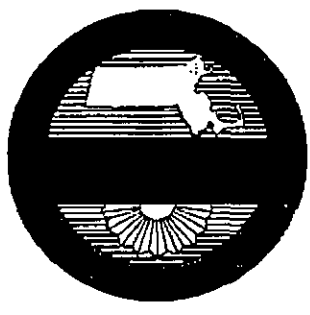


ORGANIZED  
NOVEMBER 3, 1887



INCORPORATED  
MAY 2, 1949

**EXECUTIVE DIRECTOR**  
CHIEF A. WAYNE SAMPSON (RET.)  
**GENERAL COUNSEL**  
JOHN M. COLLINS, ESQUIRE  
**E-MAIL:** OFFICE@MASSCHIEFS.ORG  
**WEBSITE:** WWW.MASSCHIEFS.ORG

**BUSINESS OFFICE**  
26 PROVIDENCE ROAD, GRAFTON, MA 01519  
TEL: (508) 839-5723 / (800) 322-2011  
FAX: (508) 839-4873

## In Unity There Is Strength

**008 OFFICERS**

*President*  
Chief Anthony J. Riello  
almouth

617-248-3840

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Chief Terrence M. Cunningham  
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December 12, 2008

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Chief Mary R. Lyons  
tattapoissett

Senator James E. Timilty  
State House, Room 518  
Boston, MA 02108

*3rd Vice President*  
Chief Mark K. Leahy  
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*Organ-at-Arms*  
Chief Joseph J. Rebulleto  
ingston

**EXECUTIVE COMMITTEE**  
Chief Arthur M. O'Neill  
tansfield (*Past President*)

Dear Senator Timilty:

Chief John J. Thomas  
turo (Barnstable & Islands)

Please accept this letter as confirmation that the Board of Directors of the Massachusetts Chiefs of Police Association voted unanimously at yesterday's meeting to support the move-over legislation.

Chief Richard B. Wilcox  
tackbridge (Berkshire)

Sincerely,

Chief Carlton E. Abbott, Jr.  
metown (Bristol)

Chief Kevin Barry  
owley (Essex)

Chief A. Wayne Sampson (Ret.)  
Executive Director

Chief Gary M. Sibilia  
torthfield (Franklin)

AWS/cal

Chief Robert D. Campbell  
gawam (Hampden)

Chief Francis R. Fox, Jr.  
elchertown (Hampshire)

Chief John W. Suslok  
ynn (Major City Chiefs)

Chief Edward P. Deveau  
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Chief Richard E. Smith  
tkefield (Middlesex)

Chief Kenneth N. Berkowitz  
anton (Norfolk)

Chief Lincoln W. Miller  
larion (Plymouth)

Chief Brian A. Kyes  
helsea (Suffolk)

Chief Peter F. Roddy  
ominster (Worcester)

Chief Patrick T. Foley  
uglas (Worcester)

*Life Member*  
Chief Joseph N. Perritano (Ret.)  
Winchester



*The Commonwealth of Massachusetts*  
*House of Representatives*  
*State House, Boston 02133-1020*

LOUIS L. KAFKA  
REPRESENTATIVE  
8TH NORFOLK DISTRICT  
ROOM 237, STATE HOUSE  
TEL. 617-722-2305

Committees on  
Ways & Means  
Consumer Protection & Professional Licensure  
Public Service

House Special Committee  
on Veteran's Affairs  
Vice Chair

October 21, 2008

The Honorable Robert A. DeLeo, Chair  
House Committee on Ways and Means  
State House, Room 243  
Boston, MA 02133

*Bob*  
Dear Chairman DeLeo:

In July of this year, the Senate engrossed S.2103, An Act Relative to Operating a Motor Vehicle When Approaching Stationary Emergency Vehicles, also known as "The Move-Over Act". The bill requires motorists on highways to change lanes when approaching an emergency or public safety vehicle if they have enough room to do so safely. Currently, failure to do so often results in dangerous situations for the public safety officers on our highways; indeed, officers have been hit by careless motorists. I strongly believe that the public safety awareness campaign that would result from the passage of this bill would be of great benefit to the Commonwealth. I support the passage of this bill and ask that you report it favorably. As always, if you have any questions, please don't hesitate to contact me.

With warmest personal regards, I remain

Sincerely,

A handwritten signature in black ink, appearing to read "L. Kafka", written over the word "Sincerely,".

LOUIS L. KAFKA  
*State Representative*

**Oneill, Timothy (SEN)**

---

**From:** AUGER, DONNA [DAUGER@milreg.org]

**Sent:** Tuesday, January 02, 2007 11:43 AM

**To:** Oneill, Timothy (SEN)

**Subject:** Move over Bill



I support the "Move Over Bill", It will provide additional safety to all providers as they try to render care or assistance.

Thank you,

Donna Auger  
Paramedic Coordinator  
Milford Regional Medical Center

**Oneill, Timothy (SEN)**

---

**From:** Harper III, James [James\_S\_Harper\_III@brown.edu]  
**Sent:** Tuesday, January 02, 2007 11:37 AM  
**To:** Oneill, Timothy (SEN)  
**Subject:** support for move over bill

I am a firefighter/paramedic for the town of sterling mass. Please list me as a supporter of this bill. I and other members of my department have had many close calls with bystander vehicles over the years as we work at emergencies. They are more interested in watching us than staying a safe distance away. We all want to go home at the end of the call not to become a secondary victim requiring aid.

