

HOUSE No. 2146

The Commonwealth of Massachusetts

PRESENTED BY:

John V. Fernandes

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 passage of the accompanying bill:

An Act providing for the use of registered motor vehicles off public ways.

PETITION OF:

NAME:

John V. Fernandes

DISTRICT/ADDRESS:

10th Worcester

HOUSE No. 2146

By Mr. Fernandes of Milford, a petition (accompanied by bill, House, No. 2146) of John V. Fernandes for legislation to authorize the use of certain registered motor vehicles off public ways. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act providing for the use of registered motor vehicles off 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 SECTION 1. Section 1A of chapter 90 of the General Laws, as appearing in the 2010
2 Official Edition, is hereby amended by inserting after the third paragraph the following
3 paragraph:-

4 A registered motor vehicle, which has been issued a certificate, may be operated off a
5 public way by any person authorized pursuant to sections 8 or 8B. The operation of such
6 registered motor vehicle shall not be considered a recreation vehicle or off-highway vehicle for
7 the purposes of chapter 90B.

8 SECTION 2. Section 20 of chapter 90B of the General Laws, as so appearing, is hereby
9 amended by striking out the definition of "Recreation vehicle" and inserting in place thereof the
10 following definition:-

11 "Recreation vehicle" or "off-highway vehicle", any motor vehicle designed or modified
12 for use over unimproved terrain for recreation or pleasure while not being operated on a public
13 way as defined in chapter 90 including, but not limited to, all-terrain vehicles, off-highway
14 motorcycles, dirt bikes, recreation utility vehicles; provided, however, that recreation vehicles
15 and off-highway vehicles operated exclusively for agricultural, forestry, lumbering or
16 construction purposes shall not be subject to this chapter and it shall be an affirmative defense
17 that such vehicle was being operated for such purposes at the time of an alleged violation of this
18 chapter.