

Accompanying the thirty-second recommendation of the Executive Office of Public Safety (House, No. 173). Public Safety.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Seven.

AN ACT TO EXEMPT CERTAIN CONSTRUCTION-TYPE VEHICLES AND EQUIPMENT FROM THE TITLE REQUIREMENT.

*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. Section 1 of chapter 90D of the General Laws, as  
2 appearing in the 1994 Official Edition, is hereby amended by  
3 striking out the definition of "Special mobile equipment" and  
4 inserting in place thereof the following: — "Special mobile equip-  
5 ment", (i) vehicle exempt from registration by the registrar under  
6 the provisions of section one or section nine of chapter ninety; (ii)  
7 any new or used vehicle which is designed primarily for construc-  
8 tion purposes and not for the transportation of passengers or prop-  
9 erty and is only incidentally operated upon a way, including but  
10 not limited to, motor vehicles or trailers designed and used pri-  
11 marily either for grading of highways, paving of highways, earth  
12 moving, and other construction work on highways or at public or  
13 private construction sites, or for construction or maintenance work  
14 on railroad rights of way, including air drills, asphalt spreaders,  
15 bituminous mixers, bucketloaders, track-type tractors, crawler  
16 tractors, ditchers, leveling graders, finishing machines, motor  
17 graders, paving mixers, road rollers, scarifiers, earth moving  
18 scrapers, welders, pumps, water wagons, screening plants, power  
19 shovels and draglines, excavators, backhoes, front-end loaders,  
20 self-propelled and tractor drawn earth moving equipment and  
21 machinery, including dump trucks and tractor-dump trailer combi-  
22 nations which exceed the dimensions or weight limits imposed by  
23 section nineteen and the weight limits imposed by sections thirty  
24 or thirty A of chapter eighty-five and which cannot be operated on

25 a public way without special permits specified in those sections  
26 and which are not operated laden except within the boundaries of  
27 the job construction site; (iii) motor vehicles and trailers classified  
28 as “Special mobile equipment” pursuant to section five of chapter  
29 ninety and rules and regulations of the registrar promulgated  
30 thereunder; and, (iv) any other similar types of construction vehi-  
31 cles and equipment which the Registrar may determine to be  
32 exempt from the title requirements under authority granted him in  
33 section one (Motor Vehicles) of chapter ninety-D.

1 SECTION 2. Section 2 of chapter 90D of the General Laws, as  
2 appearing in the 1994 Official Edition, is hereby amended by  
3 striking paragraph (10) and inserting in place thereof, the  
4 following: — Trailers having a gross vehicle weight of five thou-  
5 sand pounds or less.