Thank you for sponsoring this bill.

James S. Harper, III, VMD

Brown University

Box G-F287

Providence, RI 02912

Ph. 401-863-3223

Fax:401-863-1984

[James\\_S\\_Harper\\_III@brown.edu](mailto:James_S_Harper_III@brown.edu)

**Oneill, Timothy (SEN)**

---

**From:** ebfdc3 [ebfdc3@charterinternet.com]  
**Sent:** Friday, December 29, 2006 10:41 AM  
**To:** Oneill, Timothy (SEN)  
**Subject:** "Move Over Act"

With 22 years of public safety service. I would like to assist in any way to see that this bill pass through the house and senate. Thanks Paul

Could also tell me the bill number if possible?

Paul Normandin  
Assistant Fire Chief/EMS Coordinator  
East Brookfield Fire  
508-867-3124  
Fax: 508-867-9164

**Oneill, Timothy (SEN)**

---

**From:** Mary-Elise Manuell [memanu@charter.net]  
**Sent:** Thursday, December 28, 2006 11:07 AM  
**To:** Oneill, Timothy (SEN)  
**Subject:** Move Over Safety Bill

Mr O'Neill

I am a supporter of the "Move Over" Bill which I believe would increase the safety of emergency response personnel.  
Thank you

Mary-Elise Manuell, MD, FACEP  
UMass Memorial Emergency Physician  
Regional Medical Director, Region II EMS

---

**Oneill, Timothy (SEN)**

---

**From:** cathie.martin@comcast.net  
**Sent:** Thursday, December 28, 2006 10:03 AM  
**To:** Oneill, Timothy (SEN); Oneill, Timothy (SEN)  
**Subject:** FW: Move Over Safety

Please support this bill for me.

To be listed as a supporter of this Bill e-mail: [timothy.oneill@massmail.state.ma.us](mailto:timothy.oneill@massmail.state.ma.us)

*~EMS: Courage & Compassion in Action~*

**Oneill, Timothy (SEN)**

---

**From:** Chief Gary Nestor [gnestor@northbridgemass.org]

**Sent:** Thursday, December 28, 2006 9:12 AM

**To:** Oneill, Timothy (SEN)

**Subject:** move over for safety

Mr. O'Neil,

The Northbridge Fire Dept. supports this bill. Anything that can improve safety for first responders is a benefit to us all.

Chief Gary Nestor

1/6/2007



**Oneill, Timothy (SEN)**

---

**From:** Ed McNamara [emcnamara@cmemsc.org]

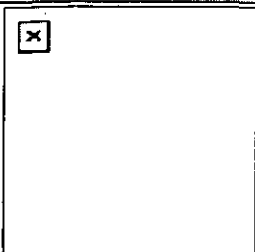
**Sent:** Wednesday, December 27, 2006 2:52 PM

**To:** Oneill, Timothy (SEN)

Sir:

I support the proposed safety bill for first responders.

Edward C McNamara  
93 Kendall Hill Rd  
Sterling, MA 01564

	<p>EMS Saves Lives</p>
<p><b>Edward McNamara</b> <i>Executive Director</i></p>	<p><b>Central MA EMS Corporation</b></p>
<p>emcnamara@cmemsc.org www.cmemsc.org</p>	<p>361 Holden St Holden, MA 01520 tel: 508-854-0111 fax: 508-853-3672 mobile: 508-612-7704</p>

## Oneill, Timothy (SEN)

---

**From:** Linda Collette [baslinda@charter.net]  
**Sent:** Wednesday, December 27, 2006 12:42 PM  
**To:** Oneill, Timothy (SEN)  
**Subject:** Move Over Bill

I am a manager as well as a paramedic and have responded many times in my 25 year tenure to areas that are not safe for emergency personnel to be working in. I support this bill without reservation. Thank you in advance for trying to keep the people that help people SAFE. Linda R Collette NREMT-P/ Manager, Brimfield Ambulance Service, Inc.

## Oneill, Timothy (SEN)

---

**From:** Bob Johnson [bjohnson@woodsamb.com]  
**Sent:** Wednesday, December 27, 2006 12:34 PM  
**To:** Oneill, Timothy (SEN)  
**Subject:** MOVE OVER ACT

Dear Mr. Oneil,

I strongly support the " Move Over Act"

Sincerely,

Robert A Johnson Jr

Clinical Compliance/Training Mgr

Wood's Ambulance, Inc.

457 Main St.

Gardner, MA 01440

--

No virus found in this outgoing message.

Checked by AVG Free Edition.

Version: 7.1.409 / Virus Database: 268.15.28/605 - Release Date: 12/27/2006

## Oneill, Timothy (SEN)

---

**From:** molson@medstarma.com  
**Sent:** Wednesday, December 27, 2006 12:07 PM  
**To:** Oneill, Timothy (SEN)  
**Subject:** Move Over bill

Dear Mr. O'Neil,

I would like to be listed as a supporter of the "Move Over" bill. Thank you.

