

**TRAFFIC RULES AND REGULATIONS  
CITY OF BOSTON  
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## TRAFFIC RULES AND REGULATIONS CITY OF BOSTON

The following Traffic Rules and Regulations are adopted under the authority granted by Chapter 263 of the Acts of the Massachusetts Legislature of 1929, as amended, and other applicable laws. These Rules and Regulations shall not affect any act done, any right accrued, any penalty incurred, or any suit, prosecution or proceeding pending under the provisions of previous Rules and Regulations. In addition, whenever these Rules and Regulations are in conflict with an official traffic sign, signal, marking or other device, erected and maintained, or caused to be made, erected and maintained by the Commissioner of Transportation, no person shall fail to obey such traffic sign, signal, marking or other device, when operating a vehicle within the City of Boston.

These Rules and Regulations shall be effective on (November 1, 2012), and all previous Rules and Regulations of this Commission, other than temporary Rules and Regulations, are repealed as of said date, subject, however, to the foregoing limitations.

### ARTICLE I

#### DEFINITIONS

##### Section 1. Definitions

Whenever in these Rules and Regulations the following words or phrases are used, they shall have the meanings respectfully ascribed to them in this Section.

**Alley.** A private thoroughfare through the middle of a block giving access to the rear of buildings, but not including Public Alleys, as identified in the City of Boston Streets Directory published by the City of Boston Public Works Department.

**Authorized Emergency Vehicles.** Any vehicle being used by the Mayor; Boston Police, Fire and Transportation vehicles; EMS vehicles of the Public Health Commission; repair and emergency vehicles of Municipal, State and Federal governments, public service corporations and ambulances ONLY during an actual emergency and/or while actually engaged in the repair of a public way.

**Bicycle.** Every device propelled by human power upon which any person may ride having no more than two (2) tandem wheels either of which is fourteen (14") inches or more in diameter.

**Block.** The area along the curb or edge of a roadway which extends from one public or private way to another public or private way.

**Bus.** Any motor vehicle designed for carrying more than nine (9) passengers and used for the transportation of persons or any motor vehicle operated upon a public way in any city or town for the carriage of passengers for hire in such a manner as to afford a means of



transportation similar to that afforded by a railway company by indiscriminately receiving and discharging passengers along the route on which the vehicle is operated or may be running, or for transporting passengers for hire as a business between fixed and regular termini, or transporting passengers for hire under a charter license, special service or school service permit issued by the department.

**Bus Stop.** An area in the roadway, adjacent to the curb or edge of roadway, set aside for the boarding of, or alighting from, buses.

**Bus Stand.** An area in the roadway, adjacent to the curb or edge of roadway, set aside for the long-term, (in excess of fifteen (15) minutes), parking of any bus, as defined by the Registry of Motor Vehicles of the Commonwealth of Massachusetts, and confined to certain types of buses as indicated on the posted sign(s).

**Commercial Vehicle.** Any vehicle registered for commercial purposes, bearing commercial vehicle number plates, including trailer or semi-trailer, and designed and used primarily for the transportation or delivery of goods, wares, merchandise or equipment, or designed and used for the delivery of utility services or for field services related to maintenance or repair of buildings.

The vehicle must display permanently painted or sealed/adhered and plainly marked on both sides of the vehicle's body, exclusive of the windows, and on at least three separate lines, the name of the business entity owning or utilizing the vehicle, the full business address, and the telephone number. The name of the business entity must be displayed in letters or numbers a minimum of three (3") inches in height and the full business address and the telephone number must be displayed in letters and numbers a minimum of two (2") inches in height. The business entity may substitute its e-mail address or its web site address for the full business address provided that at least three separate lines are used to display the required information.

All lettering and numbers shall have a stroke width of at least three-eighths (3/8") of an inch and shall be in a color clearly contrasting with the background color of the vehicle's body and shall be placed on the upper portion of the door panels or the body panels of the vehicle.

**Crosswalk.** That portion of a roadway ordinarily included within the prolongation or connection of curb lines and property lines at intersections, or any portion of a roadway indicated for pedestrian crossing by lines on the road surface or by other markings or signs.

**Disabled Veteran (DV) Plate Vehicle.** A vehicle bearing a distinctive number plate authorized by Section 2 of Chapter 90 of Massachusetts General Laws.

**Driver.** A person, who is in actual physical control of a vehicle or streetcar.

**Handicap Placard Vehicle.** A vehicle properly displaying a handicap placard issued by the Registry of Motor Vehicles, Commonwealth of Massachusetts, pursuant to Section 2 of Chapter 90 of Massachusetts General Laws.

**Handicap (HP) Plate Vehicle.** A vehicle bearing a distinctive number plate, authorized by Section 2 of Chapter 90 of Massachusetts General Laws.

**Horse-Drawn Carriage.** Any horse-drawn vehicle used or kept for hire for the purpose of providing sightseeing tours, and licensed by the Hackney Carriage Division of the Boston Police Department.

**Intersecting Way.** Any way, which joins another at an angle whether or not it crosses the other.

**Intersection.** The area embraced within the extensions of the lateral curb lines, or if none, then the lateral boundary lines of intersecting ways, including divided highways. The Rules and Regulations herein contained governing and restricting the movement of vehicles at and near intersecting ways shall apply at any place along any way at which drivers are to be controlled by traffic control signals whether or not such place is an intersection as herein defined.

**Lane.** A longitudinal division of a roadway, into a strip of sufficient width, to accommodate the passage or parking of a single line of vehicles.

**Livery Vehicle.** A vehicle used, or designated to be used, for the conveyance of less than sixteen (16) persons for hire, from place to place, except a bus, streetcar, taxi or commercial vehicle.

**Loading Zone.** That portion of a roadway adjacent to a curb reserved for commercial vehicles, as defined, during the actual loading or unloading of materials, or passenger vehicles during the actual receiving or discharging of passengers, indicated by the presence of at least one (1) regulatory sign marking the limits of the reserved area as authorized by the Commissioner of Transportation.

**Motorized Bicycle (Moped).** A pedal bicycle which has a helper motor, or a non-pedal bicycle which has a motor, with a cylinder capacity not exceeding fifty (50) cubic centimeters, an automatic transmission, and which is capable of a maximum speed of no more than thirty (30) miles per hour.

**Multi-Space Parking Meter.** A device installed by the City for the acceptance of required parking fees for more than one parking stall. A multi-space meter may regulate multiple parking spaces on-street (curbside, parallel, or angled spaces) and off-street (parking lots or garages). Use of a multi-space meter may require a motorist to affix and display a receipt on the curbside window or on the dashboard of his or her vehicle, or may require a motorist to enter a space number in conjunction with making a payment. Multi-space meters may accept one or more of the following options: coins, tokens, cash, credit cards, smart cards or other stored value cards. At all times, payment is required in advance at any single parking meter or multi-space meter.

**Multi-Space Parking Meter Spaces.** Any parking space, designated or not, where at least one posted sign states requirement for payment at a multi-space meter. Multi-space meter spaces may not be adjacent to a multi-space meter, but shall be in close proximity to the parking space.

**Non-Emergency Repairs.** The changing of any fluid and any other repair, with the exception of minor safety-related repairs that can be fully completed within ninety (90) minutes, such as changing a tire, replacing a headlight or bulb, or replacing a wiper blade.

**Official Street Marking.** Any painted line, legend, marking, or marker of any description, painted or placed upon any way, which purports to direct or regulate traffic and which has been authorized by the Commissioner of Transportation, as provided by Section 2 of Chapter 85 of Massachusetts General Laws and other applicable laws.

**Official Time Standard.** Whenever certain hours are named herein they shall mean standard time or daylight-saving time as may be in current use in the City.

**Official Traffic Signals.** All signals conforming to Section 2 of Chapter 85 of Massachusetts General Laws and other applicable laws, and placed or erected by authority of the Commissioner of Transportation, for the purpose of directing or warning traffic.

**Official Traffic Signs.** All signs, markings and devices, other than signals, placed or erected by authority of the Commissioner of Transportation for the purpose of guiding, directing, warning, or regulating traffic.

**Parking.** The stopping or standing of a vehicle, whether occupied or not.

**Parking Meter.** Any device, consistent with the provisions of these Regulations, placed or erected on any public way for the regulation and control of parking.

**Parking Meters w/Red Cap Domes.** Parking Meters with Red Cap Domes signify meters that are not in effect due to parking restrictions as posted.

**Parking Meters w/Yellow Cap Domes.** Parking Meters with Yellow Cap Domes signify meters that are also used as loading zones, as posted.

**Parking Meter Space.** Any portion of a parking meter zone adjacent to a parking meter, which is designated for the parking of a single vehicle.

**Parking Meter Zone.** Any street or portion thereof upon which parking meters are installed and in operation.

**Parkway.** Any avenue, roadway, street, or way under care, custody, or control of the City of Boston Parks and Recreation Department, used for vehicular and/or pedestrian travel.

**Passenger Vehicle.** Any vehicle registered as a passenger vehicle, including livery vehicles, and excluding buses.

**Pedestrian.** Any person afoot or riding on a conveyance moved by human power, except bicycles.

**Person.** Any legal entity, including but not limited to, individuals, firms, partnerships, associations, and corporations.

**Police Officer or Officer.** Any officer authorized to direct or regulate traffic or make arrests for violations of traffic regulations.

**Private Way or Driveway.** Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

**Public Way.** Any street, way, highway, road or parkway dedicated to public use, including public alleys.

**Railroad Train.** A steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except street-cars.

**Roadway.** That portion of a street or highway between regularly established curb lines or that part devoted to vehicular traffic.

**Rotary.** A road junction formed about a central circle around which traffic moves in one direction only.

**Rotary Traffic.** The counter-clockwise operation of one or more vehicles around a rotary.

**School Bus.** Any motor vehicle used for the transporting of school pupils and school personnel to and from school, or for the transporting of children enrolled in a camp or recreational program, while so used, but not including any such motor vehicle used for not more than five (5) days in case of emergency, or a motor vehicle while also used for the common carriage of the public under a certificate and permit issued under Sections 7 and 8 of Chapter 159A of Massachusetts General Laws.

**Semi-Trailer.** A trailer so designed and used in combination with a tractor that some part of the weight of such trailer and that of its load rests upon, and is carried by, the tractor.

**Sidewalk.** That portion of a street or highway set aside for pedestrian travel.

**Stand or Standing.** The halting of a vehicle, whether occupied or not, other than for the purpose of, and while actually engaged in, receiving or discharging passengers.

**Stop or Stopping.** The halting, even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic.

**Streetcar.** Every car traveling exclusively upon rails, propelled by electric power obtained from overhead wires, when upon or crossing a street, and operating under a franchise which gives its owner the right to operate cars upon a street of the City of Boston.

**Taxi.** A vehicle used, or designed to be used, for the conveyance of persons for hire, from place to place, and licensed by the Hackney Carriage Division of the Boston Police Department.

**Taxi Stand.** Any portion of a roadway set aside for the purpose of the standing of any taxi licensed by the Hackney Carriage Division of the Boston Police Department.

**Traffic.** Pedestrians, ridden or herded animals, vehicles, streetcars, and other conveyances, either singly or together while using any street or highway for the purpose of travel.

**Traffic Control Signal.** Any device using colored lights which conforms to the standards prescribed by Section 2 of Chapter 85 of Massachusetts General Laws and other applicable laws, whether manually, electrically, or mechanically operated, by which traffic may be alternately directed to stop and to proceed.

**Traffic Island.** Any area, space or center strip set aside, within a roadway, which is not intended for use by vehicular traffic, and which conforms to the standards prescribed by Section 2 of Chapter 85 of Massachusetts General Laws and other applicable laws.

**Trailer.** Any vehicle or object on wheels and having no motive power of its own, but which is drawn by, or used in combination with, a motor vehicle.

**U Turn.** The turning of a vehicle whereby the direction of such vehicle is reversed.

**Valet Parking Zone.** The portion of a roadway adjacent to a curb indicated by regulatory signs and meeting the requirements set forth in the Valet Parking Rules and Regulations, Article IVA, hereof.

**Vehicle.** Every device in, upon, or by which any person or property is or may be transported or drawn upon a street or highway, including bicycles, when the provisions of these Rules are applicable to them, except devices moved by human power, devices used exclusively upon stationary rails or tracks, and devices deriving their power for operation from stationary overhead wires.

**ARTICLE II****OBEDIENCE TO POLICE****Section 1. Driver's Obedience to Police Officers**

No driver of any vehicle shall fail to comply with any lawful order, signal, or direction of a police officer.

**ARTICLE III****TRAFFIC SIGNS, SIGNALS, MARKINGS, AND DEVICES****Section 1. Display of Unauthorized Signs, Signals, Markings, or Devices Prohibited**

No person shall place, maintain, or display, upon or in view of any street, any unofficial sign, signal, marking, or device which purports to be, or is an imitation of, or resembles an official traffic sign, signal, marking, or device, or which attempts to direct the movement of traffic, or which hides from view any official sign, signal, marking, or device, unless otherwise authorized by the Boston Transportation Department.

**Section 2. Interference with Signs, Signals, Markings, or Devices Prohibited**

No person shall willfully deface, damage, move, obstruct, or interfere with any official traffic sign, signal, marking, or device.

**Section 3. Obedience to Traffic Signs, Signals, Markings, or Devices**

The driver of any vehicle or streetcar, shall obey the instructions of any official traffic control sign, signal, device, marking, or legend, unless otherwise directed by a police officer.

