

HOUSE No. 4463

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, May 3, 2018.

The committee on the Judiciary to whom was referred the petition (accompanied by bill, House, No. 707) of James Arciero, Brian M. Ashe and Diana DiZoglio relative to violations for passing a stopped or stationary waste or recycling collection vehicle on a public way, reports recommending that the accompanying bill (House, No. 4463) ought to pass.

For the committee,

CLAIRE D. CRONIN.

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

An Act relative to speed limitations near waste or recycling collection vehicles.

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 1 of chapter 90 is hereby amended by inserting the following
2 definition:-

3 “Waste or Recycling Collection Vehicle,” a garbage, waste, or recycling collection
4 vehicle which provides curbside collection and is not fully automated.

5 SECTION 2. Chapter 90 is hereby amended by inserting after section 17C the following
6 section:-

7 Section 17D. (a) No person shall operate a motor vehicle, nor shall any owner of a
8 vehicle permit to be operated, in a manner where the owner or operator accelerates at a rate of
9 speed in excess of fifteen miles per hour when passing on either side of a stopped or stationary
10 waste or recycling collection vehicle on a public way.

11 (b) This section shall only apply when (1) the waste or recycling collection vehicle is
12 identifiable as a waste or recycling collection vehicle based on the vehicle configuration or

13 makings on the vehicle; (2) the waste or recycling collection vehicle operator gives visual notice
14 by means of a stationary sign or flashing lights notifying the owner or operator of an approaching
15 vehicle of the presence of workers; and (3) the waste or recycling collection vehicle is not
16 located on a private way, controlled access highway, interstate highway, turnpike or road or
17 highway with a center line and more than two lanes.

18 (c) Whoever violates this section shall be punished by a fine of not more than \$500. A
19 subsequent violation shall be punished by a fine of not more than \$1,000.