Mark R. Olson

Chief Operating Officer

Medstar Ambulance Service

**Oneill, Timothy (SEN)**

---

**From:** Joe Flanagan [jflanagan@boylston-ma.gov]  
**Sent:** Wednesday, December 27, 2006 11:47 AM  
**To:** Oneill, Timothy (SEN)  
**Subject:** Move Over Bill

Mr. O'Neill,

Please let this email serve as notice that the Boylston Fire Department is supportive of the proposed legislation regarding the safety of emergency vehicles.

Thank you,

Joseph Flanagan, Fire Chief  
Boylston Fire Department  
599 Main St.  
Boylston, MA 01505

**Oneill, Timothy (SEN)**

---

**From:** Eric L'Esperance [elesperance@cmrpc.org]  
**Sent:** Tuesday, December 26, 2006 10:13 AM  
**To:** Oneill, Timothy (SEN)  
**Subject:** Supporter of "Move-Over Bill"

Good day-

I would like to be listed in support of the "Move-Over Bill". Staff here at the CMRPC realized that this was a transportation safety concern recently. We had surveyed EMTs that service our planning region in central Mass. The final question asked EMTs for any added input and the majority of the responses referenced the need for driver awareness in pulling over for a traveling emergency vehicle. We felt it very important and had been planning on implementing a public awareness program. This looks like the perfect opportunity for us to jump in!

Thank you

Eric

Eric P. L'Esperance

Assistant Transportation Planner

508.459.3323

Central Mass. Regional Planning Commission

35 Harvard St. 2nd Floor

Worcester, MA 01609

elesperance@cmrpc.org

**Oneill, Timothy (SEN)**

---

**From:** Mark D. Robbins [RobbinsMD@Charter.Net]  
**Sent:** Sunday, December 24, 2006 9:01 AM  
**To:** Oneill, Timothy (SEN)  
**Subject:** Supporter of the MOVE OVER Bill

I believe this is an outstanding Idea and should be implemented. I believe that Michigan has a similar law.

Mark Robbins

**Oneill, Timothy (SEN)**

---

**From:** Jeff Lex [JLex@concordnet.org]  
**Sent:** Friday, December 22, 2006 11:43 AM  
**To:** Oneill, Timothy (SEN)  
**Subject:** Move Over Law

Just a quick note in support of the "Move Over Law". I have been involved in EMS and the Fire Service for over 15 years and have had several close calls while operating at various incidents on highways.

Thank you,  
Jeffrey Lex  
Pepperell, MA

**Oneill, Timothy (SEN)**

---

**From:** Robert Moore [Moore\_Robert@holyokehealth.com]  
**Sent:** Friday, December 22, 2006 9:20 AM  
**To:** Oneill, Timothy (SEN)  
**Subject:** Support of Move-Over Bill

Sir,  
Please add my name to the list of supporters of the Move-Over Bill.

Robert O. Moore  
Emergency Preparedness Coordinator  
Holyoke Medical Center  
575 Beech St  
Holyoke, MA 01040  
Office Phone  
413-534-2560  
Pager  
413-755-8413

**CONFIDENTIALITY NOTICE:** This email communication and any attachments may contain confidential and privileged information for the use of the designated recipients named above. If you are not the intended recipient, you are hereby notified that you have received this communication in error and that any review, disclosure, dissemination, distribution or copying of it or its contents is prohibited. If you have received this communication in error, please reply to the sender immediately or by telephone at (413)534-2500 and destroy all copies of this communication and any attachments. For further information regarding Holyoke Medical Center's privacy policy, Please visit our Internet web site at <http://www.holyokehealth.com>

<<<>>>

**Oneill, Timothy (SEN)**

---

**From:** Berlin Town Accountant [Accountant@townofberlin.com]  
**Sent:** Friday, December 22, 2006 8:11 AM  
**To:** Oneill, Timothy (SEN)  
**Subject:** "Move-Over-Act"

I am in full support of the proposed "Move-Over-Act".

We - Berlin Emergency Rescue Squad/Ambulance - handle a very dangerous section of 495. We have on a number of occasions put our lives on the line while helping Motor Vehicle accident victims. Common sense is never on our side. I believe that this law might help to get people to think and not use us as moving targets. Thank you!

June M. Poland, EMT-B, Town Accountant

**Oneill, Timothy (SEN)**

---

**From:** chiefhyde@charterinternet.com.  
**Sent:** Thursday, December 21, 2006 4:35 PM  
**To:** Timothy Oneill  
**Subject:** "Move Over Bill"

Yes as a Fire Chief, I support this "Move - Over Bill "

Stephen J. Hyde Sr.  
Chief  
Southampton Fire Department

**Oneill, Timothy (SEN)**

---

**From:** BRENNANLGH@cs.com  
**Sent:** Thursday, December 21, 2006 4:30 PM  
**To:** Oneill, Timothy (SEN)  
**Subject:** Move Over Law

Hello,

The Massachusetts Association of Hospital Operated Paramedic Services (MAHOPS) fully supports the "Move Over Act" as written and proposed.