**Section 4. Traffic Signs**

1. Sections 2, 2A, 3, 6, 10, 11, 12, 12C, 13, 13A, 14 and Part 2 of Section 15 of Article IV, relating to parking and Sections 10, 10A, 11, 12, 13, and 14 of Article VI concerning turning and Sections 2, 2A, 3, 5, 5B and 6 and Parts 1 and 2 of Section 4 of Article VII relating to the exclusion of vehicles, shall be effective only during such time as at least one (1) official sign is installed and maintained in each block designating the provisions of such Sections.

2. Section 1 of Article V relating to one-way streets shall be effective only during such time as at least one (1) official sign is erected and maintained at each of the exits of each one-way street.

3 . Section 2 of Article V relating to rotary traffic shall be effective only during such times as at least one (1) official sign is erected and maintained at each intersection designated as a rotary traffic area.

### **Section 5. Exemptions**

The provisions of these Rules and Regulations shall not apply to drivers operating in conformity with the lawful direction of an officer, to drivers actually engaged in work upon a highway closed to travel or under construction or repair when the nature of their work necessitates a departure from any part of these Rules and Regulations, nor to drivers of authorized emergency vehicles while operating in an emergency which necessitates a departure from any part of these Rules and Regulations. These exemptions shall not, however, protect the driver of any vehicle from the consequence of a reckless disregard for the safety of others.

Exemptions for any vehicle owned by a disabled veteran or by a handicapped person and bearing a distinctive number plate or placard as authorized by Section 2 of Chapter 90 of Massachusetts General Laws are provided in the following Rules and Regulations: Article IV, Section 4, Parts 3 (Depositing of Fee in Parking Meters) and 5 (Parking Time Limited at Meters); and Article IV, Section 12 (Parking Time Limited).

Exemption for any vehicle owned by a disabled veteran only and bearing a distinctive number plate authorized by Section 2 of Chapter 90 of Massachusetts General Laws is provided in the following Regulation: Article X, Section 2 (Removal of Vehicles Parking or Standing in Violation of Law on Public Ways in Certain Areas).

## **ARTICLE IV**

### **STOPPING, STANDING, AND PARKING**

#### **Section 1. General Prohibitions**

No person shall allow, permit, or suffer, any vehicle registered in his/her name to stop, stand, or park in any street, way, highway, road, or parkway under the control of the City in violation of any of the Rules and Regulations of the Transportation Commission and/or the Commissioner of Transportation of the City of Boston. No driver shall stop, stand, or park a vehicle in any of the following places, except when necessary to avoid conflict with other traffic, pedestrians, or in compliance with the lawful direction of a police officer or official traffic sign, signal, marking, or device.

1. Within an intersection, except in those areas where the installation or erection of parking meters have been approved by the Boston Transportation Commissioner.
2. Upon any sidewalk.
3. Upon any crosswalk.
4. Upon any street or way within twenty (20') feet of an intersecting way, except alleys.

5. Within twenty (20') feet of the driveway entrance to any fire station and on the side of a street opposite the driveway entrance to any fire station within seventy-five (75') feet of opposite said driveway entrance, provided at least one (1) official sign is erected and maintained.
6. Upon any street or way within ten (10') feet of a fire hydrant, the distance to be measured from the point of the edge or curb of said street or way nearest said fire hydrant.
7. In front of any driveway.
8. Upon any bridge or viaduct, or within a highway tunnel or underpass, provided at least one (1) sign is erected notifying of such regulation and restriction.
9. Upon any roadway, unless both wheels on the side of the vehicle adjacent to the curb are within one (1') foot of the curb or edge of the roadway, except where angle parking is permitted or commercial vehicles, as defined, are permitted to back to the curb or edge of the roadway.
10. Upon any roadway where the parking of a vehicle will not leave a clear and unobstructed lane at least ten (10') feet wide on a one-way street and twenty (20') feet wide on a two-way street for passing traffic.
11. In excess of one (1) vehicle width from the curb or edge of a roadway.
12. Upon any roadway in such a manner as to obstruct the movement of any streetcar, bus or railroad train.
13. At any place where at least one (1) official traffic sign has been placed or erected prohibiting stopping, standing, or parking.
14. In any Public Hackney Carriage Stand which has been officially established by the Boston Police Department, and where at least one (1) official sign has been placed or erected.
15. Adjacent to or upon any center division strip, streetcar reservation, or traffic island placed upon and being a part of any public way, unless the vehicle is entirely within a parking meter space or in a space otherwise provided.
16. In any street or part thereof, where at least one (1) sign prohibits parking for the purpose of facilitating street cleaning or street maintenance, unless the vehicle is a passenger vehicle stopped temporarily during the actual receiving or discharging of passengers.
17. Within a turnaround at the end of any dead end street, provided at least one (1) official sign is erected.



18. In any street or part thereof, where at least one (1) sign prohibits parking for the purpose of facilitating snow removal, unless the vehicle is a passenger vehicle stopped temporarily during the actual receiving or discharging of passengers or a commercial vehicle, as defined, stopped temporarily during the actual loading or unloading of goods.
19. Upon any street or way within fifty (50') feet of an intersecting way where at least one (1) official sign is erected.
20. Upon any roadway, unless the vehicle is parked facing in the direction of traffic flow on that side of the street, except where angle parking is permitted or commercial vehicles, as defined, are permitted to back to the curb or edge of the roadway.
21. At any place where at least one (1) official sign has been placed or erected indicating "Resident Permit Parking Only," unless the vehicle properly displays a valid Resident Parking Sticker and is parked in the designated area indicated on the sticker, or is a commercial vehicle, as defined, for not more than three hours while conducting actual business in the area.
22. In any street or part thereof, where at least one (1) sign is erected reserving the space for HP (handicap) or DV (disabled veteran) plate vehicles, except for disabled veteran/handicap plate/handicap placard vehicles, as defined.
23. In front of any curb ramp designed for use by handicapped persons.
24. Upon any street, way, highway, road or parkway, unless the vehicle displays a valid registration plate as required by Chapter 90 of Massachusetts General Laws.
25. Upon any street, way, highway, road or parkway, unless the vehicle displays a valid certificate of inspection as required by Chapter 90 of Massachusetts General Laws.
26. Upon any street, way, highway, road or parkway, for the purpose of performing non-emergency repairs to a vehicle.
27. In a marked bike or shared bike lane except: (i) when necessary to avoid conflict with other traffic or pedestrians; (ii) in compliance with the lawful direction of a police officer or official traffic sign; or (iii) unless authorized to do so under existing regulations (including but not limited to designated residential parking lanes or parking meters). City of Boston Code § 16-12.41.
28. In a Pedestrian Safety Zone between the hours of 11:00 a.m. and 6:00 p.m., or between the hours of 6:00 p.m. and 11:00 a.m. if not displaying a valid Pedestrian Safety Zone Permit. City of Boston Code § 16-12.42.
29. Upon any street, highway, road or parkway where the vehicle possesses an unauthorized and/or revoked City of Boston Resident Parking Permit/Sticker. City of Boston Code § 6-6.3(gg).

30. Upon any street, road, highway or parkway where the vehicle possesses an expired registration as required by Chapter 90 of Massachusetts General Laws. City of Boston Code § 6-6.3(bb).

## **Section 2. Stopping, Standing and Parking Prohibited in Certain Places**

No driver shall stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic, pedestrians, or in compliance with the lawful direction of a police officer or official traffic sign, signal, marking, or device.

### **Section 2A. Standing and Parking Prohibited in Certain Places**

No driver shall stand or park any vehicle, on any day during the hours indicated, provided that this Regulation shall not apply to passenger vehicles stopped temporarily during the actual receiving or discharging of passengers.

### **Section 3. Parking Prohibitions and Restrictions in Certain Places**

1. No driver shall stop, stand, or park any vehicle at any curb adjacent to the reservation side of a parkway, the entrances of a school, church, theater, hotel, hospital, railroad station, railway station, public building, or any place of public assemblage unless otherwise posted. The foregoing prohibition shall not apply to passenger vehicles stopped temporarily, during the actual receiving or discharging of passengers.

2. No driver shall park any vehicle on any street, private way, or parts thereof, on any day, during the hours indicated,

provided that this Regulation shall not apply to:

a. Passenger vehicles stopped temporarily during the actual receiving or discharging of passengers.

b. Commercial vehicles, as defined, stopped for not more than one (1) hour, unless otherwise posted, for the loading or unloading of materials.

c. Vehicles owned and bearing the indicia of ownership by the City of Boston, State or Federal Government.

### **Section 4. Parking Meters-General Regulations**

1. No person shall stop, stand, or park a vehicle within a parking meter space unless such vehicle is wholly within the painted lines adjacent to such meter. If no painted lines are present, a person parking at a dual meter in the drive-in stall, shall park with the front bumper perpendicular to the meter post, and in a back-in stall, with the rear bumper perpendicular to the meter post. A person shall park at a single meter with the front bumper perpendicular to the meter post.

2. No owner or driver of any vehicle, upon entering a parking meter space during the hours when the parking meter zone is effective as hereinafter provided, shall fail to immediately deposit, or cause to be deposited in said meter, the required fee in coin or coins of the United States, or other payment method as approved by the Boston Transportation Department, in the manner and amount as indicated on said meter, and, if so required, set the mechanism in motion.
  3. No fee shall be required to be deposited in a parking meter as provided in this Section for the parking of any vehicle owned and driven by a disabled veteran or by a handicapped person and bearing a distinctive number plate or placard authorized by Section 2 of Chapter 90 of Massachusetts General Laws.
  4. No driver, while operating any vehicle owned and bearing indicia of ownership by the City of Boston, State or Federal governments, or a foreign diplomatic corps or consulate, shall be required to deposit any fee in a parking meter as provided in this Section.
  5. No person shall permit a vehicle to remain in a parking meter space beyond the time limit as indicated on the parking meter. However, the driver of a commercial vehicle, as defined herein, may park for up to three (3) hours provided that said fee is paid. In the event said meter is out of order, commercial vehicles may not park for longer than one (1) hour. Furthermore, the time limits imposed by this section shall not apply to disabled veteran/handicap plate/handicap placard vehicles, as defined.
- For the purposes of Part 5 of this Section, a vehicle shall be deemed to have been parked beyond the maximum period of time allowed if the vehicle has not been moved to a different block upon or before the expiration of the parking time limit posted on the parking meter.
6. Any vehicle parking at an electronic meter, which displays the message “out of order” shall be prohibited, unless otherwise posted.
  7. No unauthorized person shall tamper with, break, damage, or destroy any parking meter, or deposit, or cause to be deposited in such meter, any slug, device, metallic substance, or any other substitute for the coinage or payment required.
  8. Any vehicle parking at an electronic meter, which displays the message “not a legal space—violation” shall be prohibited. City of Boston Code § 6-6.3(y).

### **Section 5. Multi-space Meters (General Regulations)**

Multi-space meters shall operate in one of the following ways:

**Pay & Display:** The motorist shall park their vehicle, proceed to the nearest meter, pay the required parking fee, then return to their vehicle to affix and display the paid receipt on the curbside window of the vehicle.

Pay – By – Space: (Also known as pay – and – retain). Motorists shall park their vehicle, proceed to the nearest meter, enter their space number, and then pay the required fee. A receipt may or may not be issued, depending on type of payment and the meter's available programming options.

1. No owner or operator of any vehicle, upon entering a multi-space meter regulated parking space during the hours when the multi-space parking meter zone is effective as hereinafter provided, shall fail to immediately deposit, or cause to be deposited in said multi-space meter, the required fee in coins or cash or by credit cards, smart cards or other stored value cards if applicable, as approved by the Boston Transportation Department. Payment shall be made in the manner and amount as indicated on the multi-space meter and if so required, the operator shall return to their vehicle to affix and display the receipt on the curbside window of the vehicle.
2. When parking on a block regulated by multi-space pay & display meters and the nearest meter is out of order, unable to accept payment and/or issue a receipt, payment shall be made at the next available multi-space meter on the block. In no case shall parking in a multi-space meter area be allowed without payment, except as otherwise provided herein.
3. When parking on a block regulated by multi-space pay & display meters, motorists shall park their vehicles in alignment with the curb or street edge, rather than a meter pole, since no meter poles exist with multi-space pay & display technology.

### **Section 6. Angle Parking**

Where parking is not otherwise prohibited, no driver shall stand a vehicle except at an angle to the curb or edge of roadway, with right front wheel to the curb or edge of roadway; except that in the left side of one-way roadways, no driver shall stand a vehicle except at an angle to the curb or edge of roadway, with left front wheel to the curb or edge of roadway.

### **Section 7. Parking of Trailers or Semi-Trailers**

No person shall park or stand any trailer or semi-trailer on any part of any street, way, highway, road, or parkway under the control of the City, unless such trailer or semi-trailer is attached to a motor vehicle capable of towing it.

### **Section 8. Parking Vehicle at Angle to Curb Prohibited**

No driver shall stop, stand, or park a vehicle at an angle to the curb or edge of roadway unless otherwise posted.

### **Section 9. Commercial Vehicles Back to Curb**

Unless otherwise prohibited in these Rules and Regulations, the driver of a commercial vehicle, as defined, may stand such vehicle with both rear wheels to the curb or edge of

roadway or with one rear wheel to the curb or edge of roadway and headed in the direction of traffic, for the purpose of, and while actually engaged in the expeditious unloading and delivery or pickup and loading of materials, provided that the nature of these materials require such rear wheel parking and, further provided, that such parking will leave a clear and unobstructed roadway at least ten (10') feet wide for moving traffic on one-way streets and twenty (20') feet wide for moving traffic on two-way streets.

