

By Mr. Ruane of Salem, petition of J. Michael Ruane for legislation to provide that certain motor vehicle violations may be treated as civil infractions. Criminal Justice.

The Commonwealth of Massachusetts

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

AN ACT PROVIDING THAT CERTAIN MOTOR VEHICLE VIOLATIONS MAY BE TREATED AS CIVIL INFRACTIONS.

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. Subsection (A) of section 3 of chapter 90C of the
2 General Laws, as appearing in the 1986 Official Edition, is hereby
3 amended by striking out the first paragraph and inserting in place
4 thereof the following paragraph: —

5 If a police officer records the occurrence of an automobile law
6 violation as defined in section one for which the maximum
7 penalty or fine does not exceed five hundred dollars for the first
8 offense and does not provide for a penalty of imprisonment,
9 excepting operation of a motor vehicle in violation of the first
10 paragraph of section ten of chapter ninety, or violation of section
11 twenty-five of chapter ninety, the police officer may direct that a
12 written warning be issued or may cite the violator for a civil
13 motor vehicle infraction in accordance with this subsection; and,
14 provided further, that if the offense is a violation of the provisions
15 of section nineteen A of chapter ninety, the police officer who
16 records the occurrence of said violation may, regardless of the
17 amount of the fine imposed for such violation, direct that a written
18 warning be issued or may cite the violator for a civil motor
19 vehicle infraction in accordance with this subsection.

1 SECTION 2. The first paragraph of section 7 of said
2 chapter 90C, as appearing in the 1986 Official Edition, is hereby
3 amended by striking out the first sentence and inserting in place

4 thereof the following sentence: — The clerk-magistrate of a dis-
5 trict court or his designee shall accept waiver of trial, pleas of
6 guilty, and payment of fine from any person summoned to appear
7 before such court on a complaint alleging violation of any law
8 relating to the operation, parking or control of bicycles.