Thank You

Paul Brennan  
President, MAHOPS  
Lawrence General Hospital  
1 General Street  
Lawrence, MA 01841  
Phone: 978-683-4000 x 2756  
Fax: 978-946-8225

## Oneill, Timothy (SEN)

---

**From:** Hobbs, Sylvia (DPH)  
**Sent:** Thursday, December 21, 2006 2:17 PM  
**To:** Kiely, Ed (DPH)  
**Cc:** Dreyer, Paul (DPH); Rehayem, Abdullah (DPH)  
**Subject:** FW: Move Over Safety for First Responders



Bill Summary.doc  
(36 KB)



AN ACT RELATIVE  
TO TRAFFIC STO...

Dear Ed,

A Move Over Act will be filed on January 10<sup>th</sup> that requires motorist to move over for ambulances. This law will protect the safety of Massachusetts EMTs. Just last 3 weeks ago, a Salem Fire Department paramedic was injured when his ambulance struck by a motorcycle. Would it be possible for MDPH to be listed as a supporter of this Act?

Sylvia D. Hobbs, MPH, Director of Research & Evaluation  
Center for Health Quality Assurance and Control  
Massachusetts Department of Public Health  
Office of Emergency Medical Services  
2 Boylston Street, 3rd Floor  
Boston MA 02116-4737  
Phone: 617-753-7304  
Fax: 617-753-7320  
cell: 781-893-1324  
e-mail: [sylvia.hobbs@state.ma.us](mailto:sylvia.hobbs@state.ma.us)

---

**From:** Hobbs, Sylvia (DPH)  
**Sent:** Thursday, December 21, 2006 1:41 PM  
**To:** Howe, Lewis (DPH); Okeefe, Jerry (DPH); Bates, Richard; Bent, William (MHD); Berger, Mark (EOT); Berkenfeld, Janet; Boudreau, Neil (MHD); Casey Woodley; Chipman, Brook (HSB); [collura@ecs.umass.edu](mailto:collura@ecs.umass.edu); Conard, Richard (MHD); Damiata, Mario; Dave Wessman; Diane McKenzie; Feinberg, Burt; [flatten@acad.umass.edu](mailto:flatten@acad.umass.edu); Gerald O'Keefe; Hackman, Holly; Hanley, Jessica (CCJ); Hendrigan, Rod; Hume, Beth; Inzana, Jennifer; James Hadfield; Judy Parlato; Kearney, Robert; Krasnow, David (RMV); Lalancelette, Robin; Lepage, Susan; Lupo, Filomena; Lynch, Robert (RMV); McCarthy, Robert; Mccarthy, Steven; Moisuk, Bill; [mpmckay@partners.org](mailto:mpmckay@partners.org); Paragona, Laurann; Perduyn, Karen (RMV); Polin, Bonnie; Randy Moshos; Raymond Guarino; Richard Hill; Riessman, Robin; Rodgers, Cindy; Shirley Diotte; Silva, Edward; Steven Carlson; Sullivan, Margaret (CHE); Sullivan, Paul; Sylvia Zajac; Trevor, William (HSB); Whalen, Matt; Wilson, Keith; Ziering, Eric  
**Subject:** Move Over Safety for First Responders

Traffic Records Coordinating Committee and Interested Parties,

During discussions of the goal-setting for future edits to Massachusetts Strategic Highway Safety Plan, TRCC members from MDPH mentioned that Massachusetts currently does not have a "Move Over" law to protect the safety of ambulance service providers, police officers, and other first responders on the highway. A "Move Over" law requires motorists to "move over" into the left lane when emergency vehicles are on the right side of the road or if there is not a left lane to move into, they will be required to slow down.

Today's State House News indicates that a Massachusetts Move Over Act will be filed on January 10<sup>th</sup>, 2007. Our next TRCC meeting is January 9<sup>th</sup>, the day before the filing date. This Act would protect the emergency responder community and is in need of health and safety agency support. Can you please forward the attached Bill information to your agency legislative liaisons?

Sylvia D. Hobbs, MPH, Director of Research & Evaluation  
Center for Health Quality Assurance and Control  
Massachusetts Department of Public Health  
Office of Emergency Medical Services  
2 Boylston Street, 3rd Floor  
Boston MA 02116-4737  
Phone: 617-753-7304  
Fax: 617-753-7320  
cell: 781-893-1324  
e-mail: [sylvia.hobbs@state.ma.us](mailto:sylvia.hobbs@state.ma.us)

## **Oneill, Timothy (SEN)**

---

**From:** Joe Maruca [vze3j7vc@verizon.net]  
**Sent:** Thursday, December 21, 2006 2:08 PM  
**To:** Oneill, Timothy (SEN)  
**Subject:** Move Over Bill

Dear Mr. O'Neill:

On behalf of the Massachusetts Call/Volunteer Firefighters Association (MCVFA) I would ask you to pass on our thanks to Senator Timilty for sponsoring the new Move-Over in the upcoming legislative session. It is long overdue.

Please feel free to list the Massachusetts Call/Volunteer Firefighters Association as sponsors or supports of this measure.

Sincerely,

Joseph V. Maruca

Legislative Representative – MCVFA

& Fire Chief – West Barnstable

--  
No virus found in this outgoing message.

Checked by AVG Free Edition.