### **Section 10. Bus Stops**

No driver shall stop, stand, or park any vehicle other than a bus in any area designated by the Commissioner of Transportation as a bus stop.

### **Section 11. Loading Zones**

No driver shall stop, stand, or park any vehicle in any loading zone with the following exceptions:

1. Commercial vehicles, as defined, stopped for not more than one (1) hour, unless otherwise posted, or so required for a longer period of time, for the actual loading or unloading of materials, except during the hours when stopping or standing is prohibited.
2. Passenger vehicles stopped temporarily during the actual receiving or discharging of passengers.
3. Passenger vehicles stopped temporarily in front of a hotel or hospital entrance, or where valet parking is provided, for not more than ten (10) minutes continuously, or as otherwise posted, while actually engaged in receiving or discharging passengers or the expeditious loading or unloading of baggage, or while arrangements are being made for the removal of such vehicles, except during the hours when stopping or standing is prohibited.
4. Vehicles owned and bearing indicia of ownership by the City of Boston, State or Federal Governments, stopped for not more than three (3) minutes.
5. Taxis stopped for a maximum of twenty (20) minutes while in the process of making a pickup or delivery, provided that the "ON CALL" sign is affixed to the sun visor on the passenger side of the vehicle, and that the sun visor is in the down position.

### **Section 12. Parking Time Limited**

1. No driver shall park or stand any vehicle for more than two (2) hours continuously on any day other than a Saturday, Sunday, or legal holiday during the hours indicated, provided that this Regulation shall not apply to commercial vehicles, as defined, stopped temporarily during the actual loading or unloading of materials.

Further, this Regulation shall not apply to vehicles bearing a Resident Parking Sticker as issued under Article IV, Section 12C, as exempted and indicated by the presence of official signs.

2. No driver shall park or stand any vehicle for more than one (1) hour continuously on any day other than a Saturday, Sunday, or legal holiday during the hours indicated, provided that this Regulation shall not apply to commercial vehicles, as defined, stopped temporarily during the actual loading or unloading of materials.

3. No driver shall park or stand any vehicle for more than thirty (30) minutes continuously on any day other than a Saturday, Sunday, or legal holiday during the hours indicated, provided that this Regulation shall not apply to commercial vehicles, as defined, stopped temporarily during the actual loading or unloading of materials.

4. No driver shall park or stand any vehicle for more than fifteen (15) minutes continuously on any day other than a Saturday, Sunday, or legal holiday during the hours indicated, provided that this Regulation shall not apply to commercial vehicles, as defined, stopped temporarily during the actual loading or unloading of materials.

The provisions of this Section shall not apply to any vehicle owned by a disabled veteran or by a handicapped person and bearing a distinctive number plate or placard authorized by Section 2 of Chapter 90 of Massachusetts General Laws, or owned and bearing indicia of ownership by a foreign diplomatic corps or consulate.

For the purposes of this Section a vehicle shall be deemed to have been parked continuously if the vehicle has not been moved to a different block upon or before the expiration of the parking time limit.

#### **Section 12A. Overnight Parking of Heavy Vehicles in Residential Areas Prohibited**

No driver shall park or stand a motor vehicle of any type having a gross vehicle weight in excess of twelve thousand (12,000) pounds between the hours of nine (9:00) PM of one (1) day and eight (8:00) AM of the following day or anytime on Sunday, on any part of any street, way, highway, road or parkway under the control of the City that is residential. Residential shall be the territory contiguous to any street, way, highway, road or parkway under the control of the City where the dwelling houses are situated at such distances as will average less than two hundred (200') feet between them for a distance of a quarter of a mile or over.

#### **Section 12B. All-Night Commercial Vehicle Parking Prohibited**

No driver shall park or stand any commercial vehicle or semi-trailer having a capacity of one (1) ton or over for more than one (1) hour between nine (9:00) PM. of one (1) day and eight (8:00) A.M. of the following day, or at any time on Sunday, on any part of any street, way, highway, road, or parkway under the control of the City, where parking or standing a

vehicle is not otherwise prohibited, provided that this Regulation shall not apply during the actual loading or unloading of materials.

### **Section 12C. Permission to Park Vehicles Principally Garaged on Certain Streets**

1. Where stopping, standing, or parking is not otherwise prohibited, and at least one (1) Official Traffic Sign stating "Resident Permit Parking Only" has been erected, no person shall park his/her vehicle unless the vehicle bears an official Resident Parking Sticker, authorized by the Commissioner of the Boston Transportation Department, for the area designated on said sticker.
2. The designated area shall be the entire area encompassed in each district as shown on plans on file at the Boston Transportation Department titled "Resident Parking District."
3. Application for a Resident Parking Sticker provided in Part 1 of this Section shall be made in writing on the application form provided by the City of Boston Transportation Department.
4. The following requirements for issuance of a Resident Parking Sticker shall be:
  - a. A passenger vehicle, or commercial vehicle, as defined, with a capacity of less than one (1) ton, bearing a valid Massachusetts certificate of vehicle registration in the person's name and at the person's current Boston address in the neighborhood area for which the sticker is requested. The certificate of registration must indicate that the vehicle is principally garaged and insured at the same Boston address.
  - b. Acceptable proof of residency as determined by the Boston Transportation Department. An acceptable proof of residency would, at a minimum, show the same name and address on the proof of residency of the person requesting the sticker as on their current and valid Massachusetts certificate of vehicle registration. The address of the person on the proof of residency is required to be in the neighborhood area for which the sticker is requested.
  - c. There must be no unpaid parking tickets issued to the applicant's registration.
5. The following requirements for issuance of a Resident Parking Sticker to a rental vehicle shall be:
  - a. A rental contract from a bona fide rental agency, showing that the vehicle is rented in the applicant's name at the applicant's current Boston address in the neighborhood area for which the sticker is requested.
  - b. Acceptable proof of residency as determined by the Boston Transportation Department. An acceptable proof of residency would, at a minimum, show the same name and address on the proof of residency of the person requesting the sticker as on their current and valid Massachusetts certificate of vehicle registration. The address of the person on the proof of residency is required to be in the neighborhood area for which the sticker is requested.

- c. There must be no unpaid parking tickets issued to the registration of the rental vehicle within the effective dates of the rental contract.
  - d. A Resident Parking Sticker for a rental vehicle shall be issued for the length of the rental contract, not to exceed thirty (30) days.
6. The Resident Parking Sticker shall be displayed on either the rear window in the lower right hand corner or the front passenger side window of the vehicle, and shall be visible at all times.
7. Any duplication, alteration or unauthorized use of a Resident Parking Sticker, or the payment of parking tickets to obtain a sticker that results in a returned check, will be just cause for the immediate revocation of such sticker, and may result in the denial of issuance of any Resident Parking Sticker for a period not to exceed two (2) years.
8. Any change of address made to any Massachusetts motor vehicle certificate of registration, affecting the issuance of any Resident Parking Sticker, shall be immediately forwarded to the Resident Parking Issuance Division. Failure to notify of a change of address may result in the immediate revocation of any existing sticker, and the denial of issuance of any Resident Parking Sticker for a period not to exceed two (2) years.
9. A new Resident Parking Sticker must be obtained when an applicant changes vehicles and/or registration plate numbers.
10. The following are requirements for issuance of a Resident Parking Sticker to a business vehicle of a Boston-based business:
- a. The address of the business must be a Boston address in the neighborhood area for which the sticker is requested.
  - b. The name and Boston neighborhood address of the business must appear on a valid Massachusetts certificate of vehicle registration. The certificate of registration must indicate that the vehicle is principally garaged and insured at the same Boston address.
  - c. There must be no unpaid parking tickets issued to the applicant's registration.
  - d. Only one permit per business shall be issued.
11. The following are requirements for issuance of a Resident Parking Sticker to a leased or corporate vehicle:
- a. A passenger vehicle, or commercial vehicle, as defined, with a capacity of less than one (1) ton, bearing a valid Massachusetts certificate of vehicle registration in the name of the leasing company or corporation. The certificate of registration must indicate that the vehicle



is principally garaged and insured at the Boston neighborhood address for which the sticker is requested.

b. Acceptable proof of residency as determined by the Boston Transportation Department. An acceptable proof of residency would, at a minimum, show the same name and address of the person requesting the sticker as it appears on the proof of residency. The address of the person on the proof of residency is required to be in the neighborhood area for which the sticker is requested.

c. There must be no unpaid parking tickets issued to the applicant's registration.

d. Only one permit per person shall be issued.

### **Section 13. Parking of Vehicles Near the State House by Members and Officers of the General Court**

The provisions of these Rules and Regulations prohibiting or restricting the parking or standing of vehicles on public ways shall not, so far as they relate to the following streets or parts thereof, apply to vehicles owned or used by members and officers of the General Court (see Chapter 243, Section 4A(5) of the Acts of 1995):

The list of "streets or parts thereof" referred to in the preceding paragraph is on file at the office of the Boston Transportation Department.

### **Section 13A. Parking of Vehicles Owned by the United States Government**

Vehicles owned by the United States Government may be parked without a time limit at the curb in the following streets:

The list of "streets" referred to in the preceding paragraph is on file at the office of the Boston Transportation Department.

### **Section 13B. Immobilization of Vehicles Parking or Standing in Violation of Law on Public Ways in Certain Areas**

In accordance with Section 4D of Chapter 190 of the Acts of 1982: If any person shall have failed to appear in accordance with five (5) or more parking violation notices, notwithstanding any notification to the Registrar, the Parking Clerk shall notify the registered owner of said motor vehicle and the Commissioner of Police or his or her designee or Commissioner of the City of Boston Transportation Department or his or her designee that the vehicle involved in said multiple violations should be removed and stored, or otherwise immobilized by a mechanical device, at the expense of the registered owner of said vehicle until such time as the matter has been disposed of in accordance with law. No vehicle shall be removed, stored, or otherwise immobilized until and unless the registered owner of said vehicle shall have received ten (10) days notification by mail of said person's failure to appear on five (5) or more parking violation notices and that the registered vehicle

may be removed, stored, or immobilized without further notice. It shall be sufficient for the purposes of such notice for the Parking Clerk to mail, postage prepaid, a notice to the last known address of the registered owner. It shall be sufficient for the Parking Clerk in the case of vehicles registered in other states to mail notice to the Registrar of Motor Vehicles or like officer of said jurisdiction.

As used in this Section, the words "motor vehicle" shall, so far as apt, include trailer, semi-trailer and semi-trailer unit.

The charge for the reasonable expense of immobilization of vehicles as most recently amended shall be fifty-six (\$56.00) dollars.

Payment to secure the release of a motor vehicle which has been seized pursuant to Section 4d of Chapter 190 of the Acts of 1982 shall be in the form of cash, credit card, debit card, ATM card, bank check, postal note or other method of payment approved by the Parking Clerk. No personal or business checks will be accepted.

#### **Section 14. Parking or Standing of Authorized Emergency Vehicles**

The provisions of these Rules and Regulations governing the parking or standing of vehicles shall not apply to authorized emergency vehicles, as herein defined, while the same are being used in the performance of an emergency condition.

#### **Section 15. Weather Emergency Regulations**

Whenever impending weather conditions threaten to constitute a traffic hazard impairing transportation, the movement of food and fuel supplies, medical care, fire, health, and police protection, and other vital facilities of the City, the Commissioner of Transportation may declare a weather emergency to exist and cause announcement thereof to be made by use of available news media. Any or all of the following parking prohibitions shall be effective during so much of said emergency as such declaration and announcement shall specify:

##### **Emergency Prohibition No. 1 (One-Side Parking)**

No driver shall park or stand any vehicle on any day from November fifteenth (15th) of each even-numbered year to March thirty-first (31st), inclusive, of each following odd-numbered year on the odd-numbered side of any street, way, highway, road, or parkway under the control of the City, outside of the Central Business District as described under Emergency Prohibition No. 3.

No driver shall park or stand any vehicle on any day from November fifteenth (15th) of each odd-numbered year to March thirty-first (31st), inclusive, of each following even-numbered year on the even-numbered side of any street, way, highway, road, or parkway under the control of the City, outside of the Central Business District as described under Emergency Prohibition No. 3.

Where the parking or standing of a vehicle is prohibited under the provisions of Article IV, Section 3, Part 2, on one side of a street, way, highway, road, or parkway at all times, the prohibitions in the preceding paragraphs shall not apply.

The provisions of the foregoing paragraphs shall not apply to passenger vehicles stopped temporarily during the actual receiving or discharging of passengers, nor to commercial vehicles, as defined, stopped temporarily during the actual loading or unloading of materials, nor to the parking or standing of a vehicle in municipal off-street parking areas or in portions of reservations surfaced for parking where angle parking is allowed under the provisions of Article IV, Section 6, of these Rules and Regulations, nor in streets or parts thereof, designated as emergency arteries under Emergency Prohibition No. 2 of this Section, unless such parking or standing is otherwise prohibited.

#### Emergency Prohibition No. 2 (Emergency Arteries)

No driver shall stop, stand, or park any vehicle within the limits of the following traffic arteries, or parts thereof, provided that this Regulation shall not apply to passenger vehicles stopped temporarily during the actual receiving or discharging of passengers nor to commercial vehicles, as defined, stopped temporarily during the actual loading or unloading of materials.

