HOUSE DOCKET, NO. 1356 FILED ON: 1/14/2025

HOUSE . . . . . No. 3675

The Commonwealth of Massachusetts

PRESENTED BY:

Kenneth I. Gordon

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 move over law.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Kenneth I. Gordon	*21st Middlesex*	*1/14/2025*
David Henry Argosky LeBoeuf	*17th Worcester*	*4/7/2025*
Margaret R. Scarsdale	*1st Middlesex*	*5/9/2025*

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HOUSE . . . . . No. 3675

By Representative Gordon of Bedford, a petition (accompanied by bill, House, No. 3675) of Kenneth I. Gordon for legislation to further regulate lane changes when approaching a stationary emergency response vehicle, highway maintenance vehicle or recovery vehicle. Transportation.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act relative to the 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:

SECTION 1. Section 7C of chapter 89 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by inserting after the definition of “Recovery vehicle” the following definition:-

"Utility vehicle," a vehicle being used to install, maintain, repair, operate or restore communications service, electric or gas distribution or transmission service in an emergency and that is operated by an employee of or a person under contract with a company incorporated for the transmission of intelligence by electricity or by telephone or an electric distribution, transmission or distribution company as defined by section 1 of chapter 164.

SECTION 2. Subsection (b) of said section 7C of said chapter 89, as so appearing, is hereby amended by inserting after the words “maintenance vehicle”, the following words:- “, utility vehicle”.

12 SECTION 3. Paragraph (1) of said subsection (b) of said section 7C of said chapter 89, as
13 so appearing, is hereby amended by inserting after the words “maintenance vehicle”, the
14 following words:- “, utility vehicle”.

15 SECTION 4. Section 7C of chapter 89 of the General Laws, as so appearing, is hereby
16 amended by striking out subsection (c) and inserting in place thereof the following:-

17 (c) Violation of this section may be punished by a fine of $250 for a first offense, by a
18 fine of $1000 for a second offense, and by a fine of $2,500 for a third or subsequent offense;
19 provided that any violation that results in injury to another person may be punished by a fine of
20 $5,000 or up to one year in a jail or house of correction.

21 SECTION 5. Said section 7C of said chapter 89, as so appearing is further amended, by
22 adding the following subsections:-

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

26 (e) A first or second offense under this Section shall not be a surchargeable incident
27 under section 113B of chapter 175 or under a motor vehicle liability policy as defined in section
28 34A that is issued pursuant to said chapter 175; provided, however, that a third or subsequent
29 offense shall be a surchargeable incident under said section 113B of said chapter 175 or under a
30 motor vehicle liability policy as defined in said section 34A that is issued pursuant to said
31 chapter 175.

32 (f) The registrar of motor vehicles, in cooperation with the highway safety division, the
33 department of elementary and secondary education, the department of higher education, the
34 department of state police and municipal law enforcement, shall develop and implement an
35 annual public awareness campaign for junior and adult operators. The campaign shall include,
36 but not be limited to, the dangers and consequences of distracted driving, information on the
37 restrictions of mobile telephone and mobile electronic device use while operating a motor
38 vehicle under sections 8M, 12A, 13, and 13B of chapter 90 of the General Laws, information on
39 the fines and punishments that may be imposed for violations of said chapter 90 and bicycle
40 safety. The registrar of motor vehicles shall include information on the hazards of distracted
41 driving in each revised publication of the driver's manual.