Version: 7.1.409 / Virus Database: 268.15.26/594 - Release Date: 12/20/2006



**Oneill, Timothy (SEN)**

---

**From:** Brennan, Paul (SEN)  
**Sent:** Thursday, December 21, 2006 1:46 PM  
**To:** Oneill, Timothy (SEN)  
**Subject:** RE: RE: Timilty Move Over Act

Tim -

Can Sen. Morrissey sign onto your boss's bill when the time comes?

Paul.

\*\*\*\*\*  
Paul Brennan, III  
Staff  
Office of State Senator Michael W. Morrissey  
Room 413-D, State House  
Boston, MA 02133

617-722-1494 (phone)  
617-722-1055 (fax)

[paul.b.brennan@state.ma.us](mailto:paul.b.brennan@state.ma.us)

*Senator Morrissey represents the towns of Abington, Braintree, Holbrook and Rockland, and the City of Quincy.*

---

**From:** Oneill, Timothy (SEN)  
**Sent:** Thursday, December 21, 2006 10:53 AM  
**To:** Brennan, Paul (SEN)  
**Subject:** RE: RE: Timilty Move Over Act

I wasn't aware of that. Jim got this from a trooper from the district. Hey, the more the merrier, right?

*Timothy M. O'Neill  
Chief of Staff  
Office of Senator James E. Timilty  
Bristol and Norfolk  
phone (617) 722-1222  
fax (617) 722-1056*

---

**From:** Brennan, Paul (SEN)  
**Sent:** Thursday, December 21, 2006 10:48 AM  
**To:** Oneill, Timothy (SEN)  
**Subject:** RE: RE: Timilty Move Over Act

Do you know that Rep. Canavan has a refile of a "move-over law" for this session?

H.2062 (2005-6 session).

---

**From:** Oneill, Timothy (SEN)  
**Sent:** Thursday, December 21, 2006 10:38 AM  
**To:** Brennan, Paul (SEN)  
**Subject:** RE: Timilty Move Over Act

<< File: Bill Summary.doc >> << File: AN ACT RELATIVE TO TRAFFIC STOP SAFETY.doc >>

*Timothy M. O'Neill  
Chief of Staff  
Office of Senator James E. Timilty*

## Oneill, Timothy (SEN)

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**From:** Hobbs, Sylvia (DPH)  
**Sent:** Thursday, December 21, 2006 1:41 PM  
**To:** Howe, Lewis (DPH); Okeefe, Jerry (DPH); Bates, Richard; Bent, William (MHD); Berger, Mark (EOT); Berkenfeld, Janet; Boudreau, Neil (MHD); Casey Woodley; Chipman, Brook (HSB); collura@ecs.umass.edu; Conard, Richard (MHD); Damiata, Mario; Dave Wessman; Diane McKenzie; Feinberg, Burt; flatten@acad.umass.edu; Gerald O'Keefe; Hackman, Holly; Hanley, Jessica (CCJ); Hendrigan, Rod; Hume, Beth; Inzana, Jennifer (MHD); James Hadfield; Judy Parlato; Kearney, Robert; Krasnow, David (RMV); Lalancette, Robin (RMV); Lepage, Susan; Lupo, Filomena; Lynch, Robert (RMV); McCarthy, Robert; Mccarthy, Steven; Moisuk, Bill; mpmckay@partners.org; Paragona, Laurann (RMV); Perduyn, Karen (RMV); Polin, Bonnie (MHD); Randy Moshos; Raymond Guarino; Richard Hill; Riessman, Robin; Rodgers, Cindy; Shirley Diotte; Silva, Edward; Steven Carlson; Sullivan, Margaret (CHE); Sullivan, Paul; Sylvia Zajac; Trevor, William (ITD); Whalen, Matt; Wilson, Keith; Ziering, Eric  
**Subject:** Move Over Safety for First Responders



Bill Summary.doc AN ACT RELATIVE  
(36 KB) TO TRAFFIC STO...

Traffic Records Coordinating Committee and Interested Parties,

During discussions of the goal-setting for future edits to Massachusetts Strategic Highway Safety Plan, TRCC members from MDPH mentioned that Massachusetts currently does not have a "Move Over" law to protect the safety of ambulance service providers, police officers, and other first responders on the highway. A "Move Over" law requires motorists to "move over" into the left lane when emergency vehicles are on the right side of the road or if there is not a left lane to move into, they will be required to slow down.

Today's State House News indicates that a Massachusetts Move Over Act will be filed on January 10<sup>th</sup>, 2007. Our next TRCC meeting is January 9<sup>th</sup>, the day before the filing date. This Act would protect the emergency responder community and is in need of health and safety agency support. Can you please forward the attached Bill information to your agency legislative liaisons?

Sylvia D. Hobbs, MPH, Director of Research & Evaluation  
Center for Health Quality Assurance and Control  
Massachusetts Department of Public Health  
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2 Boylston Street, 3rd Floor  
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Phone: 617-753-7304  
Fax: 617-753-7320  
cell: 781-893-1324  
e-mail: [sylvia.hobbs@state.ma.us](mailto:sylvia.hobbs@state.ma.us)

**Oneill, Timothy (SEN)**

---

**From:** Hobbs, Sylvia (DPH)  
**Sent:** Thursday, December 21, 2006 12:39 PM  
**To:** Oneill, Timothy (SEN)  
**Subject:** RE: Timilty Move Over bill

Thank you!

