

**HOUSE . . . . . No. 3371**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Alice K. Wolf**

*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 cities and towns with a local option to increase certain motor vehicle fines to improve driving.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Alice K. Wolf	25th Middlesex
Anthony D. Galluccio	Middlesex, Suffolk and Essex
Jonathan Hecht	29th Middlesex
Martha M. Walz	8th Suffolk

# The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

## AN ACT PROVIDING CITIES AND TOWNS WITH A LOCAL OPTION TO INCREASE CERTAIN MOTOR VEHICLE FINES TO IMPROVE DRIVING.

*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. Chapter 85 of the General Laws, as appearing in the 2006 Official Edition, is  
2 hereby amended by inserting after section 11D the following new section:--  
3 Section 11E. Option of local government to increase penalties to improve behavior.  
4 Any city or town may choose to adopt this section to increase penalties for certain violations of chapter 85  
5 of the General Laws. In any city or town which accepts the provisions of this section, each  
6 manager in a city having a Plan D or Plan E form of charter or the mayor, with the approval of the city  
7 council or board of aldermen in any other city, or the town council or board of selectmen of a town may  
8 impose additional fines for certain violations of Chapter 85, as appearing in Section 11B of Chapter 85.  
9 SECTION 2. Section 11B of Chapter 85 of the General Laws, as so appearing, is hereby amended by  
10 inserting after the words "twenty dollars" in the last paragraph of subsection (11) the following words:--  
11 provided that in any city or town that has accepted Section 11E of Chapter 85, violations of any provision  
12 of this section except violations of clause (iii) of subsection (2) shall be punished by a fine of not more  
13 than seventy-five dollars.  
14 SECTION 3. Chapter 89 of the General Laws, as so appearing, is hereby amended by inserting after  
15 Section 11 the following new section:--  
16 Section 12. Option of local government to increase penalties to improve behavior.  
17 Any city or town may choose to adopt this section to increase penalties for certain violations of Chapter  
18 89 of the General Laws. In any city or town which accepts the provisions of this section, each manager in  
19 a city having a Plan D or Plan E form of charter or the mayor, with the approval of the city council or  
20 board of aldermen in any other city, or the town council or board of selectmen of a town may impose  
21 additional fines for violations of Sections 9 and 11 of Chapter 89.  
22 SECTION 4. Section 9 of Chapter 89 of the General Laws, as so appearing, is hereby amended by  
23 inserting after the word "offense" in the last paragraph the following words:--provided that in any city or  
24 town that has accepted Section 12 of Chapter 89, any person violating the provisions of this section shall  
25 be punished by a fine not to exceed \$250 for each offense.  
26 SECTION 5. Section 11 of Chapter 89 of the General Laws, as so appearing, is hereby amended by  
27 inserting after the word "\$200" in the third paragraph the following words:--provided that in any city or  
28 town that has accepted Section 12 of Chapter 89, whoever violates any provision of this section shall be  
29 punished by a fine not to exceed \$250 for each offense.  
30 SECTION 6. Chapter 90 of the General Laws, as so appearing, is hereby amended by adding after  
31 section 18A the following new section:--  
32 Section 18A ½. Option of local government to increase penalties to improve behavior.

33 Any city or town may choose to adopt this section to increase penalties for certain violations of Chapter  
34 90 of the General Laws. In any city or town which accepts the provisions of this section, each manager in  
35 a city having a Plan D or Plan E form of charter or the mayor, with the approval of the city council or  
36 board of aldermen in any other city, or the town council or board of selectmen of a town may impose  
37 additional fines for violations of Section 18A of Chapter 90.

38 SECTION 7. Section 18A of chapter 90 of the General Laws, as so appearing, is hereby amended in its  
39 first paragraph by inserting after the last sentence the following sentence:--In a city or town that has  
40 accepted Section 18A ½ of Chapter 90, whoever violates any provision of any such rule shall be punished  
41 by a fine of seventy-five dollars.