The list of "traffic arteries or parts thereof" referred to in the preceding paragraph is on file at the office of the Boston Transportation Department.

#### Emergency Prohibition No. 3 (Central Business District)

No driver shall stop, stand, or park any vehicle in that part of the downtown area of the City of Boston bounded by the easterly line of North Washington Street, by the northeasterly line of Blackstone Street, by the southeasterly line of North Street, by the northeasterly line of the John P Fitzgerald Expressway, by the northerly line of State Street and the northerly line of State Street extended to Boston Harbor, by Boston Harbor and Fort Point Channel, by the southwesterly line of Summer Street, by the southeasterly line of Atlantic Avenue, by the southwesterly line of Kneeland Street, by the southeasterly line of Washington Street, by the southerly line of Oak Street West, by the southerly line of Tremont Street, by the westerly line of Charles Street South, by the westerly line of Charles Street, by the southerly line of Beacon Street, by the easterly line of Bowdoin Street, by the southerly line of Cambridge Street, by the westerly line of Staniford Street, and by the northerly line of Causeway Street.

The provisions of the preceding paragraph shall not apply to passenger vehicles stopped temporarily during the actual receiving or discharging of passengers, nor to commercial vehicles, as defined, stopped temporarily during the actual loading or unloading of materials.

### Section 16. Interpretation of Posted Parking Restrictions

Parking restrictions indicated by the presence of Official Traffic Signs shall be interpreted in the following manner:

1. The direction to which a parking restriction applies, may be indicated by the placing of arrows on the sign(s).

a. On any street a sign without arrows, or a sign on which arrows are placed which point

both to the left and right ( $\Leftrightarrow$ ), shall indicate that the parking restriction applies both

forward and behind the sign.

b. On a two-way street, a sign with an arrow which points to the left ( $\Leftarrow$ ) on a sign indicates

that the parking restriction applies only to the parking from that point forward of the sign (forward refers to the direction of vehicle travel on that side of the street).

c. On a two-way street, a sign with an arrow which points to the right ( $\Rightarrow$ ) on a sign

indicates that the parking restriction applies only to the parking from that point backward of the sign (backward refers to the opposite direction of vehicle travel on that side of the street).

d. On the right hand side of a one-way street, a sign with an arrow which points to the left

( $\Leftarrow$ ) on a sign indicates that the parking restriction applies only to the parking from that

point forward of the sign (forward refers to the direction of vehicle travel on that side of the street).

e. On the right hand side of a one-way street, a sign with an arrow which points to the right

( $\Rightarrow$ ) on a sign indicates that the parking restriction applies only to the parking from that

point backward of the sign (backward refers to the opposite direction of vehicle travel on that side of the street).

f. On the left hand side of a one-way street, a sign with an arrow which points to the left

(⇐) on a sign indicates that the parking restriction applies only to the parking from that

point backward of the sign (backward refers to the opposite direction of vehicle travel on that side of the street).

g. On the left hand side of a one-way street, a sign with an arrow which points to the right

(⇒) on a sign indicates that the parking restriction applies only to the parking from that

point forward of the sign (forward refers to the direction of vehicle travel on that side of the street).

2. A parking restriction, which is indicated by the placement of an Official Traffic Sign shall continue in effect until one of the following is reached:

a. Another parking restriction indicated by the placement of an Official Traffic Sign.

b. A valid parking meter space.

c. The end of the block.

For the purposes of this section, “valid parking meter space” shall mean a parking meter space only during the period of time that the meter is in effect. Hours of operation are posted on each parking meter.

3. Official Traffic Signs which indicate the existence of either “Street Cleaning” or “Snow Emergency” restrictions shall:

a. Apply to the entire block, regardless of the existence of other posted restrictions or valid parking meter spaces.

b. Not be “another parking restriction” for the purpose of subsection 2(a).

4. Temporary sign(s) placed on a block for the purposes of construction or special events (parades, Boston Marathon, First Night, Boston College football games, etc.) shall take precedence over all other posted parking restrictions and metered spaces in the block.

5. The placement of Official Traffic Signs, which would otherwise permit the stopping, standing or parking of motor vehicles, shall not be construed as permission to stop, stand or park a motor vehicle in violation of any regulation which does not require the placement of an Official Traffic sign, including, but not limited to, the following:

<i>Art.</i>	<i>Sec.</i>	<i>Part</i>	<i>Violation</i>
IV	1	3	Parking upon any crosswalk
IV	1	4	Parking within twenty (20') feet of an intersecting way
IV	1	6	Parking within ten (10') feet of a fire hydrant
IV	1	7	Parking in front of any driveway
IV	1	23	Parking in front of a ramp designed for use by handicapped persons

### **Section 17. Multiple Parking Tickets-What Constitutes a Separate Violation**

1. A vehicle which has been issued a parking ticket in accordance with Section 13B of Chapter 190 of the Acts of 1982 and these regulations, and has not been moved in the interim, may not be issued a second parking ticket for six (6) hours, with the following exceptions:

- a. If the parking regulations at a particular location change due to time, then a second parking ticket may be issued after the expiration of ten (10) minutes from the time the first parking ticket was issued.
- b. Parking tickets issued for stopping, standing or parking in violation of Article IV, Section 1, Part 24 (no valid registration plate), Part 25 (no valid certificate of inspection) and Part 26 (performing non-emergency repairs to a vehicle) may be issued independently of parking tickets issued for a violation of any other regulation.
- c. Parking tickets issued for stopping, standing or parking in violation of Article IV, Section 4, Part 5 (parking beyond the time limit indicated on the parking meter).

2. Only one (1) parking ticket may be issued during a twenty-four (24) hour period for a vehicle found to be in violation of each of the following regulations:

- a. Article IV, Section 1, Part 24 (no valid registration plate)
- b. Article IV, Section 1, Part 25 (no valid certificate of inspection).

## **ARTICLE IV-A**

### **VALET PARKING PERMIT REGULATIONS**

#### **Section 1.0 Introduction**

The rules and regulations set forth herein shall be part of the Boston Transportation Department's Traffic Rules and Regulations ("Department Rules and Regulations"). Valet Parking Permits shall be issued to the establishment serviced by the valet parking operation. Such establishments may contract with outside firms to conduct their valet parking operations. A Valet Parking Permit allows the holder exclusive use of curb space during approved time periods and is authorized under the Transportation Department's authority to regulate on-street parking. It is a privilege not a right. Valet parking helps to promote the

more efficient use of limited on-street parking spaces. No curb space shall be used for valet parking without a permit issued hereunder. A permit may be modified, suspended or revoked if the valet parking operation is not conducted in accordance with applicable law and these rules and regulations or if the Valet Parking Zone is not being used for a valet parking operation for all or a portion of the approved time periods.

### **Section 1.1 Definitions**

The following terms shall have the following meanings in this Article IV-A:

**Valet Parking Permit.** The permit issued by the Department to the Valet Permit Holder allowing it to conduct a valet parking operation in an approved Valet Parking Zone.

**Valet Permit Holder.** The establishment (restaurant, hotel, or hospital) holding a Valet Parking Permit and offering valet parking services to its patrons or visitors.

**Valet Parking Operator.** The company/entity that is engaged by the Valet Permit Holder to operate the valet parking service.

### **Section 2.0 General Provisions**

Valet parking shall be the parking of a vehicle in an approved Valet Parking Zone for the time periods listed in Section 2.2 below. Vehicles that are valet parked shall be transported to and parked at a designated off-street parking facility/area and shall not be parked in any other on-street parking spaces. Any vehicle parked in violation of these rules and regulations shall be subject to the issuance of a parking citation and the Valet Permit Holder and/or the Valet Parking Operator shall be subject to the enforcement measures identified herein. The Department reserves the right to designate Valet Parking Zones or require that more than one establishment be served from a single Valet Parking Zone based upon local conditions such as traffic congestion, the demand for Valet Parking Zones or the overall impact of valet operations in a particular area.

#### **Section 2.1 Size and Location of Valet Parking Zones**

The Department shall determine the size (measured in linear feet) and location of a Valet Parking Zone taking into account factors including but not limited to the seating capacity of the Valet Permit Holder, the nature of its business, the hours of the valet service operation, and the proximity of the Valet Permit Holder's business to the off-street parking facility/area. In considering the seating capacity of the Valet Permit Holder, as reflected in its fire assembly permit or entertainment license or as visually inspected by the Department, the Department may use the following general guidelines to determine an appropriate size for the Valet Parking Zone:

100 or fewer seats – two (2) parking spaces

101-150 seats – three (3) parking spaces

151-200 seats – four (4) parking spaces

## **Section 2.2 Length of Time Vehicle May Remain in Valet Parking Zone**

### Hotels:

Vehicles may remain in the Valet Parking Zone of a hotel holding a Valet Parking Permit during the hours of valet parking operation listed on the permit as long as necessary, while engaged in the receiving or discharging of passengers or loading or unloading of baggage; however, hotels shall make every effort to keep a minimum of one space within the Valet Parking Zone open at all times.

### Restaurants:

Vehicles may remain in the Valet Parking Zone of a restaurant holding a Valet Parking Permit during the hours of valet parking operation listed on the permit for not more than fifteen (15) minutes continuously, while engaged in the receiving or discharging of passengers.

### Hospitals:

Vehicles may remain in the Valet Parking Zone of a hospital holding a Valet Parking Permit during the hours of valet parking listed on the permit for as long as necessary, while engaged in the receiving or discharging of passengers.

## **Section 3.0 Term and Public Comment**

Valet Parking Permits shall be issued to establishments for the period July 1 through June 30. Special or one-day permits may be issued as provided in Section 10.0 below. All permits shall expire on June 30 of each year and must be renewed annually. The Department shall provide notice to the applicable District City Councilor on all initial applications and may convene a public hearing on any initial application and solicit comments on such application. Notice of any such hearings shall include a posting in City Hall and notice to the applicable District City Councilor.

## **Section 4.0 Coordination with other City Agencies and Departments**

The Department shall coordinate its review and enforcement of valet parking operations with other City of Boston agencies including the Boston Police Department, the Licensing Board for the City of Boston and the Mayor's Office of Consumer Affairs and Licensing by exchanging and sharing information with these agencies.

## **Section 5.0 Application for Valet Parking**

An application for a Valet Parking Permit shall be submitted on a form issued by the Department. Applications must be submitted by the establishment that will be serviced by the valet parking operation. Permits must be renewed annually and updated information must be submitted with a renewal application. The application form shall request the



following information.

- 5.1** The name, address, and telephone and fax numbers of the establishment requesting a Valet Parking Zone.
- 5.2** The name and telephone and fax numbers, including the daytime and nighttime numbers of the owner or general manager of the establishment.
- 5.3** The name and address and telephone and cell phone numbers of the Valet Parking Operator that will be operating the valet service, and the daytime and nighttime telephone number and cell phone numbers of the owner or general manager of the Valet Parking Operator. The cell phone number of the owner or general manager of the Valet Parking Operator shall be accessible twenty-four (24) hours a day. If a Valet Parking Operator will not be used, the same information shall be provided for the Valet Permit Holder.
- 5.4** The location and number of linear feet requested for the Valet Parking Zone.
- 5.5** The days and actual hours of operation requested, the estimated number of vehicles that will be valet parked and the estimated number of valet attendants that will be present during each of the days and times requested.
- 5.6** A letter from the owner and/or operator of an off-street parking facility/area stating an agreement exists between the off-street location and the Valet Parking Operator or Valet Permit Holder for valet parking of vehicles. The letter must state the following information: the location of the facility/area; the total number of parking spaces in the facility/area; and the total number of parking spaces that will be available for valet parked vehicles from the Valet Permit Holder.
- 5.7** A plan or map and a description depicting the proposed route that valet parking attendants will use to and from the off-street parking facility/area shall be submitted.
- 5.8** Evidence related to the use of an off-street parking facility/area during the term of a current permit shall be submitted for all renewal applications.

### **Section 6.0 Evaluation Procedures and Criteria**

Upon receipt of a completed application for an initial permit, the Department shall provide a copy to the local Boston Police Department District where the proposed valet operation will be located. Review, comments and hearings shall be as provided in Section 3.0. All applications for an initial permit or renewal of an existing permit are subject to an evaluation by the Department in order to ensure that there is safe and adequate vehicular access to and from the Valet Parking Zone and that the vehicular traffic expected to be generated by the valet parking operation will not cause undue traffic congestion, block or impede the flow of traffic or pose a public safety hazard by delaying or preventing access in or throughout the area of the Valet Parking Zone. The evaluation shall be completed

promptly but no later than sixty (60) days following receipt of a complete application. The evaluation shall consider the following:

- 6.1** The existing parking regulations on the block and in the general vicinity of the Valet Parking Zone.
- 6.2** The anticipated number of vehicles that are proposed to be accommodated at the Valet Parking Zone during each of the operating periods listed in Section 5.5 and the corresponding number of valet parking attendants that are proposed to be used during each such period.
- 6.3** The width and configuration of the streets at and in the general vicinity of the Valet Parking Zone.
- 6.4** The accessibility issues such as turning movements required for vehicles that will enter and leave the Valet Parking Zone.
- 6.5** The existing vehicular volumes on the streets and the on-street parking demand at and in the general vicinity of the requested zone during the time periods listed for the operation.
- 6.6** Pedestrian volumes at and in the general vicinity of the Valet Parking Zone.
- 6.7** An assessment of the proposed route to and from the off-street parking facility/area under the following criteria: how direct is the route and whether the distance between the establishment and the parking facility/area is within a reasonable walking distance for valet parking attendants.
- 6.8** The overall demand for Valet Parking Zones at and in the general vicinity of the requested location during the operating periods listed on the valet parking application.