Sylvia Hobbs, MPH, Director of Research & Evaluation  
Center for Quality Assurance and Control  
Massachusetts Department of Public Health  
Office of Emergency Medical Services  
2 Boylston Street, 3rd Floor  
Boston MA 02116  
Phone: 617-753-7304  
Mail: [Sylvia.hobbs@state.ma.us](mailto:Sylvia.hobbs@state.ma.us)

---

**From:** Oneill, Timothy (SEN)  
**Sent:** Thursday, December 21, 2006 12:36 PM  
**To:** Hobbs, Sylvia (DPH)  
**Subject:** RE: Timilty Move Over bill

Good Afternoon Sylvia,

Sen. Timilty is filing this bill on January 10th. Here is the bill and fact sheet. Call me if you need anything.

Tim

<< File: AN ACT RELATIVE TO TRAFFIC STOP SAFETY.doc >> << File: Bill Summary.doc >>

*Timothy M. O'Neill  
Chief of Staff  
Office of Senator James E. Timilty  
Bristol and Norfolk  
phone (617) 722-1222  
fax (617) 722-1056*

**Oneill, Timothy (SEN)**

---

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**To:** Oneill, Timothy (SEN)  
**Subject:** RE: RE: Timilty Move Over Act

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H.2062 (2005-6 session).

---

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**Sent:** Thursday, December 21, 2006 10:38 AM  
**To:** Brennan, Paul (SEN)  
**Subject:** RE: Timilty Move Over Act

<< File: Bill Summary.doc >> << File: AN ACT RELATIVE TO TRAFFIC STOP SAFETY.doc >>

*Timothy M. O'Neill,  
Chief of Staff  
Office of Senator James E. Timilty*

Bristol and Norfolk  
phone (617) 722-1222  
fax (617) 722-1056

**Oneill, Timothy (SEN)**

**From:** Brennan, Paul (SEN)  
**Sent:** Thursday, December 21, 2006 10:47 AM  
**To:** Oneill, Timothy (SEN)  
**Subject:** RE: RE: Timilty Move Over Act

Thanks tim. I'll let you know.

Paul.

---

**From:** Oneill, Timothy (SEN)  
**Sent:** Thursday, December 21, 2006 10:38 AM  
**To:** Brennan, Paul (SEN)  
**Subject:** RE: Timilty Move Over Act

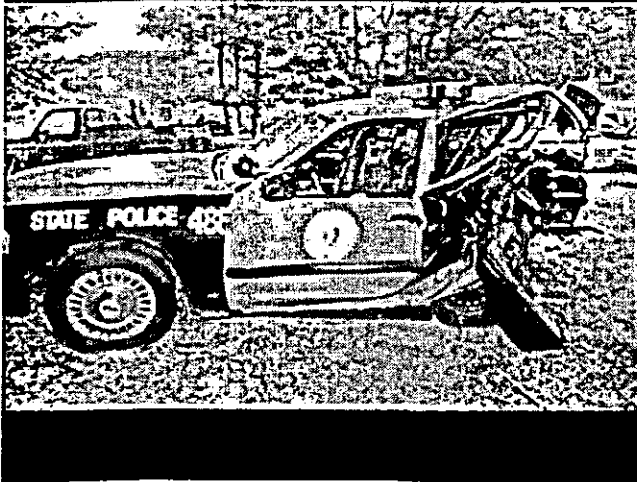
<< File: Bill Summary.doc >> << File: AN ACT RELATIVE TO TRAFFIC STOP SAFETY.doc >>

*Timothy M. O'Neill*  
*Chief of Staff*  
*Office of Senator James E. Timilty*  
*Bristol and Norfolk*  
*phone (617) 722-1222*  
*fax (617) 722-1056*

# Staties: Move Over to help save our lives

By Dave Wedge | Monday, March 24, 2008 | <http://www.bostonherald.com> | Local Coverage

Photo by Herald staff



State troopers who stop lawbreakers and help broken-down motorists are being run down at an alarming rate by drunk, drowsy and negligent drivers, prompting one lawmaker to push for a tough law to protect the boys in blue.

Since 2006, 60 state police cruisers have been crushed while stopped in Bay State breakdown lanes or on roadsides. Several wrecks have left cops injured, and there have been numerous near-misses, the Herald has found.

Just last week, a trooper had a brush with death on Interstate 495

in Norton when a speeding car careened into his cruiser at the scene of a car fire. The cop car was launched into a fire engine and demolished, but the trooper's life was spared as he stood just feet from the vehicle.

"When our guys are standing in that breakdown lane, their butts are only 6 inches from the traffic," said Sgt. Rick Brown, head of the troopers' union. "The biggest fear for our people is getting hit out there - more than getting shot. It happens regularly."

A bill pending on Beacon Hill would provide protection to troopers - as well as drivers of tow trucks, fire engines and ambulances - by requiring motorists to move left one lane upon nearing emergency vehicles or face fines up to \$500. The Move Over Act is based on laws in 41 other states and would also provide money for an educational campaign on the importance of giving cops room to breathe on the roads.

