

SENATE No. 938

The Commonwealth of Massachusetts

PRESENTED BY:

Bruce E. Tarr

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 relative to private right of action to preserve public safety.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|-------------------------------|-------------------------------------|
| <i>Bruce E. Tarr</i> | <i>First Essex and Middlesex</i> |
| <i>Viriato M. deMacedo</i> | <i>Plymouth and Barnstable</i> |
| <i>Robert L. Hedlund</i> | <i>Plymouth and Norfolk</i> |
| <i>Donald F. Humason, Jr.</i> | <i>Second Hampden and Hampshire</i> |
| <i>Joan B. Lovely</i> | <i>Second Essex</i> |
| <i>Diana DiZoglio</i> | <i>14th Essex</i> |

SENATE No. 938

By Mr. Tarr, a petition (accompanied by bill, Senate, No. 938) of Bruce E. Tarr, Viriato M. deMacedo, Robert L. Hedlund, Donald F. Humason, Jr. and other members of the General Court for legislation relative to private right of action to preserve public safety. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to private right of action to preserve public safety.

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 123 of Chapter 266 as appearing in the 2014 official edition is
2 hereby amended by inserting at the end thereof the following:-

3 Whoever knowingly, willfully, or wantonly trespasses upon a state highway without just
4 cause may be held liable in a civil proceeding. Just cause shall include but not be limited to a
5 disabled vehicle or medical emergency