

TRUCK SAFETY DEVICES

Chapter 358 of the Acts of 2022 amended M.G.L. c. 90, § 7



Frequently Asked
Questions

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General Questions

Question	Answer
Who does the law apply to?	The law applies to all contracts (construction, food delivery, transportation, office supplies, etc.) The law applies to subcontractors and vendors
What's the difference between Alternative Means of Compliance and a Waiver?	<p>An alternative means of compliance (AMC) can be used when a vehicle's characteristics or components can serve as an adequate replacement or functional and safety equivalent to the requirements for Lateral Protective Devices, Convex Mirrors, or Cross-Over Mirrors. For example, an acceptable lateral protective device could be provided by a combination of the vehicle body, fuel tanks, tag axles, toolboxes, or custom side guards that form a smooth surface flush with the vehicle's sidewall, while meeting all required dimensional and strength specifications. Furthermore, the cross-over mirror and convex mirror requirements may be met by installing a 360-degree camera monitoring system (CMS) that fulfills the specified criteria.</p> <p>Waivers differ from an AMC as devices cannot be installed due to the design, operation or safety consideration of the vehicle.</p>

	Both alternative means of compliance and waivers are required to be submitted for review within the Truck Safety Devices portal.
How long is my certificate good for?	Certifications are for the life of the vehicle unless the device is modified or there is a change in ownership.
Can approved certifications for safety devices from municipalities such as Boston, Cambridge, and Somerville be used as a substitute for complying with Commonwealth's Regulation?	While municipalities like Boston, Cambridge, Somerville, and others have similar safety device requirements, they don't all align with the USDOT Volpe standards outlined in state law and Regulations. As a result, we cannot accept a previously approved certificate as substitute for an approved submission. For now, you will need to submit through the portal. If anything changes in the future, we will update our Truck Safety webpage accordingly
Do you have an email address to ask questions?	If you have any questions, send an email to: SaferTrucks@dot.state.ma.us.
When does the law start?	Certification and enforcement requirements will take effect on December 31, 2025. Note: MassDOT recommends Agencies and Contractors upfit their vehicle(s) and submit certification(s) through the Truck Safety Devices Portal before December. This allows for sufficient time to accommodate any lead times for installation or shipping.

<p>Are these requirements required for trucks that are “Out-of-State” and that do business “On-State” projects?</p>	<p>Yes, heavy vehicles registered “In-State” or “Out-of-State” that contract with the Commonwealth on or after January 1, 2025, are required to comply with the regulations.</p>
<p>If a contractor’s trucks are certified, do they need to submit a new certification for each Agency or project they intend to use the trucks for in Massachusetts, or is the initial certification sufficient for all subsequent Agencies and projects?</p>	<p>Approved certificates are good for the life of the vehicle, unless there is a change in ownership or there has been a modification to any device. In the scenario that a Contractor with heavy vehicles contracts with multiple Commonwealth Agencies, only one submission to one Agency is required.</p>
<p>When are Agencies and Contractors required to comply with the law?</p>	<p>Contractors and Commonwealth Agencies must comply through the Truck Safety Devices Portal by December 31, 2025, for all vehicles applicable to the law. However, the Truck Safety Devices Portal is live and available for use, allowing vehicles to be submitted in advance of the December deadline. Given that many Contractors and some Agencies operate large fleets, MassDOT understands that ordering and installing the required devices can take some time, hence MassDOT is providing early submission opportunity to ensure that Contractors and Commonwealth Agencies have ample time to meet the compliance deadline before enforcement begins on December 31, 2025.</p>

Commonwealth Agency Questions

<p>Are delivery vehicles for office supplies and seasonal use exempt from the regulations?</p>	<p>Exemptions are contained in the regulations. If not specifically exempt, the regulations apply to all Commonwealth Heavy Contractor Vehicles.</p>
<p>What if my Agency is not able to assess a fine?</p>	<p>The Agency has the authority to assess the fine under the statute and regulations, thus contracting Agencies have authority to assess the fines.</p> <p>Agencies also have whatever remedies are available under the contract, up to and including termination (e.g., withholding payment until compliance is met).</p>
<p>Who is responsible for ensuring that vehicles used under contracts comply with the law, and what are the requirements for proof of compliance?</p>	<p>It is the contracting Agency's responsibility to ensure vehicles used under contracts comply with the <u>law</u>. Agencies may ask for proof of compliance and prior certification. Vehicles that have complied with the law are emailed a certificate upon approval of their application submission. The certificate is required to be kept inside the vehicle at all times.</p> <p>If the vehicle is not in compliance, the Agency is responsible to ensure the Contractor certifies their vehicle(s) through the Truck Safety Devices Portal.</p> <p>Vehicle records shall be available for inspection by the Registry of Motor Vehicles or any contracting</p>

	Commonwealth Agency within five (5) days of receiving a written request for such records.
Which State Agency vehicles are subject to the law?	As stated in the law, Commonwealth heavy vehicles purchased or leased vehicles on or after January 1, 2023, are required to comply with regulations. Commonwealth heavy vehicles purchased or leased prior to January 1, 2023, are exempt.
How can I confirm a contractor has been certified by another agency?	The Truck Safety Devices Program allows Commonwealth Agencies to verify the compliance of Contractor's vehicles, regardless of the Agency approving the certification.

Contractors, Subcontractors and Vendor Questions

How can contractors, subcontractors and vendors comply with the law?

Contractors will self-certify via an online portal that will be **reviewed by the Contracting Agency** for completeness and then submitted to the RMV for record keeping.