HOUSE DOCKET, NO. 1060 FILED ON: 1/18/2017

HOUSE . . . . . No. 707

The Commonwealth of Massachusetts

PRESENTED BY:

James Arciero

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 speed limitations near waste or recycling collection vehicles.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
James Arciero	*2nd Middlesex*	*1/18/2017*
Brian M. Ashe	*2nd Hampden*	*2/2/2017*
Diana DiZoglio	*14th Essex*	*2/2/2017*

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HOUSE . . . . . No. 707

By Mr. Arciero of Westford, a 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. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *4149* OF 2015-2016.]

The Commonwealth of Massachusetts

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:

SECTION 1. Section 1 of chapter 90 is hereby amended by inserting the following definition:-

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

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

Section 17C. (a) No person shall operate a motor vehicle, nor shall any owner of a vehicle permit to be operated, in a manner where the owner or operator accelerates at a rate of

speed in excess of fifteen miles per hour when passing on either side of a stopped or stationary waste or recycling collection vehicle on a public way.

(b) This section shall only apply when (1) the waste or recycling collection vehicle is identifiable as a waste or recycling collection vehicle based on the vehicle configuration or makings on the vehicle; (2) the waste or recycling collection vehicle operator gives visual notice by means of a stationary sign or flashing lights notifying the owner or operator of an approaching vehicle of the presence of workers; and (3) the waste or recycling collection vehicle is not located on a private way, controlled access highway, interstate highway, turnpike or road or highway with a center line and more than two lanes.

(c) Whoever violates this section shall be punished by imprisonment in the house of correction for not more than 1 year or by a fine of not more than $500. A subsequent violation, or one resulting in serious bodily injury of a waste or recycling collection worker, shall be punished by imprisonment in the house of correction for not more than 2 1/2 years and by a fine of not more than $1,000 and the registrar shall suspend such violator's license for a period of not less than 180 days.