- 6.9** The record and history of valet parking operations for the Valet Parking Operator that will be providing the service. If a Valet Parking Operator will not be used, the same information as to the Valet Permit Holder.

### **Section 7.0 Determination and Issuance Procedures and Criteria**

The Department shall determine whether and to what extent an application should be approved based upon the Department Rules and Regulations and its statutory authority. The Department may accept and consider comments from elected officials, residents and other city agencies and departments. Under the provisions of these rules and regulations, an application may be approved in whole or in part, it may be denied, or it may be approved subject to specific additional conditions related to location and use characteristics such as the number of linear feet, the exact location of the Valet Parking Zone, the estimated number of vehicles that will be valet parked during each operating period listed in Section 5.5, the required number of valet attendants during each such operating period and use of a single Valet Parking Zone by more than one establishment. An approval notification shall be the Valet Parking Permit and it shall include the information on the permit application, the information set forth below and such additional information as the Department may determine. If an application is denied in whole or in part, or if it is approved subject to specific additional conditions, the grounds for such action shall be in writing and become part of the permit. The permit shall include the following:

- 7.1** The term of the permit, the exact location and the number of linear feet of the Valet Parking Zone, the approved days and hours of operation, the minimum number of valet attendants required during each of the approved operating periods, the name and address of the designated off-street parking facility/area and the permit fee. Valet parking shall be allowed only during the approved days and hours of operation; and if the Valet Parking Zone is not being used for a valet parking operation for all or part of the approved time periods, the permit may be modified or revoked. The Valet Permit Holder or Valet Parking Operator may request permission to place signage in the Valet Parking Zone during the hours listed on the permit, but only Department-approved signage shall be placed on the street.
- 7.2** The requirement that all vehicles shall be parked at the off-street parking facility/area listed on the permit and not parked in the Valet Parking Zone for longer than the allowed time limit or in any other on-street parking space.
- 7.3** That the operation of any valet parking operation is the responsibility of the Valet Permit Holder, and a statement that the Valet Permit Holder agrees to comply with the terms and conditions on the permit, these rules and regulations and other regulations of the Department.
- 7.4** That the permit shall be available for inspection at the establishment at all times.
- 7.5** Copies of new permits shall be provided to the Boston Police Department District where the proposed valet operation will be located, the applicable District City

Councilor and other city agencies including the Licensing Board for the City of Boston and the Mayor's Office of Consumer Affairs and Licensing. An inventory of new, suspended and/or revoked permits shall be provided upon request to the Department.

- 7.6** The permit shall be issued upon approval and payment of the applicable fees. Once approved, the Department shall install valet signage. Unless a permit is renewed, the valet parking signage will be removed upon expiration of the current permit.
- 7.7** The Department may determine that a Valet Parking Zone should be designated or shared by more than one establishment. In this case, the Department shall list all of the establishments sharing the Valet Parking Zone as the Valet Permit Holder(s) on the Valet Parking Permit.

### **Section 8.0 Fees**

The fees for the use of the curb space and signage are established by way of City of Boston ordinance. Fees as of November 1, 2012 are as follows: \$40 per linear foot of curb space per year and \$150 per sign for a five year period. The payment of the fees shall be on a schedule as determined by the Department.

### **Section 9.0 Enforcement**

- 9.1** The Department shall maintain a complete file for each Valet Parking Permit issued. The files shall include all information relevant to the Valet Parking Permit including application(s), approval letters, complaints, correspondence, reports, Valet Parking Operator information, and other related documents and information.
- 9.2** Conducting or operating a valet parking operation without applying for and receiving a Valet Parking Permit issued hereunder shall subject the establishment serviced by the valet parking operation and the valet operator to a fine not exceeding three hundred dollars (\$300). Each day on which a violation exists shall constitute a separate offense.
- 9.3** Valet Parking Permits may be suspended or revoked as set forth below, provided, however, that where a violation is a threat to public safety or welfare, a permit may be suspended or revoked prior to initiating the procedures below.
- 9.4** Transportation Department employees and Boston Police Officers are authorized to enforce these regulations. The Department shall maintain within the file referenced in Section 9.1 all valet parking complaints from elected officials, residents and other city agencies and Boston Police Department Incident Reports.
- 9.5** Complaints may be taken in person, by telephone or in writing. A complaint form, as determined by the Department, shall be used whenever practical. Copies of complaints and incident reports received by the Department shall be provided to the Valet Permit Holder and the Valet Parking Operator.

- 9.5.1** Valet vehicles that are parked in violation of these rules and regulations may be subject to issuance of a parking citation. A licensed premise violation may also be issued to a Valet Permit Holder licensed by the Mayor's Office of Consumer Affairs and Licensing or the Licensing Board for the City of Boston for any violation of these rules and regulations.
- 9.6** The Department may issue a written warning to a Valet Permit Holder on the basis of any complaint, compliance inspection, written violation, parking citation, or incident report. A written warning shall identify the nature of the problem and may state corrective action. Copies of written warnings shall also be provided to the Valet Parking Operator associated with the particular Valet Permit Holder receiving the warning.
- 9.7** The Department may undertake compliance inspections from time to time and it may undertake investigations based upon complaints, incident reports or violation notices. On the basis of inspections or investigations the Department may issue a written warning to a Valet Permit Holder, as described in Section 9.6.
- 9.8** Following the issuance of at least one written warning to a Valet Permit Holder, the Department may schedule a hearing if it receives an additional complaint or incident report or if a compliance inspection reveals a problem. The purpose of the hearing will be to receive additional information and to determine if additional enforcement measures are warranted. The Valet Permit Holder and Valet Parking Operator shall be provided prior written notice of the hearing and both shall be required to attend. The Valet Permit Holder and/or the Valet Parking Operator may present information at the hearing. Following a hearing, the Department shall issue its determination as to what, if any, additional enforcement measures to take. Such measures may include an additional written warning or a modification, suspension or revocation of the permit. The Department may also schedule a hearing for any of the following purposes: to hear applications for new Valet Parking Permits; to hear requests from an existing Valet Permit Holder to increase or decrease the days or hours of its valet parking operation; requests from existing Valet Permit Holders to decrease or increase the size of the Valet Parking Zone; or to address complaints or violations occurring after written warnings are sent out and that the Department determines warrant immediate attention.
- 9.9** Actions involving the modification, suspension or revocation of a Valet Parking Permit shall be based on a number of factors including the number of violations, the number of occasions on which the violations occurred, or the severity of an incident resulting in a violation. A first suspension shall be for a period of not more than five (5) days and a second suspension for a period of not more than ten (10) days. Following the second suspension, the Department may revoke the Valet Parking Permit.
- 9.10** Copies of written warnings, suspensions and revocations issued by the Department under this section shall be provided to other city agencies including the Boston Police Department, the Licensing Board for the City of Boston and the Mayor's Office of Consumer Affairs and Licensing.

**9.11** Parking citations received as a result of a violation of these rules and regulations are the responsibility of the Valet Permit Holder. Parking citations shall be processed and may be appealed pursuant to the procedures spelled out in Article IV-B of these Rules and Regulations.

### **Section 10.0 Special or One-Day Permits**

The Department may, in its discretion, issue special or one-day permits for valet parking. Such permits shall, as determined by the Department, comply with all of the provisions hereunder, and applications for such permits shall be submitted no later than five (5) days prior to the date of the event. The Department shall consider requests less than five (5) days prior to the event only in extraordinary situations.

### **Section 11.0 Severability**

If any section or part hereof is held invalid, the remainder shall not be affected by such holding.

### **Section 12.0 Public Safety**

In the interest of public safety, each Valet Parking Operator operating within the City of Boston must annually, on or before July 1 of each year, provide a copy of its company's policy regarding handling intoxicated drivers to the Department.

### **Section 13.0 Identifying Jackets for Valet Parkers**

As specified in sections 16-49.1, et seq., of the City of Boston Code, no Valet Parking Operator who is engaged in providing valet services, including but not limited to receiving or discharging passengers or loading or unloading baggage from a vehicle, making arrangements to remove the vehicle to a designated off-street parking facility, parking a vehicle, or otherwise in control of a vehicle subject to valet parking requirements, may engage in such activities unless the Valet Parking Operator is wearing a jacket or shirt clearly marked "VALET" across the back in reflective lettering that shall be highly contrasting with the background/field/screen (i.e. dark-colored reflective lettering on light-colored background or light-colored reflective lettering on dark-colored background); each individual letter of the word "VALET" shall be no smaller than three inches (3") in height. The front of the jacket or shirt worn by the Valet Parking Operator shall include the name of the person, business, establishment, or corporation granted a Valet Parking Permit.

Compliance with these sections shall require the jacket or shirt required in this section to be the outermost garment worn by the Valet Parking Operator.

Enforcement of and exemptions from the provisions of this Section 13.0 shall be as set forth in City of Boston Code, sections 16-49.1, et seq.

### **Section 14.0 Effective Date**

These amendments to the Department Rules and Regulations shall take effect on November 1, 2012.

## **ARTICLE IV-B**

### **ADMINISTRATIVE HEARINGS**

#### **Section 1. Statutory Authority**

Subsection 4B of Section 13B of Chapter 190 of the Acts of 1982 provides as follows: “If any person charged with a violation of a parking regulation appears and requests a hearing before the expiration of the twenty-first day from the date of issuance of said parking violation notice, the parking clerk shall forthwith schedule the matter before a person referred to as a hearing officer, said hearing officer to be the parking clerk or such other person or persons as the parking clerk may designate. Written notice of the date, time and place of said hearing shall be sent by first class mail to the registered owner. Said hearing shall be informal, and the rules of evidence shall not apply. The hearing officer shall keep a record of the hearing and the decision of the hearing officer, which shall be in writing, shall be final subject to judicial review as provided by section fourteen of chapter thirty A of the General Laws.”

#### **Section 2. Requested Hearings**

1. A hearing can be requested in person at the Office of the Parking Clerk, Room 224, Boston City Hall, Boston, Massachusetts, or by mailing a written request to: City of Boston, P.O. Box 1626, Boston, Massachusetts 02105. All hearing requests by mail should include:

- a. a brief description of the nature of the dispute
- b. the plate registration number and parking ticket number(s) to be contested
- c. the name and address where correspondence should be mailed.

2. The Office of the Parking Clerk will schedule an administrative hearing on any parking ticket if a hearing request is received within forty-five (45) days of the first mail notice

3. For the purposes of Part 2, a hearing request shall be deemed to be received by the Office of the Parking Clerk:

- a. if by mail, on the postmark date
- b. if in person, on the date the request is made.

4. The time restrictions imposed by Part 2 may be extended by the Office of the Parking Clerk if notice of the parking ticket had not been mailed either to an address on file with the Massachusetts Registry of Motor Vehicles or an address provided through correspondence from the registered owner of the ticketed motor vehicle.

5. A parking ticket for which a hearing request has been received by the Office of the Parking Clerk shall be placed on “suspended” status, pending the outcome of the hearing. A parking ticket which is on “suspended” status shall not be eligible for further late penalties, seizure (booting) or license/registration non-renewal. However, a parking ticket in “non-renewal” status before a hearing request is received shall remain in “non-renewal” status.

6. Notice of the time, date and place of the hearing shall be mailed by the Office of the Parking Clerk to the individual who made the hearing request. If an individual is unable to appear on the date provided, he/she may reschedule by appearing for the hearing within five (5) days prior to the scheduled hearing date, or up to ten (10) days after the scheduled date, between the hours of nine (9:00) a.m. and four (4:00) p.m. Individuals unable to appear for a hearing during this time period may appear for the hearing no later than three (3) months from the scheduled date. However, the “suspended” status, as provided by Part 5, may not be applicable.

### **Section 3. Walk-In Hearings**

1. Administrative hearings on a “walk-in” basis shall be offered in accordance with the following criteria.

a. On a same-day “walk-in” basis to an individual who is the registered owner of the ticketed vehicle, and has been issued a disabled veteran/handicapped plate/handicap placard by the Massachusetts Registry of Motor Vehicles, pursuant to Section 2 of Chapter 90 of the Massachusetts General Laws.

b. On a same-day “walk-in” basis if his/her vehicle has been towed for a public safety violation within five (5) days of payment, on a “walk-in” basis, if his/her vehicle has been towed for a public safety violation.

### **Section 4. Abandoned Vehicle Hearings**

1. Abandoned vehicle violations issued pursuant to Chapter 212 of the Acts of 1988 that are two (2) years old or older are not eligible for an administrative hearing.



**ARTICLE V****ONE-WAY REGULATIONS****Section 1. One-Way Streets**

On the following streets or parts thereof, vehicles shall operate only in the direction hereinafter indicated in this Section.

The list of "streets or parts thereof" referred to in the preceding paragraph is on file at the office of the Boston Transportation Department.

**Section 2. Rotary Traffic**

All vehicular traffic shall move in a rotary only in a counter-clockwise direction, except when otherwise directed by a police officer or an official traffic sign, signal, marking or other device, erected and maintained, or caused to be made, erected and maintained by the Commissioner of Transportation.

