

CommonWealth

Baker bill would let police pull cars over for seatbelt violations

Road safety legislation also deals with mobile phone use, electric scooters



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GOV. CHARLIE BAKER filed road safety legislation on Tuesday that would require drivers to use electronic devices in hands-free mode only, mandate side guards and additional mirrors on large state-owned trucks, and allow police for the first time to pull over motorists who are not wearing seatbelts.

The measure would also begin the discussion about how to regulate electric scooters and bikes by mandating as a first step that they be treated the same way as bicycles under state law. Under that approach, users under the age of 16 would be required to wear helmets and all users would be required to yield to walkers. The provision would allow anyone to ride an electric scooter, but it would still allow municipalities to put restrictions on how scooters and electric bikes are deployed on city streets.

According to the Baker administration, 15,662 people were seriously injured and 1,820 killed on Massachusetts roadways between 2012 and 2016. Another 14 road workers were killed between 2009 and 2016.

To reduce fatalities, the Baker bill would require all state trucks and trucks used by state and municipal contractors to be equipped with convex and cross-over mirrors to provide drivers with better visibility. The measure would also require the installation of side guards between the front and rear wheels of the trucks to prevent bicyclists and walkers from being run over by a vehicle's rear wheels.

The hands-free driving provision would bar any motor vehicle operator from touching or holding their mobile phone "except to perform a single tap or swipe to activate, deactivate, or initiate hands-free mode."

Since the state's seatbelt law passed in 1994, police have had only secondary enforcement responsibilities, meaning they are only allowed to issue seatbelt citations if a vehicle is pulled over for some other violation such as speeding or failing to stop at a stop sign. Under Baker's bill, police officers would be authorized to pull over cars in which they observe motorists not wearing seatbelts.

Giving police primary enforcement for seatbelt violations has been proposed numerous times in the past, but each time it has failed to pass, in part because of opposition from former House assistant majority leader Byron Rushing of Boston, who insisted that racial profiling by police should be outlawed first. Rushing also objected to distracted driving legislation on the same grounds.

Rushing, who could not be reached for comment, was defeated last year and is no longer in the Legislature.

Of the 50 states, 34 give police officers primary enforcement responsibility; 15, including Massachusetts, allow only secondary enforcement; and New Hampshire doesn't require adults to use seatbelts at all.

Stacy Thompson, executive director of Livable Streets, praised the governor for compiling a number of sensible, life-saving measures in a single bill. She singled out the governor's call for mandatory lower speed limits in construction zones and his truck guard legislation for state vehicles, which she described as a "good first step."