



Maura Healey, Governor  
Kimberley Driscoll, Lieutenant Governor  
Monica Tibbitts-Nutt, Secretary & CEO



## GUIDANCE MEMORANDUM

To: Contractors, Subcontractors, Vendors, and Others

Date: March 31, 2025

Re: **An Act to Reduce Traffic Fatalities**  
**Sections 9 and 10 of Chapter 358 of the Acts of 2022**  
**M.G.L. c. 90, § 7**

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Please be advised that MassDOT has taken steps to implement the requirements of the above-referenced legislation (“An Act to Reduce Traffic Fatalities” or the “Act”). This memorandum provides information about those efforts and guidance on actions that may be taken by your organizations to ensure compliance with the Act, which became effective on January 1, 2025.

### I. Statutory and Regulatory Requirements

Chapter 358 of the Acts of 2022 amended M.G.L. c. 90, § 7 by inserting the following requirements:

A motor vehicle, trailer, semi-trailer or semi-trailer unit classified as a class 3 or above by the Federal Highway Administration, with a gross vehicle weight rating of 10,001 pounds or more, that is ... operated under a contract with the commonwealth on or after January 1, 2025, shall be equipped with a lateral protective device, convex mirrors, crossover mirrors and backup cameras.

The Registry of Motor Vehicles (“RMV”) has also promulgated regulations in 540 CMR 4.00 to implement and further define the new statutory requirements (the “Regulation”). The Regulation requires that registered Contractor Heavy Vehicles be equipped with Lateral Protective Devices, Convex Mirrors, Cross Over Vehicles and Back Up Cameras, as provided therein. Under the Regulation, a “Contractor Heavy Vehicle” is defined as:

A Heavy Vehicle<sup>1</sup> operated in the Commonwealth of Massachusetts by a contractor, subcontractor, or vendor under a contract with the Commonwealth of Massachusetts, that was (a) executed by the parties on or after January 1, 2025, and requires, in writing or by necessary implication, that Heavy Vehicles be used in connection with the services to be provided by such contractor, subcontractor, or vendor under such contract except for seasonal snow and ice management and removal and towing services or (b) executed on or after July 1, 2025 for seasonal Commonwealth snow and

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<sup>1</sup> Consistent with the statute, the Regulation defines “Heavy Vehicle” as “[a] motor vehicle, trailer, semi-trailer or semi-trailer unit classified as a class 3 or above by the Federal Highway Administration, with a gross vehicle weight rating of 10,001 pounds or more.” See 540 CMR 4.02.

ice management and removal, and Commonwealth towing services.<sup>2</sup>

Additional information is available at <https://www.mass.gov/info-details/truck-safety-devices>.

## II. MassDOT Contracts Requiring Heavy Vehicles by Necessary Implication or In Writing

The following MassDOT contracts will require Contractor Heavy Vehicles by necessary implication or in writing:

- Construction Contracts
- Snow and Ice Contracts executed on or after July 1, 2025
- Work provided pursuant to MassDOT's Accident Recovery Program
- All other contracts with the exception of those for which, in MassDOT's judgment, the use of a vehicle of any kind is neither expected nor required to perform the required scope of services (e.g., IT services contracts, consulting services contracts, legal services contracts, etc.)

To avoid contract compliance issues, all contractors, subcontractors, and vendors in contracts entered into on or after January 1, 2025, and those intending to bid on or provide subcontract work under future MassDOT should ensure that their Heavy Contractor Vehicles meet statutory and regulatory requirements.

## III. Certification Process

### 1. RMV Certification Requirement

Starting December 31, 2025, the Regulation requires that the owner of a registered Contractor Heavy Vehicle certify that the motor vehicle is equipped with Lateral Protective Devices, Convex Mirrors, Cross Over Mirror(s), and Back Up Cameras, as defined therein. The certification and required documentation will be submitted electronically to RMV and shall include the following:

- The vehicle owner's name;
- The VIN, active registration number, make, model, and year of the vehicle;
- Attestation that the vehicle has an active registration;
- Attestation of compliance with requirements for Lateral Protective Devices, Convex Mirrors, Cross Over Mirror(s), and Back Up cameras;
- Digital color pictures showing the vehicle, VIN, registration, and the lateral Protective Devices, Convex Mirrors, Cross Over Mirror(s), and Back Up Cameras on the vehicle;
- Attestation that the vehicle does not contain aftermarket modifications or accessories such as bug deflectors, chrome visors, and bull bars that reduce the ability of the vehicle operator to directly see Vulnerable Users in the vicinity of the vehicle or that increase fatality and serious injury risk to Vulnerable Users; and
- Attestation that the operator of the vehicle is proficient with the operation and use of Lateral Protective Devices, Convex Mirrors, Cross Over Mirror(s) and Back Up Cameras.

Once a vehicle is certified with the RMV, that certification is valid for future commonwealth

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<sup>2</sup> *Id.*

contracts, provided the vehicle remains in compliance with regulatory requirements.

## 2. Waivers

The Regulation permits applicants seeking certification to request a waiver in accordance with the process established by the RMV. Waivers may be granted at the Registrar's sole discretion for vehicles that cannot comply with the requirements of the Regulation.

## IV. Contract Requirements

All parties to contracts with MassDOT that require the use of Contractor Heavy Vehicles, in writing, or by necessary implication, which are executed on or after January 1, 2025, are required to comply with the Act and Regulation.

All current contractors, subcontractors, vendors, and those intending to bid on or provide subcontract work under MassDOT contracts should carefully review the terms and conditions of contracts and bid documents to ensure compliance with any contract specific requirements. They should also be aware that MassDOT construction contracts executed after January 1, 2025 contain new contract requirements requiring contractors to provide confirmation of RMV certification and reporting requirements, and measures for non-compliance, up to and including, contract termination. MassDOT is currently developing similar contract requirements to clarify compliance for all other contracts which require the use of vehicles subject to the Act and Regulation

## V. Guidance

All current contractors, subcontractors, vendors, and those intending to bid on or provide subcontract work under MassDOT contracts, should:

- Review Chapter 358 of the Acts of 2022 and 540 CMR 4.00, specifically sections 4.10 – 4.13.
- Conduct an immediate review of their fleet to identify those vehicles that are subject to the Act and any vehicles that are exempt from the requirements.
- As soon as possible, commence the process of equipping vehicles with required lateral protective devices, convex mirrors, cross over mirrors, and back up cameras. Early purchase and installation of required safety equipment will avoid potential supply issues that may arise later given the broad scope and application of the Act.
- Prepare all required documentation necessary to meet the certification requirements contained in the proposed regulations.
- Obtain an RMV certification for each applicable vehicle as soon as practicably possible.
- Consult with other Commonwealth agencies with whom you have contracts to determine whether there are any additional agency-specific compliance requirements.