

HOUSE No. 3433

The Commonwealth of Massachusetts

PRESENTED BY:

Michael S. Day

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 adoption of the accompanying bill:

An Act to increase safety on public ways.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Michael S. Day</i>	<i>31st Middlesex</i>	<i>1/28/2021</i>
<i>Steven G. Xiarhos</i>	<i>5th Barnstable</i>	<i>2/23/2021</i>
<i>Christopher Hendricks</i>	<i>11th Bristol</i>	<i>2/25/2021</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>	<i>2/26/2021</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>3/2/2021</i>

HOUSE No. 3433

By Mr. Day of Stoneham, a petition (accompanied by bill, House, No. 3433) of Michael S. Day and others relative to the towing of motor vehicles under operation by incapacitated persons. Transportation.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2993 OF 2019-2020.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act to increase safety on 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: General Laws Part I Title XVI Chapter 111E, is amended to include the
2 following Section 9B which provides:

3 (a) For the purposes of this section, “incapacitated” shall have the same meaning as
4 is defined in Section 9A of Chapter 111E.

5 (b) Where an incapacitated person is found to be the operator of or in possession of a
6 motor vehicle on a public way, that motor vehicle shall be towed away and impounded for a
7 period of twelve (12) hours.

8 (c) This (12) hour impoundment period shall be calculated from the time the vehicle
9 is towed. The costs for the towing, storage and maintenance of the vehicle shall be borne by the

- 10 operator or individual who retrieves the vehicle after the twelve (12) hour hold period is
- 11 complete.