

**SENATE . . . . . No. 2018**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**James E. Timilty**

*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 relative to the use of road flaggers and police details on public works projects.

PETITION OF:

NAME:

James E. Timilty

Scott P. Brown

DISTRICT/ADDRESS:

Bristol and Norfolk

Norfolk, Bristol and Middlesex

# The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO THE USE OF ROAD FLAGGERS AND POLICE DETAILS ON PUBLIC WORKS PROJECTS.

*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.** Whereas, pursuant to Section 10 of Chapter 86 of the Acts of 2008 the  
2 secretary of transportation and public works promulgated regulations regarding the use of road  
3 flaggers and police details on public works projects (701 CMR 7.00); And

4           *Whereas*, pursuant to Section 10 of Chapter 86 of the Acts of 2008, the secretary of  
5 transportation and public works issued a Cost Report and Analysis on September 2, 2008  
6 suggesting that cost savings would result from the replacement of sworn police officers with  
7 civilian road flaggers for the provision of traffic direction at public works projects; And

8           *Whereas*, it is in the public interest to objectively review and analyze the impact of 701  
9 CMR 7.00 on public works projects cost and also on the public safety and efficient operations of  
10 public safety services; And

11           **SECTION 2.** The University of Massachusetts Donahue Institute shall conduct a  
12 comprehensive study of public works projects, as defined in 701 CMR 7.02, for the calendar  
13 years 2008 and 2009, and shall prepare a report of that study. The study shall examine the cost

14 of traffic direction at public works projects, by year, and shall measure the financial impact of  
15 701 CMR 7.00. The study shall further examine public safety incidents at all public works  
16 projects, and shall examine the number of automobile or other accidents, the number of injuries  
17 to workers, the number of injuries to non-workers, and the number of emergency calls to public  
18 work project sites. The report shall define, by calendar year, the traffic direction costs and public  
19 safety incidents at public works projects as delineated herein.

20           **SECTION 3.** The sum of fifty thousand dollars shall be appropriated to the Donahue  
21 Institute to conduct the study and prepare the report described in herein.

22           **SECTION 4.** The Donahue Institute shall submit the report to the Joint Committee on  
23 Public Safety not later than March 1, 2010.