

By Mr. Ambler of Weymouth, petition of Robert B. Ambler relative to the intrastate operation of commercial motor vehicles. Public Safety.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety.

AN ACT RELATIVE TO THE INTRASTATE OPERATION OF COMMERCIAL MOTOR VEHICLES.

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 31 of chapter 90 of the General Laws, as appearing in
2 the 1986 Official Edition, is hereby amended by striking out the
3 first sentence and inserting in place thereof the following sentence:
4 The registrar may make rules and regulations governing the use
5 and operation of motor vehicles or trailers and the conduct of
6 operators and chauffeurs, and may alter, rescind or add to any
7 rules and regulations previously made by him; provided, however,
8 in governing the operation and use of commercial motor vehicles,
9 he shall adopt by reference the highway related portions of the
10 Code of Federal Regulations, being Title 49, Subchapter C of
11 Chapter I, parts 171 through 179, and Subchapter B of
12 Chapter III, parts 390 through 397 of said Title 49, provided,
13 however, that said Subchapter B of Chapter III, parts 390
14 through 397 of said Title 49 shall not apply to the employees of
15 an electric, telephone or gas company as defined in section one
16 of chapter one hundred and sixty-four of the General Laws, and
17 shall not apply to employees of an electric or gas department or
18 lighting plant of a city or town, which department or plant is
19 subject to the provisions of chapter one hundred and sixty-four
20 of the General Laws; provided, however, that written approval
21 is received from the Federal Highway Administration; provided,
22 further, that said regulations are in compliance with the Motor
23 Carrier Safety Act of 1986, and provided further that the

24 provisions of said parts 390 through 397 of said Title 49 shall apply
 25 with respect to employees of said companies when transporting
 26 radioactive materials; and he shall review and adopt by reference
 27 any subsequent amendments to said federal regulations whenever
 28 such amendments are made; provided further, that he shall make
 29 exemptions to the adoption of said federal regulations when such
 30 adoption would be in conflict with the General Laws, or rule or
 31 regulation regarding the intrastate operation of commercial motor
 32 vehicles.