

HOUSE No. 3062

The Commonwealth of Massachusetts

PRESENTED BY:

Sean Garballey, (BY REQUEST)

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 regarding rules of the road.

PETITION OF:

NAME:

Mark Kaepplein

DISTRICT/ADDRESS:

11 Palmer St

Arlington, MA 02474

HOUSE No. 3062

By Mr. Garballey of Arlington (by request), a petition (accompanied by bill, House, No. 3062) of Mark Kaepplein relative to the rules of the road, so-called, for motor vehicle and motorcycle operators and bicyclists. Transportation.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act regarding rules of the road.

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. Resolved, that, notwithstanding any general law, or special law to the
- 2 contrary, the following amendments shall be made to Massachusetts General Law:
- 3
- 4 Section 11B Bicycles; operation and equipment; regulations; federal product safety standards,
- 5 effect; races; violations; penalties
- 6
- 7 1. Add to the last sentence of the first paragraph: “and shall not exceed the running speed of
- 8 a pedestrian.”
- 9 2. In part 11, fourth paragraph, “twenty dollars” is replaced with “eighty dollars”.
- 10 Section 11E Traffic law violations by bicyclist
- 11 1. In the second sentence, “\$20” is replaced by “\$50” and “\$50” is replaced by “\$500”.
- 12 (Ch. 159, Sec. 101).
- 13 2. In the second sentence, “but no person shall be arrested without a warrant for any other
- 14 traffic law violation committed while operating a bicycle” is stricken.
- 15 3. In the third sentence, “the violation shall not affect the status of the bicyclist’s license to
- 16 operate a motor vehicle nor shall it” is replaced by “it shall not”.
- 17 4. In the third paragraph, “All” is replaced by “Five percent of”.
- 18 5. A fourth paragraph is added as follows:
- 19 “Nonpayment of fines for bicycle violations are subject to suspension or non-renewal of a
- 20 driving license as set forth for motor vehicle infractions. If the records of the registrar indicate
- 21 that the violator has no current information on file and the violator is under 17 years of age, the
- 22 record shall be retained until such time as the violator is eligible for a license to operate a motor

23 vehicle under chapter 90. The violator shall pay the fine before being issued said license. If the
24 records of the registrar indicate that the violator has no current information on file and the
25 violator is 17 years of age or older and the violator fails to pay the fine or request a hearing, a
26 surcharge of \$100 shall be assessed to each violation.” [See Ch. 151, Sec. 101, part (e)]

27 Section 17 Penalty for violation of Sec. 15 or 16

28 1. In the first sentence, “five” is replaced by “fifty”.

29 MGL Chapter 89

30 Section 4A Driving vehicles in a single lane; motorcycles, riding and passing

31 1. In the second sentence, three instances of “motorcycle” are replaced with “two and three
32 wheeled vehicle”.

33 2. In the second sentence, the word “motor” is stricken.

34 Section 11 Marked crosswalks; yielding right of way to pedestrians; penalty

35

36 1. All instances of the word “motor” are stricken.

37

38 CHAPTER 90 MOTOR VEHICLES AND AIRCRAFT

39 Section 8M Use of mobile telephone, hands-free mobile telephone or mobile electronic device
40 by person under 18 years of age while operating motor vehicle prohibited; penalties; affirmative
41 defenses

42 1. Instances of “motor” are stricken.

43 Section 13B Composing, sending or reading of electronic messages while operating a motor
44 vehicle prohibited; penalties

45 1. Instances of “motor” are stricken.

46 Section 14 Precautions for safety of other travelers

47 1. Instances of “motor” are stricken.

48 2. Instances of “metropolitan district commission” are replaced by “department of
49 conservation and recreation”.

50 Section 14B Uniform stopping and turning signals on ways

51 1. Instances of “motor” are stricken.

52 Section 15 Precautions at railroad crossings

53 1. Instances of “motor” are stricken.

54 Section 17 Speed limits

55 1. Instances of “motor” are stricken.

56 Section 21 Arrest without warrant

57 1. In the second paragraph, the last two instances of “motor” are stricken, with the word
58 “vehicle” following the second instance, replaced by “vehicular”.

59 2. In the fourth paragraph, the first instance of “motor” is stricken.

60 Section 22A Suspension of operator’s license or registration certificates, unsatisfied judgment;
61 reinstatement of license

62 1. The instance of the word “motor” is stricken.

- 63 Section 22C Abandoned motor vehicles; removal and disposal
- 64 1. "Motor" is stricken from the section title.
- 65 2. Instances of "motor" are stricken.
- 66 Section 22E Abandoned vehicles; removal of parts; penalty
- 67 1. The instance of the word "motor" is stricken.
- 68 Section 24F Civil liability to owner for unauthorized use of motor vehicle
- 69 1. "Motor" is stricken from the section title.
- 70 2. Instances of "motor" are stricken.
- 71 Section 24G Homicide by motor vehicle; punishment
- 72 1. "Motor" is stricken from the section title.
- 73 2. Instances of "motor" are stricken.
- 74 Section 24L Serious bodily injury by motor vehicle while under influence of intoxicating
75 substance; penalties
- 76 1. "Motor" is stricken from the section title.
- 77 2. Instances of "motor" are stricken.
- 78 Section 27 Court records; motor vehicle violations
- 79 1. The section title shall have "and bicycle" inserted after "vehicle".
- 80 2. In the first paragraph, "and bicycle" shall be inserted after instances of "motor vehicle".
- 81 3. In the second paragraph, "and bicycles" is inserted after "motor vehicles".
- 82 Section 30 Records of registrar; certified copies; destruction
- 83 1. "motor" is stricken from the third sentence.
- 84 Section 30B Interstate compact; motor vehicle convictions
- 85 1. "motor" is stricken from part (I)(c), (III)(1)
- 86 Section 31 Use and operation of motor vehicles or trailers; conduct of operators and
87 chauffeurs; rules and regulations
- 88 1. "Motor" is stricken from the section title.
- 89 2. Instances of "motor" are stricken.
- 90 CHAPTER 90C PROCEDURE FOR MOTOR VEHICLE OFFENSES
- 91 1. "Motor" is stricken from the title of Chapter 90C.
- 92 Section 1 Definitions
- 93
- 94 1. Under "Automobile law violation", the second sentence shall have "bicycle," inserted
95 before "motorized bicycle" and "all" shall replace "both". This gives bicyclists due process
96 under subsequent sections.
- 97
- 98 Section 7 Reciprocal and mutual agreements with other states
- 99 1. Instances of "motor" are stricken.