HOUSE DOCKET, NO. 1712 FILED ON: 1/17/2013

HOUSE . . . . . No. 3040

The Commonwealth of Massachusetts

PRESENTED BY:

Geoff Diehl

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:

An Act to ensure the safety of pedestrians, cyclists, motorcyclists and other motoritsts.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Geoff Diehl	*7th Plymouth*
Massachusetts Motorcycle Association, Rick Gleason - Legislative Director	*283 Route 28 West Harwich, MA 02671*
Christine E. Canavan	*10th Plymouth*
Carolyn C. Dykema	*8th Middlesex*
Michael R. Knapik	*Second Hampden and Hampshire*
Sarah K. Peake	*4th Barnstable*
Elizabeth A. Poirier	*14th Bristol*
Todd M. Smola	*1st Hampden*
Bruce E. Tarr	*First Essex and Middlesex*
David T. Vieira	*3rd Barnstable*
James R. Miceli	*19th Middlesex*
Bradford Hill	*4th Essex*
Randy Hunt	*5th Barnstable*
Marc T. Lombardo	*22nd Middlesex*

HOUSE DOCKET, NO. 1712 FILED ON: 1/17/2013

HOUSE . . . . . No. 3040

By Mr. Diehl of Whitman, a petition (accompanied by bill, House, No. 3040) of Geoff Diehl and others for legislation to increase the civil fines and penalities of motorists who violate the right of way of other motorists. Transportation.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
SENATE
, NO. *1797* OF 2011-2012.]

The Commonwealth of Massachusetts

An Act to ensure the safety of pedestrians, cyclists, motorcyclists and other motoritsts.

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 8 of chapter 89, as appearing in the 2008 Official Edition, is hereby amended by striking out in the last sentence the words “thirty-five” and replacing it with “two hundred.”

SECTION 2. Section 8 of Chapter 89 of the General Laws, as so appearing, is hereby amended by adding at the end of said section the following new paragraph:

Any person who is found guilty of or pleads guilty or nolo contendere to a violation of the provisions of this Section shall be subject to the following penalties:

(a) If the violation results in the injury of another person, the offender shall, in addition to any other penalties, be fined two hundred dollars and have their driver's or commercial driver's license or permit or nonresident operating privilege suspended for a period of not less than thirty days, or both.

(b) If the violation results in the serious bodily injury of another person, the offender shall, in addition to any other penalties, be fined five hundred dollars and have their driver's or commercial driver's license or permit or nonresident operating privilege suspended for a period of not less than ninety days, or both.

16 (c) If the violation results in the death of another person, the offender shall, in addition
17 to any other penalties, be fined one thousand dollars and have their driver's or commercial
18 driver's license or permit or nonresident operating privilege suspended for a period of not less
19 than one hundred eighty days, or both.

20 (d) For purposes of this Section, "serious bodily injury" shall mean a bodily injury
21 which involves unconsciousness, extreme physical pain, or protracted and obvious
22 disfigurement, protracted loss or impairment of the function of a bodily member, organ, or
23 mental faculty, or a substantial risk of death.