
By Mr. Tanerati of Springfield (by request), petition of Daniel B. Brunton (mayor of Springfield) (by vote of the city council) for legislation to regulate the operation of motor vehicles at crosswalks and to provide a penalty for pedestrians crossing ways except upon marked crosswalks or in compliance with direction of police officers or traffic control signals. Highways and Motor Vehicles.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Six.

AN ACT TO PROMOTE AND FURTHER THE SAFETY OF
PEDESTRIANS.

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. Chapter 40 of the General Laws (Ter.
2 Ed.) is hereby amended by inserting after section 22C,
3 inserted by chapter 326 of the acts of 1951, the follow-
4 ing new section: —
5 *Section 22D.* In each city and town which accepts
6 this section, as provided in section four of chapter four
7 of the General Laws, the following provisions shall ap-
8 ply: — Where traffic control signals are not in place or
9 in operation, or no police officer is directing traffic, the
10 operator of a motor vehicle shall yield the right of way
11 to a pedestrian crossing within any marked crosswalk,
12 slowing down or stopping if need be to so yield. When-
13 ever any vehicle has stopped at a marked crosswalk to
14 permit a pedestrian to cross the way, the operator of
15 any other vehicle approaching from the rear shall not
16 overtake and pass such stopped vehicle. The operator
17 of any motor vehicle, prior to driving over or across any
18 sidewalk, shall yield the right of way to any pedestrian
19 approaching thereon. In thickly settled or business dis-

20 tricts, as defined in section one of chapter ninety, pe-
21 destrians shall be subject to traffic control signals or to
22 directions of police officers directing traffic, and whenever
23 there is a traffic control signal, police officer directing
24 traffic or a marked crosswalk within three hundred feet
25 of a pedestrian, no such pedestrian shall cross the way
26 except upon such a marked crosswalk or in compliance
27 with the directions of a police officer or at such a traffic
28 control signal. A violation of this section may be pun-
29 ished by a fine of not more than one dollar for each vi-
30 olation up to and including the third violation in each
31 calendar year, and a fine of two dollars shall be imposed
32 for each violation in excess of the third violation in each
33 calendar year. A conviction of, or a plea of guilty to a
34 violation of this section shall not constitute negligence
35 nor be received as evidence of negligence of the person
36 violating the same in any proceeding in any court. Such
37 conviction or plea of guilty shall not constitute a crim-
38 inal record nor be deemed a criminal offence, and shall
39 not be used in any manner in any civil or criminal pro-
40 ceeding in any court for any purpose whatever.

1 SECTION 2. This act shall be submitted for acceptance
2 to the qualified voters of each city and town at the first
3 annual city or town election after passage of this act.
4 The vote shall be taken by ballot or voting machines
5 wherever used, in accordance with the provisions of the
6 General Laws, so far as the same shall be applicable, in
7 answer to the following question which shall be placed
8 upon the ballot to be used at said election: — “Shall an
9 act passed by the General Court in the year nineteen
10 hundred and fifty-six, entitled ‘An Act to Promote and
11 Further the Safety of Pedestrians’ be accepted?” If a
12 majority of the voters voting on this question vote in
13 the affirmative said act shall take effect immediately in
14 said city or town. If this act is rejected when first sub-
15 mitted it shall be again submitted at the next following
16 state election in the year nineteen hundred and fifty-
17 eight, and if accepted shall take effect as hereinbefore
18 provided.