

SENATE No. 252

To accompany the petition of John E. Tate for legislation to further regulate traffic upon the public ways of the Commonwealth. Highways and Motor Vehicles.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Thirty-Eight.

AN ACT FURTHER REGULATING TRAFFIC UPON THE PUBLIC WAYS OF THE COMMONWEALTH.

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 ninety of the General Laws is hereby
2 amended by inserting after section thirty-two F, in-
3 serted therein by section one of chapter two hundred
4 and nine of the acts of nineteen hundred and twenty-
5 four, the three following new sections:—

6 *Section 32G.* No person shall park, or leave stand-
7 ing, upon the paved or improved or main traveled
8 part of any highway outside of a business, residence
9 or suburban district, any motor vehicle of the type
10 known as a bus or a truck, whether attended or un-
11 attended, when it is practical to stop, park, or so
12 leave, such vehicle off such part of said highway nor
13 unless in each instance there is left for the free pas-
14 sage of other vehicles a clear and unobstructed width
15 of at least twenty feet of so much of the highway as

16 is opposite or approximately opposite such standing
17 vehicle, and, in addition, a clear view of such stopped
18 vehicle is available from a distance of at least two
19 hundred feet in each direction upon said highway.

20 *Section 32H.* Section thirty-two G shall not apply
21 to the operator of any motor vehicle which is dis-
22 abled while on the paved, improved or main traveled
23 portion of a highway in such manner and to such
24 extent that it is impossible to avoid stopping and
25 temporarily leaving such disabled vehicle in such a
26 position.

27 *Section 32I.* Whenever any such bus or truck is
28 disabled upon the traveled portion of any highway or
29 on any shoulder next thereto, except within the thickly
30 settled areas of cities or towns or upon any street or
31 highway which is artificially lighted at night, the fol-
32 lowing requirements shall be complied with during
33 the period of such disablement: — During the time
34 that motor vehicles are required by law to be lighted,
35 and at any other time when there is not sufficient
36 light to render clearly discernible persons and vehicles
37 on the highway at a distance of at least five hundred
38 feet, a lighted fuse shall be immediately placed on
39 the roadway at the traffic side of the motor vehicle;
40 as soon thereafter as possible, and in any case within
41 the burning period of the fuse, three lighted flares
42 (pot torches of a type inspected and labeled by Under-
43 writers' Laboratories, Inc., to meet the specifications
44 set up by the Interstate Commerce Commission) shall
45 be placed on the traveled part of the way as follows:
46 — one in the center of the lane of traffic in which
47 the disabled motor vehicle is and not less than forty
48 paces, or approximately one hundred feet, distant
49 from such vehicle in the direction of traffic approach-

50 ing in that lane; one not less than forty paces, or
51 approximately one hundred feet, from such vehicle
52 in the opposite direction in that lane; and one at
53 the traffic side of such vehicle, not closer than ten
54 feet from the front or rear of such vehicle; provided,
55 that if such motor vehicle is disabled within three
56 hundred feet of a curve, crest of a hill, or other ob-
57 struction to view, the flare in that direction shall be
58 so placed as to afford ample warning to other persons
59 using such highway, and in no case less than forty
60 paces, or approximately one hundred feet, nor more
61 than one hundred and twenty paces, or approximately
62 three hundred feet, from the disabled vehicle. Dur-
63 ing such time as motor vehicles are not required by
64 law to be lighted, red flags not less than twelve inches
65 square shall be used in place of flares; provided, that
66 no flag shall be required to be placed at the side of
67 the motor vehicle.

68 Flares, pot torches, fuses and flags above referred
69 to shall be carried by every motor vehicle in a metal
70 box fastened thereto in a position where it is easily
71 accessible to any person desiring to use the same and
72 to any officer or official authorized to inspect said
73 motor vehicle.