"You as a motorist will have to move over if there's room to do so," said the bill's sponsor, Sen. James Timilty (D-Walpole). "They've done this in other states and it's been effective."

One of the most glaring examples of the need for a breakdown lane buffer zone is the case of Trooper Ellen Engelhardt, who was paralyzed when a drunken driver slammed into her cruiser in the breakdown lane in Wareham in 2003.

Veteran Foxboro Trooper Dan O'Sullivan said he's had many near-misses and has seen many fellow officers injured by careless drivers.

"If you get a blowout and move to the right, I'm dead," O'Sullivan said. "If (the law) saves one life it's worth it. It's common sense."

The protective rule also would apply to tow truck drivers and grew partially out of a horrific 2004 crash on Interstate 495 in Norton that left two dead. The tow drivers were killed when they were hit by a speeding car that veered into the breakdown lane.

"We think it's a pretty smart law," Timilty said, noting that the Tow Truck Drivers Association is supporting the proposal. Troopers have been pushing for the law for years but it's fallen through the cracks on Beacon Hill. While past efforts have failed, Timilty said he hopes to get the measure passed this legislative session.

"The breakdown lane is our office," Brown said. "You're walking up the highway and you've got a tractor-trailer coming by you at 60-65 mph. It's just a way to protect our troopers."

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*Hurt trooper recalls 'messy' roadside horror The Boston Herald March 24, 2008 Monday*

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March 24, 2008 Monday  
ALL EDITIONS

**SECTION:** NEWS; Pg. 004

**LENGTH:** 335 words

**HEADLINE:** Hurt trooper recalls 'messy' roadside horror

**BYLINE:** By DAVE WEDGE

**BODY:**

State police Maj. Kevin Kelly knows all too well the hidden danger facing cops when they step onto busy highways to do their jobs.

In 1989, the trooper's career - and his life - was nearly ended when a drowsy driver drifted into the breakdown lane on Interstate 495 in Marlboro, slamming into the unwitting officer as he spoke to a speeder about a citation.

"I saw the car drifting over from the middle lane toward me," said Kelly, recalling the terrifying Aug. 11, 1989, accident. "It continued and sideswiped my cruiser and hit me head on. I put my hands up when I saw it coming."

What happened after impact was "messy," the grizzled Danvers troop commander recalled.

"My hands and face went through the windshield. The hood hit me at waist level and fractured my right hip. The bumper part of the car struck my lower legs and fractured my left knee," he said.

Because the vehicle careened off his cruiser before striking him, its speed slowed somewhat to about 45 mph, likely saving his life. A five-year veteran at the time, Kelly was carried on the hood for 150 feet before being hurtled down an embankment.

When the smoke cleared, he was left with open compound fractures to both legs that caused massive blood loss and required eight hours of emergency surgery. His left leg was "in pieces" and had to be grafted together with pins and plates.

The driver, who had apparently dozed off behind the wheel, was convicted of driving to

endanger and had his license suspended.

Kelly, who ran marathons before the accident, was out of work for nearly three years but eventually returned to full duty. While he hasn't been able to get back to running marathons, he does run about three miles a day.

Kelly "fully supports" the Move Over Act, saying that cell phone-gabbing and GPS-fiddling drivers are less aware than ever of officer safety on the highways.

"It's a big problem. Statistically (troopers) are more likely to be killed or injured by a car on the highway than they are by a gunshot," Kelly said.

**GRAPHIC: CRITICAL:** State police Maj. Kevin Kelly holds a photo from Aug. 11, 1989, of his cruiser after it was hit in the breakdown lane on Interstate 495 by a driver who had apparently fallen asleep at the wheel. The car also slammed into Kelly, who underwent eight hours of emergency surgeries. STAFF PHOTO BY PATRICK WHITTEMORE

**LOAD-DATE:** March 24, 2008

*Staties: Move Over to help save our lives The Boston Herald March 24, 2008 Monday*

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**SECTION:** NEWS; Pg. 004

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**BYLINE:** By DAVE WEDGE

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BOX:

Cold shoulders

There have been 60 cruisers struck in the breakdown lane or stopped on the shoulder on Bay State roads since 2006. Below are the number of accidents by year:

\* 2006 - 8 cruisers hit on road shoulder, 19 in breakdown lane.

\* 2007 - 11 cruisers hit on shoulder, 18 in breakdown lane.

\* 2008 - 1 on shoulder, 3 in breakdown lane.

Source: Massachusetts State Police

**GRAPHIC: CRUSHED:** Trooper Ellen Engelhardt was paralyzed when a drunken driver careened into her cruiser in the breakdown lane, above. A new bill would require cars to move over for states, such as the one seen on patrol at right. STAFF FILE PHOTO, ABOVE; STAFF PHOTO BY PATRICK WHITTEMORE, RIGHT

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THIS STORY HAS BEEN FORMATTED FOR EASY PRINTING

## More than 60 state police cruisers hit since 2006

**AP** Associated Press

March 24, 2008

BOSTON --State lawmakers are considering a bill that would require drivers to change lanes to avoid stopped emergency vehicles, in an effort to protect police officers, tow truck drivers and rescue workers.

The Boston Herald reports that since 2006, 60 state police cruisers have been hit while stopped in breakdown lanes or on roadsides. Several of the crashes injured police officers.

