

HOUSE No. 982

The Commonwealth of Massachusetts

PRESENTED BY:

Timothy R. Whelan

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 to enhance safety on public ways.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>	<i>1/4/2017</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>1/19/2017</i>
<i>William L. Crocker, Jr.</i>	<i>2nd Barnstable</i>	<i>1/23/2017</i>
<i>David F. DeCoste</i>	<i>5th Plymouth</i>	<i>1/11/2017</i>
<i>Shawn Dooley</i>	<i>9th Norfolk</i>	<i>1/30/2017</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	<i>1/31/2017</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>	<i>2/3/2017</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>1/23/2017</i>
<i>Kevin J. Kuros</i>	<i>8th Worcester</i>	<i>2/3/2017</i>
<i>Joseph W. McGonagle, Jr.</i>	<i>28th Middlesex</i>	<i>1/19/2017</i>
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>	<i>1/19/2017</i>
<i>James R. Miceli</i>	<i>19th Middlesex</i>	<i>1/19/2017</i>
<i>Leonard Mirra</i>	<i>2nd Essex</i>	<i>1/26/2017</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>2/2/2017</i>
<i>Mathew Muratore</i>	<i>1st Plymouth</i>	<i>1/19/2017</i>
<i>Shaunna L. O'Connell</i>	<i>3rd Bristol</i>	<i>2/1/2017</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>2/3/2017</i>

HOUSE No. 982

By Mr. Whelan of Brewster, a petition (accompanied by bill, House, No. 982) of Timothy R. Whelan and others for legislation to establish a penalty for blocking public ways and disrupting traffic. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1672 OF 2015-2016.]

The Commonwealth of Massachusetts

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

An Act to enhance safety on public ways.

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 266 is hereby amended by inserting the following section, as Section 120G:

2 Whoever knowingly, not being authorized by a written permit issued by the
3 municipality,

4 stands or remains in or on any public way with the intent or effect of disputing traffic
5 thereon, or whoever causes another to do the same, or whoever erects or places on a public way
6 any barrier of any sort so that traffic might be affected, shall be punished by a sentence by
7 imprisonment in the House of Correction for not more than one year, and a fine of not more than
8 \$2,500.

9 A conviction or findings of sufficient facts on any charge brought under this section
10 shall be prima facie evidence of liability in any action brought in connection with the following:

11 a. Any damage to any property, whether privately or publicly owned, including but
12 not limited to vehicles;

13 b. Any continuing injury, illness, or death reasonably attributable to a delay in
14 receiving medical or emergency services caused by prohibited actions in this section

15 c. Any property loss suffered that is reasonably attributable to the delay in
16 response of emergency vehicles to any emergency.