

HOUSE No. 3447

By Mrs. Canavan of Brockton, petition of Christine E. Canavan and others relative to the operation of vehicles upon the approach of an authorized emergency vehicle. Transportation.

The Commonwealth of Massachusetts

PETITION OF:

Christine E. Canavan	Timothy J. Toomey, Jr.
David Paul Linsky	Barbara A. L'Italien
Bruce E. Tarr	

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO THE OPERATION OF VEHICLES UPON THE APPROACH OF AN AUTHORIZED EMERGENCY VEHICLE.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 89 of the General Laws is hereby amended by striking
2 out Section 7A, as appearing in the 2002 Official Edition, and
3 inserting in place thereof the following section:—

4 Section 7A. (a) Upon the immediate approach of an authorized
5 emergency vehicle including any fire apparatus, police vehicle,
6 ambulance or disaster vehicles which is going to a fire or responding
7 to call, alarm or emergency situation, the driver of every vehicle
8 shall, when such emergency vehicle is giving audible signals by
9 siren, exhaust whistle, or other adequate device, or visible signals by
10 the use of displayed blue or red lights, or amber or yellow rotating or
11 flashing lights, yield the right-of-way to the emergency vehicle and
12 shall immediately proceed to a position parallel to, and as close as
13 reasonable to the closest edge of the curb of the roadway, clear of
14 any intersection and shall stop and remain in position until the
15 authorized emergency vehicle has passed, unless otherwise directed
16 by any law enforcement officer.

17 (b) When an authorized emergency vehicle making use of any
18 visual signals is parked or a wrecker displaying amber rotating or

19 flashing lights is performing a recovery or loading on the roadside,
20 the driver of every other vehicle, as soon as it is safe:—

21 (1) Shall vacate the lane closest to the emergency vehicle or
22 wrecker when driving on an interstate highway or other highway
23 with two or more lanes traveling in the direction of the emergency
24 vehicle or wrecker, except when otherwise directed by a law
25 enforcement officer.

26 (2) Shall slow to a speed that is 20 miles per hour less than the
27 posted speed limit when the posted speed limit is 25 miles per hour
28 or greater; or travel at 5 miles per hour when the posted speed limit
29 is 20 miles per hour or less, when driving on a two-lane road, except
30 when otherwise directed by a law enforcement officer.

31 (c) The Registry of Motor Vehicles shall provide an educational
32 awareness campaign informing the motoring public about the Move
33 Over Act. The registry shall provide information about the Move
34 Over Act in all newly printed driver's license educational materials
35 after July 1, 2005.

36 (d) Every pedestrian using the road right-of-way shall yield the
37 right-of-way until the authorized emergency vehicle has passed,
38 unless otherwise directed by any police officer.

39 (e) Any authorized emergency vehicle, when en route to meet an
40 existing emergency, shall warn all other vehicular traffic along the
41 emergency route by an audible signal, siren, exhaust whistle, or
42 other adequate device or by a visible signal by the use of displayed
43 blue or red or yellow or amber lights. While en route to such emer-
44 gency, the emergency vehicle shall otherwise proceed in a manner
45 consistent with the laws regulating vehicular traffic upon the high-
46 ways of this state.

47 (f) No person shall drive a vehicle over a hose of a fire depart-
48 ment without the consent of a member of such department. No
49 person shall drive a vehicle within three hundred feet of any fire
50 apparatus going to a fire or responding to an alarm, nor drive said
51 vehicle, or park or leave the same unattended, within eight hundred
52 feet of a fire or within the fire lanes established by the fire depart-
53 ment, or upon or beside any traveled way, whether public or private,
54 leading to the scene of a fire, in such a manner as to obstruct the
55 approach to the fire of any fire apparatus or any ambulance, safety or
56 police vehicle, or of any vehicle bearing an official fire or police
57 department designation. Authorized police or fire department per-

58 sonnel may tow a vehicle found to be in violation of the provisions
59 of this section or which is illegally parked or standing in a fire lane
60 as established by the fire department, whether or not a fire is in
61 progress, and such personnel shall not be subject to the provisions of
62 section one hundred and twenty D of chapter two hundred and sixty-
63 six. No person shall operate a motor vehicle behind any such fire
64 apparatus, ambulance, safety or police vehicle, or any vehicle
65 bearing an official fire department designation which is operating
66 with emergency systems on, for a distance of three hundred feet.
67 Any person who violates the provisions of this section shall be pun-
68 ished by a fine of no less than one hundred dollars.

69 Nothing herein contained shall diminish or enlarge any rules of
70 evidence or liability in any case involving the operation of an emer-
71 gency vehicle This section shall not operate to relieve the driver of
72 an authorized emergency vehicle from the duty to drive with due
73 regard for the safety of all persons using the highway.