**ARTICLE VI****OPERATION OF VEHICLES****Section 1. Drive Within Marked Lanes**

When any roadway has been divided into lanes, the driver of a vehicle shall not drive other than entirely within a single lane, and he/she shall not move from the lane in which he/she is driving until he/she has first ascertained if such movement can be made with safety.

**Section 2. Drive on Right Side of Street**

The driver of a vehicle shall not drive other than on the right half of the roadway, except on one-way streets, where signs have been erected to the contrary, or when overtaking and passing another vehicle. The driver of a slow moving vehicle shall not drive other than as closely as possible to the right-hand edge or curb of the roadway, unless it is impracticable to travel on such side of street.

**Section 3. Keep to the Right of Roadway Division**

On a roadway divided by a parkway, grass plot, reserved space for street railway cars, viaduct, walk, sunken way, safety zone, subway, or other structure, the driver of a vehicle shall not drive other than to the right of such division, except on one-way streets, or when otherwise directed by a police officer, or any official sign, signal, marking, or device.

#### **Section 4. Overtaking Other Vehicles**

The driver of a vehicle shall not overtake and pass any other vehicle proceeding in the same direction at any intersection of streets, except that this provision shall not apply at intersections where traffic is controlled by police officers.

#### **Section 5. Overtake Only When There Is a Space Ahead**

The driver of a vehicle shall not overtake and pass a vehicle proceeding in the same direction unless there is sufficient clear space ahead on the right side of the roadway, except that on a one-way street drivers shall not be restricted to the use of the right half of the roadway, but may have access to the entire width thereof, to permit the overtaking to be completed without impeding the safe operation of any vehicle ahead, and without causing the driver of any vehicle to change his/her speed or alter his/her course, except as provided in the following Section.

#### **Section 6. Driver to Give Way to Overtaking Vehicle**

The driver of a vehicle, when about to be overtaken and passed by another vehicle approaching from the rear, shall give way to the right when practicable in favor of the overtaking vehicle, and shall not increase the speed of his/her vehicle until completely passed by the overtaking vehicle.

#### **Section 7. Obstructing Traffic**

1. No person shall drive in such a manner as to obstruct unnecessarily the normal movement of traffic on any street or highway.
2. No driver of any vehicle or of any streetcar shall enter an intersection or a marked crosswalk unless there is sufficient space beyond the intersection or crosswalk and on the right half of the roadway to accommodate the vehicle or streetcar he/she is driving without obstructing the passage of other vehicles, streetcars, or pedestrians, notwithstanding any traffic control signal indication to proceed, except that on a one-way street drivers shall not be restricted to the use of the right half of the roadway, but may have access to the entire width thereof, beyond the intersection or crosswalk, if such is available.

#### **Section 8. Care in Starting, Stopping, Turning, or Backing**

The driver of any vehicle shall not start, stop, turn from a direct line, or back his/her vehicle unless such movement can be made in safety. If such movement cannot be made in safety, or if it interferes unduly with the normal movement of other traffic, said driver shall wait for a more favorable opportunity to make such movement.

**Section 9. Backing Around Corners or Into Intersections Prohibited**

The driver of any vehicle shall not back such vehicle around a corner at an intersection or into an intersection of streets.

**Section 10. Left Turns Prohibited**

No driver of any vehicle shall make a left turn, where prohibited by an official traffic sign, signal, marking or other device, erected and maintained, or caused to be made, erected and maintained by the Commissioner of Transportation.

**Section 10A. Only Left Turn Movements Permitted**

No driver of any vehicle shall proceed in any direction other than to the left, at the points of intersection, where prohibited by an official traffic sign, signal, marking or other device, erected and maintained, or caused to be made, erected and maintained by the Commissioner of Transportation.

**Section 11. Only Right Turn Movements Permitted**

No driver of any vehicle shall proceed in any direction other than to the right, at the points of intersection, where prohibited by an official traffic sign, signal, marking or other device, erected and maintained, or caused to be made, erected and maintained by the Commissioner of Transportation.

**Section 12. Right Turns Prohibited**

No driver of any vehicle shall make a right turn, where prohibited by an official traffic sign, signal, marking or other device, erected and maintained, or caused to be made, erected and maintained by the Commissioner of Transportation.

**Section 12A. Obedience to Lane Control Devices**

Where official traffic control devices are erected directing specific vehicles to use a designated lane or lanes for traffic moving in a particular direction, regardless of the center of the roadway, or to prohibit a turn or to make a required turn at an intersection of roadways, drivers of vehicles shall obey the direction of every such device. For example: Right lane must turn right and left lane must turn left!

**Section 13. U-Turns Regulated**

No driver shall turn a vehicle so as to proceed in the opposite direction unless such turn can be made without backing up and without causing any approaching driver to slacken speed or change his/her course.

### **Section 14. U-Turns Prohibited**

No driver shall make a U turn, where prohibited by an official traffic sign, signal, marking or other device, erected and maintained, or caused to be made, erected and maintained by the Commissioner of Transportation.

### **Section 15. Obedience to Traffic Control Signals**

Color and arrow indications in traffic control signals shall have the commands ascribed to them in this Section, and no other meanings, and every driver of a vehicle, railway car, or other conveyance shall comply therewith, except when otherwise directed by an officer or by a lawful traffic regulating sign (other than a "stop" sign), signal, marking, or device. In no case shall a driver enter or proceed through an intersection without due regard to the safety of other persons within the intersection, regardless of what indication may be given by traffic control signals.

1. STEADY GREEN indications have the following meanings:

a. Drivers facing a STEADY CIRCULAR GREEN indication may proceed straight through or turn right or left, unless a sign at such place prohibits either such turn. Drivers turning right or left shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such indication is exhibited.

b. Drivers facing a STEADY GREEN ARROW indication shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow, or such other movement as is permitted by other indications shown at the same time. Such drivers shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

2. STEADY YELLOW indications have the following meaning:

Drivers facing a STEADY CIRCULAR YELLOW OR YELLOW ARROW indication are thereby warned that the related green movement has terminated, and that a red indication will be exhibited immediately thereafter and drivers shall not enter the intersection.

3. STEADY RED indications have the following meanings:

a. Drivers facing a STEADY CIRCULAR RED indication alone shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then before entering the intersection, and shall remain standing until an indication to proceed is shown except as provided in 3c below.

b. No driver of a vehicle facing a STEADY CIRCULAR RED indication shall at those intersections or intersectional approaches make a right turn, or a left turn from a one-way street into another one-way street, where official traffic signs are installed and maintained prohibiting such turn.

c. Drivers facing a STEADY CIRCULAR RED indication, may, if there is no signage prohibiting said movement, make a right turn, or a left turn from a one-way street into another one-way street, only after bringing the vehicle to a complete stop as provided in 3a above, and then yielding the right-of-way to pedestrians and other traffic proceeding as directed by the signal at said intersection, as is permitted by Section 8 of Chapter 89 of the Massachusetts General Laws.

d. Drivers facing a STEADY RED ARROW indication may not enter the intersection to make the movement indicated by such arrow, and unless entering the intersection to make such other movement as is permitted by other indications shown at the same time, shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then before entering the intersection, and shall remain standing until an indication to make the movement indicated by such arrow is shown.

4. RED AND YELLOW indications have the following meaning:

While the RED AND YELLOW lenses are illuminated together, drivers shall not enter the intersection, and during such time the intersection shall be reserved for the exclusive use of pedestrians.

5. FLASHING SIGNAL indications shall have the following meanings:

a. FLASHING RED (stop signal): When a red indication is illuminated with rapid intermittent flashes, drivers of vehicles shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection, and the right to proceed shall be subject to the provisions of Section 8 of Chapter 89 of the General Laws.

b. FLASHING YELLOW (caution signal): When a yellow indication is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution.

c. FLASHING GREEN: A flashing green indication shall indicate a drawbridge, pedestrian crosswalk, fire station location, or intersection subject to use at unscheduled intervals. Drivers may proceed only with caution and shall be prepared to comply with a change in the signal to a red, or red and yellow indication.

### **Section 16. Through Ways**

In accordance with the provisions of Section 9 of Chapter 89 of Massachusetts General Laws, the following ways or parts of ways are hereby designated as "Through Ways":

The list of "ways" referred to in the preceding paragraph is on file at the office of the Boston Transportation Department.

### **Section 17. Obedience to Isolated Stop Signs**

In accordance with the provisions of Section 9 of Chapter 89 of Massachusetts General Laws, as most recently amended, the following streets are designated as "Stop" streets.

The list of "streets" referred to in the preceding paragraph is on file at the office of the Boston Transportation Department.

### **Section 17A. Obedience to Yield Signs**

In accordance with the provisions of Section 9 of Chapter 89 of Massachusetts General Laws, as most recently amended, the following streets are designated as "Yield" streets.

The list of "streets" referred to in the preceding paragraph is on file at the office of the Boston Transportation Department.

### **Section 18. Driving on Sidewalks**

The driver of a vehicle shall not drive on or over any sidewalk except at a permanent or temporary driveway. The driver of a vehicle, prior to driving on or over any such driveway, shall yield the right-of-way to any pedestrian approaching within five (5') feet of such driveway.

### **Section 18A. Driving Over Traffic Islands Prohibited**

The driver of a vehicle shall not drive on or over any traffic island unless directed to do so by a police officer.

### **Section 19. Passing Streetcars**

The driver of a vehicle shall not overtake and pass on the left of any streetcar proceeding in the same direction, whether actually in motion or temporarily at rest. This provision shall not apply to one-way streets, nor to streets where the roadway to the right of the streetcar is obstructed other than by vehicles temporarily halted in traffic.

### **Section 20. Driving on Streetcar Tracks**

No driver of any vehicle proceeding on any streetcar tracks in front of a streetcar shall fail to remove such vehicle from the tracks as soon as practicable after signal from the driver of said streetcar.

### **Section 21. Driving Through Safety Zones Prohibited**

No driver of any vehicle shall drive over or through a safety zone, except on signal from a police officer.

## **Section 22. Emerging from Alley or Private Driveway**

The driver of a vehicle emerging from a private road, driveway, or garage, shall stop such vehicle immediately prior to driving upon the sidewalk area extending across such driveway or garage, and where no such sidewalk exists, the stop shall be made at the building or property line as the case may be. Upon entering the roadway the driver shall yield the right-of-way to vehicles approaching on the roadway.

## **Section 23. Special Speed Regulations**

1. In accordance with the provisions of Section 18 of Chapter 90 of Massachusetts General Laws special speed regulations have been established on the following streets:

The list of "streets or parts thereof" referred to in the preceding paragraph is on file at the office of the Boston Transportation Department.

2. In accordance with the provisions of Section 17 of Chapter 90 of Massachusetts General Laws special school zone speed regulations of twenty (20) miles per hour have been established on the following streets:

The list of "streets or parts thereof" referred to in the preceding paragraph is on file at the office of the Boston Transportation Department.

## **Section 24. Rights and Duties in Funeral or Other Processions**

1. It shall be the duty of each driver in a funeral or other procession to keep as near to the right edge of the roadway as is feasible to follow the vehicle ahead as closely as is practicable and safe.

2. At an intersection where a traffic control signal is operating or a stop sign or yield sign is located, the driver of the first vehicle in a funeral or other procession shall be the only one governed by the traffic signal indication or the stop or yield sign.

## **Section 25. Operation at Underpasses or Overpasses and at Intersections with Islands**

At any junction or crossing of ways where the roadway grades have been separated or where the ways are connected by ramps or at intersections of ways in which there are traffic islands, drivers of vehicles shall proceed only as indicated by official signs, signals, markings, or devices.

## **Section 26. Operation of Horse-Drawn Carriages**

1. No owner shall begin operation until he/she has obtained the necessary license and paid the required fee to the Boston Police Department and also obtained a Horse-Drawn Carriage Stand as approved by the Boston Police Department and the Transportation Department.

Each "Stand" will be designated by a minimum of two (2) signs which will be paid for at the then existing fee set for a "Loading Zone" sign by the Boston City Council.

2. No driver of any horse-drawn carriage shall operate any carriage under his/her control between the hours of seven (7:00) A.M. and nine (9:00) A.M. and between the hours of four (4:00) P.M. and six (6:00) P.M. of any day except Saturday, Sunday or legal holiday.

3. No driver of any horse-drawn carriage shall operate any carriage under his/her control other than as closely as possible to the right-hand edge or curb of the roadway.

4. No driver of any horse-drawn carriage shall operate any carriage under his/her control in violation of any of the Rules and Regulations of the City of Boston Transportation Department.

5. No driver of any horse-drawn carriage shall operate any carriage under his/her control in the following streets or parts thereof, during the hours indicated.

The list of "streets or parts thereof" referred to in the preceding paragraph is on file at the office of the Boston Transportation Department.

## **ARTICLE VII**

### **EXCLUSION OF VEHICLES**

#### **Section 1. Advertising Vehicles Excluded**

No person shall drive or park any vehicle designed or used primarily for the purpose of advertising on any street in the district bounded by the southwesterly line of Massachusetts Avenue, the southeasterly line of Albany Street, Fort Point Channel, Boston Harbor, and Charles River.

#### **Section 2. Heavy Commercial Vehicles Excluded**

No commercial vehicle shall be operated on the following streets or parts thereof, provided that this restriction shall not apply to authorized emergency vehicles, as herein defined, to vehicles using streets for the making of deliveries or collections, or for the purpose of reaching a regular storage place located on said streets or parts thereof, to street repair vehicles of the City of Boston, nor to any commercial vehicle equipped with pneumatic tires, with a load capacity not over two and one-half (2 1/2) tons, and without a trailer:

The list of "streets or parts thereof" referred to in the preceding paragraph is on file at the office of the Boston Transportation Department.



