

SENATE No. 01772

The Commonwealth of Massachusetts

PRESENTED BY:

Richard T. Moore

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 clarifying the definition of commercial motor vehicles.

PETITION OF:

NAME:

Richard T. Moore

DISTRICT/ADDRESS:

Worcester and Norfolk

SENATE No. 01772

By Mr. Moore, petition (accompanied by bill, Senate, No. 1772) of Moore for legislation to clarify the definition of commercial motor vehicles [Joint Committee on Transportation].

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act clarifying the definition of commercial motor vehicles.

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. Section 1 of chapter 90 of the general laws, as appearing in the 2008
2 Official Edition, is hereby amended, by inserting after the definition of "Bus or Motorbus," the
3 following definition:

4 "Commercial Motor Vehicle," shall mean any motor vehicle which is not a private passenger
5 motor vehicle, antique motor car, motorcycle, auto home, house trailer, taxicab, ambulance,
6 hearse, livery vehicle, or school pupil transport vehicle. A commercial motor vehicle shall
7 include the following vehicles:

8 (a) The vehicle has a gross vehicle weight rating or gross combination weight rating of
9 10,001 or more pounds; or

10 (b) The vehicle is designed to transport more than 15 passengers, including the driver;
11 or

12 (c) The vehicle is used in the transportation of hazardous materials in a quantity
13 requiring placarding in accordance with the Hazardous Materials Regulations of the United
14 States Department of Transportation. Any commercial motor vehicle that singularly has a gross
15 vehicle weight rating of 10,001 pounds or less and is designed to meet emissions standards, shall
16 be submitted for an emissions inspection in addition to all applicable safety inspection
17 requirements; or

18 (d) A single, full or semi-trailer, used in commerce, with a manufacturer's gross
19 vehicle weight rating over 3,000 lbs; or

20 (e) Any vehicle which has a vehicle weight, or curb weight, of more than six thousand
21 pounds, as per the manufacturer's description of said vehicle, unless such vehicle is a sport utility
22 vehicle or passenger van, or a pickup truck or cargo van meeting the definition of private
23 passenger vehicle; or

24 (f) Any vehicle which has five or more wheels on the ground.

25 Notwithstanding the aforementioned vehicles, a dual rear wheel pick-up truck
26 registered by an individual other than a business, and not used for commercial purposes, shall not
27 be classified as a commercial vehicle for purposes of registration.