The "Move Over Act" was modeled after similar laws in 41 states. It would require vehicles to move one lane to the left -- if traffic permits -- to avoid emergency vehicles such as cruisers, ambulances, fire engines and tow trucks.

Violators could face fines of up to \$500.

The bill's sponsor, state Sen. James Timilty of Walpole, says the law has been effective in other states.

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Information from: Boston Herald, <http://www.bostonherald.com> ■

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1 of 2 DOCUMENTS

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The Boston HeraldMarch 25, 2008 Tuesday  
ALL EDITIONS**SECTION:** EDITORIAL; Pg. 018**LENGTH:** 260 words**HEADLINE:** Editorial**BODY:**

Move left, but no mandate By the very definition of their jobs state troopers who patrol Bay State highways put their lives in peril every day. Among other challenges, cars and 18-wheelers go whizzing by literally inches from them when they're tending to a car in the breakdown lane.

Naturally troopers (along with tow-truck drivers, firefighters and ambulance drivers) want every protection that can be afforded them under those perilous conditions. But we have concerns about a bill being pushed by the troopers' union, which would mandate that motorists move one lane left when approaching a trooper or a tow truck - or else face a stiff penalty. For most drivers moving left is a natural instinct - it's common sense, even simply to avoid traffic delays - but it isn't always safe to do. By the law of unintended consequences, mandating a breakdown "buffer zone" could easily instill panic in drivers who, to avoid that \$500 penalty, will then risk their own and others' safety by forcing their way into the next lane. The Move Over Act is based on laws in 41 other states, and the nature of the risk is readily apparent in Massachusetts. Since 2006, 60 state police cruisers have been struck while stopped on the side of Bay State roads. There are enough idiots out on the road to understand why passing a law may be tempting. But it is impossible to legislate all risk out of an inherently risky job. It is important to urge drivers to move left if it's safe - but it seems like the perfect subject for a broad public service campaign, not a change in law.

**LOAD-DATE:** March 25, 2008

STATE POLICE ASSOCIATION OF MASSACHUSETTS THANKS SEN. TIMILTY FOR PASSAGE OF  
'MOVE OVER' LEGISLATION (3-19-09)

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March 19, 2009

STATE POLICE ASSOCIATION OF MASSACHUSETTS THANKS SEN. TIMILTY FOR PASSAGE OF  
'MOVE OVER' LEGISLATION

BOSTON - State Police from across the Commonwealth expressed their thanks on Thursday to Senator James Timilty, whose support of the new "Move Over" law was essential in ensuring the safety of Massachusetts' roadside emergency and construction workers.

The "Move Over" law, passed by the Legislature in December 2008 and scheduled to go into effect this Sunday, requires drivers to slow down or change lanes by moving over when approaching emergency vehicles or emergency personnel providing roadside assistance, *safeguarding the first responders.*

"This piece of legislation will save lives," said Rick Brown, president of the State Police Association of Massachusetts. "Emergency responders on the side of the roadways are in danger of getting hit by oncoming traffic every time they respond to an accident or vehicle breakdown."

The new law comes after more than 60 State Police cruisers were struck while attending to a vehicle in the breakdown lane in the past 3 years. Following those accidents, Brown said House and Senate leaders worked to make this procedure law. As chairman of the Public Safety and Homeland Security Committee and lead sponsor of the bill, Senator Timilty was integral in getting this legislation through to passage.

"We're fortunate to have leaders like Senator Timilty, who understand that the public's safety is at stake without this law," said Brown.

The State Police Association of Massachusetts represents over 2,000 men and women who are regular full time employees in the titles of State Police Trooper, State Police Trooper First Class and State Police Sergeant, excluding all other personnel employed by the Department of State Police.

STATE CAPITOL BRIEFS (MIDDAY EDITION) - MONDAY, DEC. 15, 2008  
STATE HOUSE NEWS SERVICE

LEGISLATURE GIVES FINAL APPROVAL TO 'MOVE OVER' BILL

Legislation sent to Gov. Deval Patrick's desk Monday lays out new fines for drivers who fail to slow down or move over when approaching emergency vehicles providing roadside assistance. The so-called "move over bill," which would hit drivers with a \$100 fine for failing to comply, gained final passage in the House and Senate during Monday sessions and must be signed, vetoed or amended by the governor before Christmas Day. The State Police Association of Massachusetts hailed the bill's passage in advance of the holiday season. "This piece of legislation will save lives," said Rick Brown, president of the State Police Association of Massachusetts, in a statement. "Emergency responders on the side of the roadways are in danger of getting hit by oncoming traffic every time they respond to an accident or vehicle breakdown." The statement, emailed minutes after the sessions ended, notes that five troopers were injured while attending to vehicles on the side of the road in the last two months. Art Kinsman of AAA Southern New England said the organization got involved with the bill after two of its tow truck drivers were killed in a roadside accident on Rte. 495 in Norton. Kinsman said 44 states have similar laws. "It's kind of a movement across the country to protect the first responders," said Kinsman. A staffer from the office of Sen. James Timilty, who sponsored the bill, congratulated Kinsman after Monday's session, calling it a "big win" and looking ahead to discussions with Patrick's legislative staff.