### **Section 2A. Commercial Vehicles Excluded**

No commercial vehicle shall be operated on the following streets or parts thereof, provided that this restriction shall not apply to authorized emergency vehicles, as herein defined, to passenger or station wagon type motor vehicles whose gross weight is less than five thousand (5,000) pounds and which are registered for commercial use, to vehicles using streets for the making of deliveries or collections, or for the purpose of reaching a regular storage place located on said streets or parts thereof, nor to street repair vehicles of the City of Boston.

The list of "streets or parts thereof" referred to in the preceding paragraph is on file at the office of the Boston Transportation Department.

### **Section 3. Exclusion of Vehicles in Market District**

On Fridays, Saturdays, and the day immediately preceding a legal holiday, vehicles are excluded from the following streets, between the hours of eight (8:00) A.M. and eleven (11:00) P.M.

The list of "streets" referred to in the preceding paragraph is on file at the office of the Boston Transportation Department.

### **Section 4. Exclusion of Vehicles from Parkways**

1. Commercial vehicles, buses, and passenger vehicles with a seating capacity for more than nine (9) passengers are excluded from all parkways, except the following roads or parts thereof, unless commercial vehicles are to deliver or receive merchandise on a parkway, when they must be driven by the shortest route from and to the nearest public way, and provided that this restriction shall not apply to passenger or station wagon type motor vehicles whose gross weight is less than five thousand (5,000) pounds and which are registered for commercial use.

The list of "exceptions" referred to in the preceding paragraph is on file at the office of the Boston Transportation Department.

2. All motor vehicles are excluded from Franklin Park, except from the following roads or parts thereof.

The list of "exceptions" referred to in the preceding paragraph is on file at the office of the Boston Transportation Department.

3. No person shall drive or park any vehicle designed or used primarily for the purpose of advertising in any parkway.

4. The provisions of the foregoing parts of this Section insofar as they refer to the exclusion of commercial vehicles and passenger vehicles with a seating capacity for more than nine (9) passengers shall not apply to sightseeing automobiles, except between the hours of

seven (7:00) A.M. and nine-thirty (9:30) A.M. and between the hours of four (4:00) P.M. and six (6:00) P.M. on all days, except Sundays and legal holidays.

### **Section 5. Exclusion of Vehicles from Public Ways**

Vehicles are excluded from the following public ways:

The list of "public ways" referred to in the preceding paragraph is on file at the office of the Boston Transportation Department.

### **Section 5B. Taxis Excluded**

No taxi shall be operated on the following streets or parts thereof:

The list of "streets or parts thereof" referred to in the preceding paragraph is on file at the office of the Boston Transportation Department.

### **Section 6. Buses Excluded**

No bus shall be operated on the following streets or parts thereof:

The list of "streets or parts thereof" referred to in the preceding paragraph is on file at the office of the Boston Transportation Department.

### **Section 7. Exclusive/Restricted Bus Lanes**

No vehicle shall be operated in the designated lane or lanes set aside for the sole purpose of operating Massachusetts Bay Transportation Authority buses, unless otherwise regulated or posted by an official traffic sign, signal, marking or other device, erected and maintained, or caused to be made, erected and maintained by the Commissioner of Transportation.

## **Section 8. Transportation of Hazardous Materials Regulations for Controlling the Transportation of Hazardous Materials**

### **Authority for the Regulation**

This Regulation is issued by the Fire Commissioner in compliance with City of Boston, Ordinances, Chapter 17, Section 15 and under the authority granted by Massachusetts General Laws Chapters 21C, 111 and 148 and other applicable laws and regulations. Complete Rules and Regulations are available from the Boston Fire Department.

### **Section 8A. Exclusion of Vehicles Transporting Hazardous Materials**

No person shall operate a vehicle and no person shall allow, permit, or suffer a vehicle leased by him or registered in his name to be operated, transporting any hazardous materials

in any quantity through the underpass at Sullivan Square, Charlestown. No person shall operate or allow, permit, or suffer to be operated, an empty tank vehicle or a vehicle transporting empty containers which were last used for the transportation of a flammable corn-preserved gas, flammable liquid, a poisonous substance or an explosive through the underpass at Sullivan Square, Charlestown.

The term "Hazardous Materials" shall be as set forth in City of Boston, Ordinances, Chapter 17, Section 15 and other applicable laws and regulations that regulate the transport of "Hazardous Materials."

## **ARTICLE VIII**

### **PARADES, PROCESSIONS AND FORMATIONS**

No person shall take part in any parade, procession or other organized formation of persons or vehicles, other than a funeral procession or a picket line, in or upon any street, way, highway, road, or parkway under the control of the City unless the Commissioner of Transportation shall issue such permit for such parade, procession, or formation. The Commissioner of Transportation shall issue such permit in all cases except where the time, place, and manner are not in conformity with the Rules set forth below, or where the permit would conflict as to time or place with a permit previously issued. No fee shall be charged for any such permit.

1. The written request for the permit shall be filed with the Commissioner of Transportation not more than twelve months or less than three (3) business days prior to the occurrence and should include the following:

- a. The date and starting time.
- b. The name, address, and telephone number of the applicant and name of the organization involved.
- c. The formation or assembly area and time therefor.
- c. The route of the parade or motorcade and what portions of the streets traversed may be occupied by such parade or motorcade.
- e. The approximate number of people and vehicles in the parade or motorcade.

2. No permit shall be issued authorizing a parade, procession, or formation under the following conditions:

- a. When the sole purpose is advertising any product, goods, wares, merchandise, event, or is designed to be held for private profit.

- b. Between the hours of 10:00 PM to 7:00 AM in areas that are principally residential.
  - c. In all areas of Zone A and on major arterial streets during the peak traffic hours on non-holiday weekdays (7:00AM-9:30AM and 3:30PM-6:30PM). Zone A is identified in Article X, Section 1A of the Transportation Department's Rules and Regulations; and all major arterial streets (so-called red lined streets) are listed on a map of the City maintained by the Engineering Division of the Transportation Department.
3. The Transportation Commissioner, in consultation with the Police Commissioner, may modify the requested route or time of a parade based upon the following conditions:
- a. When the size of the parade, based upon the expected number of participants and spectators, cannot be safely accommodated on the proposed route because of the capacity of the roadway. The capacity of the roadway shall be determined by taking into consideration the width of the road and the adjacent sidewalk as well as the proximity of structures such as buildings or fences located at the back of the sidewalk.
  - b. When the route or time conflicts with another parade or other public event to such an extent that the public order or safety is threatened. The determination shall be based upon the inability of the roadway to safely accommodate the expected number of participants and spectators; or the inability to develop safe traffic detours because of the street configuration and traffic congestion in the area.

Any modification of the route or the time shall be narrowly tailored to address the conditions and shall be done in consultation with the permit applicant unless the applicant is unavailable or declines to consult with the Transportation Commissioner.

Any modification to the requested route or time, or any determination by the Transportation Commissioner to deny a permit, shall be in writing to the applicant and shall set forth a basis for such determination.

## **ARTICLE VIII-A**

### **REQUIREMENTS FOR THE POSTING OF TEMPORARY SIGNS WHICH PROHIBIT PARKING DUE TO CONSTRUCTION OR SPECIAL EVENTS**

#### **Section 1. Requirements**

The posting of signs which prohibit or restrict parking due to construction or special events shall be conducted in the following manner:

1. All signs shall conform to BTM specifications. The exact legend on each sign shall be determined by the Construction and Event Management Office (CEMO).
2. All signs shall indicate the effective date and estimated completion date of the construction project or special event.

3. All signs shall be installed at a frequency as determined by the CEMO, with a minimum of one (1) sign installed in each block.

4. All signs shall indicate the effective hours of the regulation, if the regulation is not in effect twenty-four (24) hours.

5 All signs shall be installed a minimum of twenty-four (24) hours in commercial areas and forty-eight (48) hours in residential areas, before the effective date and time of the restriction.

## **ARTICLE IX**

### **EXPERIMENTAL REGULATIONS**

#### **Section 1. Authority to Make Temporary Rules**

For purposes of trial, the Transportation Commission and/or the Commissioner of Transportation of the City of Boston may make temporary rules regulating traffic or test under actual conditions, traffic signs, signals, markings, or other devices. No such emergency or experimental rule regulating traffic shall remain in effect for a period of time longer than sixty (60) days.

## **ARTICLE X**

### **REMOVAL OF VEHICLES/SCHEDULE OF FINES**

#### **Section 1. Penalties**

Whoever violates any of the provisions of the foregoing Rules and Regulations, or whoever violates any temporary or experimental rules and regulations made under authority of Article IX, Section 1 shall be punished by a fine amount not exceeding fifteen (\$15.00) dollars for each offense, except as set by ordinance with the approval of the Mayor and City Council.

#### **Section 1A. Schedule of Fines for the Non-Criminal Disposition of Parking Violations**

1. The words "Zone A", as used in this Section, shall be deemed to mean that part of the City of Boston bounded by the Charles River, by the easterly line of Boston University Bridge and said line extended southerly to the southerly line of Commonwealth Avenue, by the southerly line of Commonwealth Avenue to the easterly line of St. Mary's Street (Brookline), by the easterly line of St. Mary's Street, and the Boston-Brookline boundary line, to the southeasterly line of Huntington Avenue, by the southeasterly line of Huntington Avenue, to the southwesterly line of Ruggles Street, by the southeasterly line of Tremont Street, by the south and southeasterly line of Melnea Cass Boulevard, by the

easterly line of the John F. Fitzgerald Expressway, by the southerly line of the West Fourth Street Bridge, by the westerly line of Dorchester Avenue, by the southeasterly line of A Street, by the Southerly line of West Second Street, by the southeasterly line of C Street, by the southwesterly line of Fargo Street, by the southwesterly line of Summer Street, by the Reserved Channel and Boston Harbor, to the Charles River.

2. The fine, the payment of which shall operate under Section 20A 1/2 of Chapter 90 of Massachusetts General Laws and Section 13B of Chapter 190 of the Acts of 1982, as a final disposition of an offense subject to said Section committed in the City of Boston shall be as follows:

**IN ZONE A**

For every offense subject to said Section committed by the offender within the aforesaid Zone A of the City of Boston:

1. If such offense is a violation of:

<i>Art.</i>	<i>Sec.</i>	<i>Part</i>	<i>Violation</i>
IV	1	22	Parking in a space reserved for HP or DV plate vehicles

One hundred twenty (\$120.00) dollars if paid within twenty-one (21) days. A penalty of forty (\$40.00) dollars will be assessed if the violation remains unpaid twenty-one (21) days after issuance of a notice of such violation.

2. If such offense is a violation of:

<i>Art.</i>	<i>Sec.</i>	<i>Part</i>	<i>Violation</i>
IV	12A		Overnight parking of heavy vehicles (12,000 lbs. GVW) in residential area
IV	1	6	Parking within ten (10) feet of a fire hydrant
IV	1	10	Parking so as not to leave a clear and obstructed ten (10') foot lane (Fire Lane)
IV	1	23	Parking in front of any curb ramp designed for use by handicapped persons
IV	1	27	Parking in a marked or shared bike lane
IV	1	28	Parking in a Pedestrian Safety Zone
IV	1	29	No Valid Resident Permit Parking Permit/Sticker
IV	10		Parking in an area designated as a bus stop

One hundred (\$100.00) dollars if paid within twenty-one (21) days. A penalty of thirty-three (\$33.00) dollars will be assessed if the violation remains unpaid twenty-one (21) days after issuance of a notice of such violation.

3. If such offense is a violation of:

<i>Art.</i>	<i>Sec.</i>	<i>Part</i>	<i>Violation</i>
IV	1	3	Parking upon any crosswalk

Eighty-five (\$85.00) dollars if paid within twenty-one (21) days. A penalty of twenty-eight (\$28.00) dollars will be assessed if the violation remains unpaid twenty-one (21) days after issuance of a notice of such violation.

4. If such offense is a violation of:

<i>Art.</i>	<i>Sec.</i>	<i>Part</i>	<i>Violation</i>
IV	2		Parking where stopping, standing is prohibited

Seventy-five (\$75.00) dollars if paid within twenty-one (21) days. A penalty of twenty-five (\$25.00) dollars will be assessed if the violation remains unpaid twenty-one (21) days after issuance of a notice of such violation.

5. If such offense is a violation of:

<i>Art.</i>	<i>Sec.</i>	<i>Part</i>	<i>Violation</i>
IV	1	2	Parking upon any sidewalk
IV	12B		Parking commercial vehicle overnight

Sixty-five (\$65.00) dollars if paid within twenty-one (21) days. A penalty of twenty-one (\$21.00) dollars will be assessed if the violation remains unpaid twenty-one (21) days after issuance of a notice of such violation.

6. If such offense is a violation of:

<i>Art.</i>	<i>Sec.</i>	<i>Part</i>	<i>Violation</i>
IV	11		Parking in an area designated as a loading zone
IV	3		Parking where parking is prohibited

Fifty-five (\$55.00) dollars if paid within twenty-one (21) days. A penalty of eighteen (\$18.00) dollars will be assessed if the violation remains unpaid twenty-one (21) days after issuance of a notice of such violation.

