

HOUSE No. 1058

Bill accompanying the petition of the Safe Roads Automobile Association relative to the designation of crosswalks and safety zones and the rights and liabilities of pedestrians and of drivers and operators of vehicles in the use of public ways. Roads and Bridges. January 16.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Seventeen.

AN ACT

Relative to the Designation of Cross-Walks and Safety Zones and the Rights and Liabilities of Pedestrians and the Drivers or Operators of Vehicles in the use of Streets or 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 SECTION 1. All cities and towns in the commonwealth
2 shall, in the thickly settled or business parts thereof, as
3 defined by section one, chapter five hundred and thirty-
4 four of the acts of the year nineteen hundred and nine,
5 establish and maintain designated street cross-walks, and
6 safety zones for persons boarding and leaving street cars.

1 SECTION 2. If a pedestrian is killed or injured by a
2 vehicle while he is upon the traveled part of a street or

3 highway, within the thickly settled or business part of
4 any city or town, other than at the cross-walks or safety
5 zones designated under section one of this act, it shall
6 be prima facie evidence in any civil action brought for
7 the recovery of damages arising from such accident that
8 he is not in the exercise of due care.

1 SECTION 3. If a vehicle kills or injures a pedestrian,
2 in the thickly settled or business part of any city or
3 town, while such pedestrian is upon a cross-walk or
4 within a safety zone, designated under section one of
5 this act, it shall be prima facie evidence in any civil
6 action brought for the recovery of damages arising from
7 such accident that the driver or operator of the vehicle
8 is negligent.

1 SECTION 4. The street commissioners of any city, or
2 if there are no street commissioners, such officer or
3 officers as have control of the streets of such city, and
4 the selectmen of any town, may exempt from the pro-
5 visions of this act any street or highway within such
6 city or town, or any portion thereof, where, in their
7 estimation, the application of this act would be un-
8 desirable.

1 SECTION 5. All acts and parts of acts inconsistent
2 herewith are hereby repealed.

1 SECTION 6. The provisions of this act shall not apply
2 to patrol wagons, fire apparatus, ambulances or emer-
3 gency repair wagons.

1 SECTION 7. This act shall take effect upon November
2 first, nineteen hundred and seventeen.

