

HOUSE No. 947

By Mr. Chamberlain of Springfield, petition of Daniel B. Brunton and Wendell P. Chamberlain relative to the protection and safety of pedestrians crossing highways. Legal Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Two.

AN ACT RELATIVE TO THE PROTECTION AND SAFETY OF PEDESTRIANS CROSSING HIGHWAYS.

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 140 of the General Laws is hereby amended
2 by inserting after section 22B, inserted by chapter 776
3 of the acts of 1949, the following section: —

4 *Section 22C.* In each city and town which accepts
5 this section, as provided in section four of chapter
6 four of the General Laws, the following provisions
7 shall apply: — “Where traffic control signals are not
8 in place or in operation, or no police officer is direct-
9 ing traffic, the operator of a motor vehicle shall yield
10 the right of way to a pedestrian crossing within any
11 marked crosswalk, slowing down or stopping if need
12 be to so yield. Whenever any vehicle has stopped at
13 a marked crosswalk to permit a pedestrian to cross
14 the way, the operator of any other vehicle approach-
15 ing from the rear shall not overtake and pass such
16 stopped vehicle. The operator of any motor vehicle,

17 prior to driving over or across any sidewalk, shall
18 yield the right of way to any pedestrian approaching
19 thereon. In thickly settled or business districts as
20 defined in section one of chapter ninety, pedestrians
21 shall be subject to traffic control signals or to direc-
22 tions of police officers directing traffic and whenever
23 there is a traffic control signal, police officer directing
24 traffic or a marked crosswalk within three hundred
25 feet of a pedestrian, no such pedestrian shall cross the
26 way except upon such a marked crosswalk or in com-
27 pliance with the directions of a police officer or at such
28 a traffic control signal. A violation of this section
29 may be punished by a fine of not more than one dollar
30 for each violation up to and including the third viola-
31 tion in each calendar year and a fine of two dollars
32 shall be imposed for each violation in excess of the
33 third violation in each calendar year. A violation of
34 this section shall not constitute negligence nor be re-
35 ceived as evidence of negligence of the person violat-
36 ing the same in any proceeding in any court. Such
37 violation shall not constitute a criminal record nor be
38 deemed a criminal offence, and shall not be used in
39 any manner in any civil or criminal proceeding in any
40 court for any purpose whatever."