is hereby further amended by inserting after the first paragraph the following 4 paragraphs:-

Whoever upon any way or in any place to which the public has a right of access, or any place to which members of the public have access as invitees or licensees, operates a motor vehicle recklessly, shall be punished by imprisonment in the state prison for not more than 5 years, or by imprisonment for not more than 2½ years in a jail or house of correction and by a fine of not less than $1,000 nor more than $5,000.

Whoever upon any way or in any place to which the public has a right of access, or any place to which members of the public have access as invitees or licensees, operates a motor vehicle recklessly and by such operation causes the serious bodily injury of any person, shall be punished by imprisonment in the state prison for not more than 10 years, or by imprisonment for not less than 1 year nor more than 2½ years in a jail or house of correction and by a fine of not less than $1,000 nor more than $5,000. For the purpose of this section the term "serious bodily injury" shall have the same meaning as in subdivision (3) of section 24L.

Whoever upon any way or in any place to which the public has a right of access, or any place to which members of the public have access as invitees or licensees, operates a motor vehicle recklessly, and by such reckless operation causes the death of another, shall be punished by imprisonment in the state prison for not more than 20 years, and by a fine of not more than $25,000.

For purposes of this section "reckless" shall be defined as: violating 1 or more moving violations while traveling at least 25 miles per hour over the speed limit.

SECTION 3. Subsection (a) of section 24G of said chapter 90, as so appearing, is hereby amended by striking out, in line 9, the words "recklessly or".