

**SENATE . . . . . No. 2240**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Anne M. Gobi*

*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 updating the state "Move Over" law.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Anne M. Gobi</i>	<i>Worcester and Hampshire</i>	
<i>Michael D. Brady</i>	<i>Second Plymouth and Norfolk</i>	<i>3/13/2023</i>

**SENATE . . . . . No. 2240**

By Ms. Gobi, a petition (accompanied by bill, Senate, No. 2240) of Anne M. Gobi for legislation relative to updating the state "Move Over" law. Transportation.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Third General Court  
(2023-2024)**

An Act relative to updating the state "Move Over" law.

*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. Chapter 89 of the General Laws is hereby amended in section 7C (a) by  
2 adding the following definition:

3 "Disabled vehicle", a motor vehicle that has been abandoned or rendered inoperable by  
4 mechanical failure or accident.

5 And further, by striking out subsection (2) © in its entirety and inserting in place thereof  
6 the following:-

7 (c) Violation of this section may be punishable by a fine of \$250 for a first offense, by a  
8 fine of \$500 for a second offense, and by a fine of \$1,000 for a third or subsequent offense;  
9 provided that any violation that results in bodily injury may be punishable by a fine of \$2500 or  
10 up to one year in a jail or house of correction.

11 And further, at the end after (c) by adding the following section:

12           (d) In addition to any fines pursuant to subsection c, an operator who commits a second  
13 or third offense shall be required to complete a program selected by the registrar of motor  
14 vehicles that encourages a change in driver behavior and attitude about the “Move Over Law” to  
15 be paid by the violator.

16           (e) A first or second offense under this section shall not be a surchargeable incident under  
17 section 113B of chapter 175 or under a motor vehicle liability policy as defined in section 34A  
18 that is issued pursuant to said chapter 175; provided, however, that a third or subsequent offense  
19 or a violation that results in bodily injury shall be a surchargeable incident under said section  
20 113B of said chapter 175 or under a motor vehicle liability policy as defined in said section 34A  
21 that is issued pursuant to chapter 175.