

HOUSE No. xxxxx

The Commonwealth of Massachusetts

PRESENTED BY:

Sean Garballey

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 SAFETY OF VULNERABLE ROAD USERS.

PETITION OF:

NAME:

Sean Garballey

DISTRICT/ADDRESS:

23rd Middlesex

HOUSE No. xxxxx

[Pin Slip]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

AN ACT PROVIDING FOR THE SAFETY OF VULNERABLE ROAD USERS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Be it enacted by the Senate and House of Representatives in General Court assembled, and by
2 the authority of same, as follows:

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6 SECTION 1: Section 1 of chapter 90 of the General Laws, as appearing in the 2008 Official
7 Edition, is hereby amended by inserting after line [], the following sentence:- ““Vulnerable user”
8 means a pedestrian or a person operating a bicycle, handcycle, tricycle, skateboard, roller skates,
9 in-line skates, or non-motorized scooter.”.

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11 SECTION 2: The first sentence of paragraph (a) of Section 24G of chapter 90 of the General
12 Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after the first
13 occurrence of the word “dollars”, in line [], the following words:- “(ten thousand dollars if the
14 victim is a vulnerable user as defined in section one of chapter ninety)”.

15

16 SECTION 3: The first sentence of paragraph (a) of Section 24G of chapter 90 of the General
17 Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after the second
18 occurrence of the word “dollars”, in line [], the following words:- “(ten thousand dollars if the
19 victim is a vulnerable user as defined in section one of chapter ninety)”.

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21 SECTION 4: The first sentence of paragraph (b) of Section 24G of chapter 90 of the General
22 Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after the word
23 “dollars”, in line [], the following words:- “(not less than six hundred nor more than six thousand
24 dollars if the victim is a vulnerable user as defined in section one of chapter ninety)”.

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26 SECTION 5: Section 24G of chapter 90 of the General Laws, as appearing in the 2008 Official
27 Edition, is hereby amended by inserting after paragraph (c), in line [], the following paragraph:-
28 “(d) A person convicted of a violation of this section where the victim is a vulnerable user as
29 defined in section one of chapter ninety shall, in addition to such imprisonment and fines as
30 provided in this section, be required to complete a traffic safety class including interactions

31 between motorized vehicles and vulnerable users, and to perform up to 100 hours of community
32 service related to driver improvement and providing public education on traffic safety including
33 interactions between motorized vehicles and vulnerable users.”

34

35 SECTION 6: The first sentence of subdivision (1) of Section 24L of chapter 90 of the General
36 Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after the first
37 occurrence of the word “dollars”, in line [], the following words:- “(ten thousand dollars if the
38 victim is a vulnerable user as defined in section one of chapter ninety)”.

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40 SECTION 7: The first sentence of subdivision (1) of Section 24L of chapter 90 of the General
41 Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after the second
42 occurrence of the word “dollars”, in line [], the following words:- “(ten thousand dollars if the
43 victim is a vulnerable user as defined in section one of chapter ninety)”.

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45 SECTION 8: The first sentence of subdivision (2) of Section 24L of chapter 90 of the General
46 Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after the word
47 “glue”, in line [], the following words:- “, or whoever operates a motor vehicle recklessly or
48 negligently so that the lives or safety of the public might be endangered”.

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50 SECTION 9: The first sentence of subdivision (2) of Section 24L of chapter 90 of the General
51 Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after the word

52 “dollars”, in line [], the following words:- “(not less than six thousand dollars if the victim is a
53 vulnerable user as defined in section one of chapter ninety)”.

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55 SECTION 10: Section 24L of chapter 90 of the General Laws, as appearing in the 2008 Official
56 Edition, is hereby amended by inserting after subdivision (4), in line [], the following
57 subdivision:- “(5) A person convicted of a violation of this section where the victim is a
58 vulnerable user as defined in section one of chapter ninety shall, in addition to such
59 imprisonment and fines as provided in this section, be required to complete a traffic safety class
60 including interactions between motorized vehicles and vulnerable users, and to perform up to
61 100 hours of community service related to driver improvement and providing public education
62 on traffic safety including interactions between motorized vehicles and vulnerable users.”

63

64 SECTION 11: The first sentence of subparagraph (1) of paragraph (a1/2) of subdivision (2) of
65 Section 24 of chapter 90 of the General Laws, as appearing in the 2008 Official Edition, is
66 hereby amended by inserting after the second occurrence of the word “dollars”, in line [], the
67 following words:- “(not less than one thousand dollars nor more than two thousand dollars if the
68 victim is a vulnerable user as defined in section one of chapter ninety)”.

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70 SECTION 12: The first sentence of subparagraph (2) of paragraph (a1/2) of subdivision (2) of
71 Section 24 of chapter 90 of the General Laws, as appearing in the 2008 Official Edition, is
72 hereby amended by inserting after the second occurrence of the word “dollars”, in line [], the

73 following words:- “(not less than two thousand dollars nor more than ten thousand dollars if the
74 victim is a vulnerable user as defined in section one of chapter ninety)”.

75

76 SECTION 13: The first sentence of subparagraph (2) of paragraph (a1/2) of subdivision (2) of
77 Section 24 of chapter 90 of the General Laws, as appearing in the 2008 Official Edition, is
78 hereby amended by inserting after the fourth occurrence of the word “dollars”, in line [], the
79 following words:- “(not less than two thousand dollars nor more than ten thousand dollars if the
80 victim is a vulnerable user as defined in section one of chapter ninety)”.

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82 SECTION 14: Subdivision (3) of Section 24 of chapter 90 of the General Laws, as appearing in
83 the 2008 Official Edition, is hereby amended by inserting after paragraph (c), in line [], the
84 following paragraph:- “(d) A person convicted of a violation of subparagraph (1) or
85 subparagraph (2) of paragraph (a 1/2) of subdivision (2) where the victim is a vulnerable user as
86 defined in section one of chapter ninety shall, in addition to such imprisonment and fines as
87 provided in this section, shall be required to complete a traffic safety class including interactions
88 between motorized vehicles and vulnerable users, and to perform up to 100 hours of community
89 service related to driver improvement and providing public education on traffic safety including
90 interactions between motorized vehicles and vulnerable users.”

91

92 SECTION 15: The first sentence of subparagraph (1) of paragraph (a1/2) of subdivision (2) of
93 Section 24 of chapter 90 of the General Laws, as appearing in the 2008 Official Edition, is

94 hereby amended by inserting after the word “knowingly”, in line [], the following words:- “,
95 recklessly or negligently”.

96

97 SECTION 16: The first sentence of subparagraph (2) of paragraph (a1/2) of subdivision (2) of
98 Section 24 of chapter 90 of the General Laws, as appearing in the 2008 Official Edition, is
99 hereby amended by inserting after the word “knowingly”, in line [], the following words:- “,
100 recklessly or negligently”.

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