

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. Public Safety.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Nine.

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

1 SECTION 2. The first paragraph of section 7 of said chapter
2 90C, as appearing in the 1986 Official Edition, is hereby amended

3 by striking out the first sentence and inserting in place thereof the
4 following sentence: —

5 The clerk-magistrate of a district court or his designee shall
6 accept waiver of trial, plea of guilty, and payment of fine from
7 any person summoned to appear before such court on a complaint
8 alleging violation of any law relating to the operation, parking
9 or control of bicycles.