7. If such offense is a violation of:

<i>Art.</i>	<i>Sec.</i>	<i>Part</i>	<i>Violation</i>
IV	1	11	Parking in excess of one (1) vehicle width from the edge or curb of a roadway (double parking).
IV	18		Parking during weather emergencies

Forty-five (\$45.00) dollars if paid within twenty-one (21) days. A penalty of fifteen (\$15.00) dollars will be assessed if the violation remains unpaid twenty-one (21) days after issuance of a notice of such violation.

8. If such offense is a violation of:

<i>Art.</i>	<i>Sec.</i>	<i>Part</i>	<i>Violation</i>
IV	1	1	Parking within an intersection
IV	1	4	Parking within twenty (20') feet of an intersecting way, except alleys
IV	1	15	Parking adjacent to or upon any center division strip, streetcar reservation or traffic island
IV	1	21	Parking where signs are erected for "Resident Permit Parking Only" without a valid Resident Parking Sticker.
IV	1	16	Parking where at least one (1) sign has been placed for the purpose of facilitating street cleaning
IV	1	24	Parking without a valid registration plate
IV	1	25	Parking without a valid certificate of inspection
IV	1	26	Parking for the purpose of performing non-emergency repairs to a vehicle
IV	1	30	Parking with an expired registration

Forty (\$40.00) dollars if paid within twenty-one (21) days. A penalty of thirteen (\$13.00) dollars will be assessed if the violation remains unpaid twenty-one (21) days after issuance of a notice of such violation.

9. If such offense is a violation of:

<i>Art.</i>	<i>Sec.</i>	<i>Part</i>	<i>Violation</i>
IV	1	14	Parking in a Public Hackney Carriage Stand (Taxi Stand)

Fifty (\$50.00) dollars if paid within twenty-one (21) days. A penalty of sixteen (\$16.00) dollars will be assessed if the violation remains unpaid twenty-one (21) days after issuance of a notice of such violation.

10. If such offense is a violation of:

<i>Art.</i>	<i>Sec.</i>	<i>Part</i>	<i>Violation</i>
IV	1	9	Parking more than one (1') foot from the curb

Thirty-five (\$35.00) dollars if paid within twenty-one (21) days. A penalty of eleven (\$11.00) dollars will be assessed if the violation remains unpaid twenty-one (21) days after issuance of a notice of such violation.



## 11. If such offense is a violation of:

<i>Art.</i>	<i>Sec.</i>	<i>Part</i>	<i>Violation</i>
IV	1	7	Parking in front of any driveway
IV	4	1	Parking unless wholly within a metered space
IV	4	2	Failure to deposit coin in meter
IV	4	5	Parking over the time limit posted on meter
IV	4	6	Parking in a metered space where the meter device displays the statement: "Out of Order"
IV	1	2	Parking over posted time limit

Twenty-five (\$25.00) dollars if paid within twenty-one (21) days. A penalty of eight (\$8.00) dollars will be assessed if the violation remains unpaid twenty-one (21) days after issuance of a notice of such violation.

## 12. If such an offense is a violation of:

<i>Art.</i>	<i>Sec.</i>	<i>Part.</i>	<i>Violation</i>
IV	4	8	Parking in a metered space where the meter device displays the statement: "Not a Legal Space—Violation"

Twenty (\$20.00) dollars if paid within twenty-one (21) days. A penalty of six (\$6.00) dollars will be assessed if the violation remains unpaid twenty-one (21) days after issuance of a notice of such violation.

## 13. If such an offense is a violation of:

<i>Art.</i>	<i>Sec.</i>	<i>Part</i>	<i>Violation</i>
IV	1	5	Parking near a fire station
IV	1	8	Parking upon a bridge or viaduct, or within a highway tunnel or underpass
IV	1	12	Parking so as to obstruct the movement of public transportation
IV	1	17	Parking within a turnaround at the end of any dead-end street
IV	1	18	Parking where at least one (1) sign has been placed for the purpose of facilitating snow removal
IV	1	20	Parking in the wrong direction of travel
IV	6		Parking parallel where only angle parking is allowed
IV	7		Parking of unattached trailers or semi-trailers
IV	8		Parking at an angle where angle parking is prohibited

Fifteen (\$15.00) dollars if paid within twenty-one (21) days. A penalty of five (\$5.00) dollars will be assessed if the violation remains unpaid twenty-one (21) days after issuance of a notice of such violation.

**IN ZONE B**

For every offense subject to said Section committed by the offender NOT in the aforesaid Zone A of the City of Boston.

1. If such offense is a violation of:

<i>Art.</i>	<i>Sec.</i>	<i>Part</i>	<i>Violation</i>
IV	1	22	Parking in a space reserved for HP or DV plate vehicles

One hundred twenty (\$120.00) dollars if paid within twenty-one (21) days. A penalty of forty (\$40.00) dollars will be assessed if the violation remains unpaid twenty-one (21) days after issuance of a notice of such violation.

2. If such offense is a violation of:

<i>Art.</i>	<i>Sec.</i>	<i>Part</i>	<i>Violation</i>
IV	12A		Overnight parking of heavy vehicles (12,000 lbs. GVW) in residential area
IV	1	23	Parking in front of any curb ramp designed for use by handicapped persons
IV	1	6	Parking within ten (10) feet of a fire hydrant
IV	1	10	Parking so as not to leave a clear and obstructed ten (10') foot lane (Fire Lane)
IV	1	27	Parking in a marked or shared bike lane
IV	1	28	Parking in a Pedestrian Safety Zone
IV	1	29	No Valid Resident Permit Parking Permit/Sticker
IV	10		Parking in an area designated as a bus stop

One hundred (\$100.00) dollars if paid within twenty-one (21) days. A penalty of thirty-three (\$33.00) dollars will be assessed if the violation remains unpaid twenty-one (21) days after issuance of a notice of such violation.

3. If such offense is a violation of:

<i>Art.</i>	<i>Sec</i>	<i>Part</i>	<i>Violation</i>
IV	1	3	Parking upon any crosswalk

Eighty-five (\$85.00) dollars if paid within twenty-one (21) days. A penalty of twenty-eight (\$28.00) dollars will be assessed if the violation remains unpaid twenty-one (21) days after issuance of a notice of such violation.

4. If such offense is a violation of:

<i>Art.</i>	<i>Sec.</i>	<i>Part</i>	<i>Violation</i>
IV	2		Parking where stopping, standing is prohibited

Seventy-five (\$75.00) dollars if paid within twenty-one (21) days. A penalty of twenty-five (\$25.00) dollars will be assessed if the violation remains unpaid twenty-one (21) days after issuance of a notice of such violation.

5. If such offense is a violation of:

<i>Art.</i>	<i>Sec.</i>	<i>Part</i>	<i>Violation</i>
IV	1	2	Parking upon any sidewalk
IV	12B		Parking commercial vehicle overnight

Sixty-five (\$65.00) dollars if paid within twenty-one (21) days. A penalty of twenty-one (\$21.00) dollars will be assessed if the violation remains unpaid twenty-one (21) days after issuance of a notice of such violation.

6. If such offense is a violation of:

<i>Art.</i>	<i>Sec.</i>	<i>Part</i>	<i>Violation</i>
IV	11		Parking in an area designated as a loading zone

Fifty-five (\$55.00) dollars if paid within twenty-one (21) days. A penalty of eighteen (\$18.00) dollars will be assessed if the violation remains unpaid twenty-one (21) days after issuance of a notice of such violation.

7. If such offense is a violation of:

<i>Art.</i>	<i>Sec.</i>	<i>Part</i>	<i>Violation</i>
IV	1	14	Parking in a Public Hackney Carriage Stand (Taxi Stand)

Fifty (\$50.00) dollars if paid within twenty-one (21) days. A penalty of sixteen (\$16.00) dollars will be assessed if the violation remains unpaid twenty-one (21) days after issuance of a notice of such violation.

8. If such offense is a violation of:

<i>Art.</i>	<i>Sec.</i>	<i>Part</i>	<i>Violation</i>
IV	18		Parking during weather emergencies

Forty-five (\$45.00) dollars if paid within twenty-one (21) days. A penalty of fifteen (\$15.00) dollars will be assessed if the violation remains unpaid twenty-one (21) days after issuance of a notice of such violation.

## 9. If such offense is a violation of:

<i>Art.</i>	<i>Sec.</i>	<i>Part</i>	<i>Violation</i>
IV	1	1	Parking within an intersection
IV	1	4	Parking within twenty (20') feet of an intersecting way, except alleys
IV	1	15	Parking adjacent to or upon any center division strip, streetcar reservation or traffic island
IV	1	21	Parking where signs are erected for "Resident Permit Parking Only" without a valid Resident Parking Sticker
IV	1	16	Parking where at least one (1) sign has been placed for the purpose of facilitating street cleaning
IV	1	24	Parking without a valid registration plate
IV	1	25	Parking without a valid certificate of inspection
IV	1	26	Parking for the purpose of performing non-emergency repairs to a vehicle
IV	1	30	Parking with an expired registration

Forty (\$40.00) dollars if paid within twenty-one (21) days. A penalty of thirteen (\$13.00) dollars will be assessed if the violation remains unpaid twenty-one (21) days after issuance of a notice of such violation.

## 10. If such offense is a violation of:

<i>Art.</i>	<i>Sec.</i>	<i>Part</i>	<i>Violation</i>
IV	1	9	Parking more than one (1') foot from the curb

Thirty-five (\$35.00) dollars if paid within twenty-one (21) days. A penalty of eleven (\$11.00) dollars will be assessed if the violation remains unpaid twenty-one (21) days after issuance of a notice of such violation.

## 11. If such offense is a violation of:

<i>Art.</i>	<i>Sec.</i>	<i>Part</i>	<i>Violation</i>
IV	1	11	Parking in excess of one (1) vehicle width from the edge or curb of a roadway (double parking).

Thirty (\$30.00) dollars if paid within twenty-one (21) days. A penalty of ten (\$10.00) dollars will be assessed if the violation remains unpaid twenty-one (21) days after issuance of a notice of such violation.

## 12. If such offense is a violation of:

<i>Art.</i>	<i>Sec.</i>	<i>Part</i>	<i>Violation</i>
IV	1	7	Parking in front of any driveway
IV	4	1	Parking unless wholly within a metered space
IV	4	2	Failure to deposit coin in meter

IV	4	5	Parking over the time limit posted on meter
IV	4	6	Parking in a metered space where the meter device displays the statement: "Out of Order"
IV	3		Parking where parking is prohibited
IV	12		Parking over posted time limit

Twenty-five (\$25.00) dollars if paid within twenty-one (21) days. A penalty of eight (\$8.00) dollars will be assessed if the violation remains unpaid twenty-one (21) days after issuance of a notice of such violation.

13. If such an offense is a violation of:

<i>Art.</i>	<i>Sec.</i>	<i>Part.</i>	<i>Violation</i>
IV	4	8	Parking in a metered space where the meter device displays the statement: "Not a Legal Space—Violation"

Twenty (\$20.00) dollars if paid within twenty-one (21) days. A penalty of six (\$6.00) dollars will be assessed if the violation remains unpaid twenty-one (21) days after issuance of a notice of such violation.

14. If such an offense is a violation of:

<i>Art.</i>	<i>Sec.</i>	<i>Part</i>	<i>Violation</i>
IV	1	5	Parking near a fire station
IV	1	8	Parking upon a bridge or viaduct, or within a highway tunnel or underpass
IV	1	12	Parking so as to obstruct the movement of public transportation
IV	1	17	Parking within a turnaround at the end of any dead-end street
IV	1	18	Parking where at least one (1) sign has been placed for the purpose of facilitating snow removal
IV	1	20	Parking in the wrong direction of travel
IV	6		Parking parallel where only angle parking is allowed
IV	7		Parking of unattached trailers or semi-trailers
IV	8		Parking at an angle where angle parking is prohibited

Fifteen (\$15.00) dollars if paid within twenty-one (21) days. A penalty of five (\$5.00) dollars will be assessed if the violation remains unpaid twenty-one (21) days after issuance of a notice of such violation.

## BOSTON PARKING FINE STRUCTURE

(in order of severity)

<i>Violation</i>	<i>Fine</i>	<i>Penalty</i>
HP-DV Plate Parking Only	\$120	\$40
Overnight Heavy Vehicle in Residential Area (12,000 lbs. GVW)	\$100	\$33
Hydrant	\$100	\$33
Handicap Ramp	\$100	\$33
Unobstructed 10' Fire Lane	\$100	\$33
No Valid Resident Parking Permit/Sticker	\$100	\$33
Bike Lane	\$100	\$33
Pedestrian Zone	\$100	\$33
Bus Stop	\$100	\$33
Upon any Crosswalk	\$85	\$28
No Stopping or Standing	\$75	\$25
Upon any Sidewalk	\$65	\$21
No Overnight Commercial Vehicles	\$65	\$21
No Parking (Zone A/Zone B)	\$55 /\$25	\$18/\$8
Loading Zone	\$55	\$18
Taxi Stand	\$50	\$16
Double Parking (Zone A/Zone B)	\$45/\$30	\$15/\$10
Weather Emergency	\$45	\$15
Resident Permit Parking Only	\$40	\$13
Within 20' of an Intersection	\$40	\$13
Island/Center Strip/Street Car Reservation	\$40	\$13
Street Cleaning	\$40	\$13
No Valid Registration Plate	\$40	\$13
No Valid Certificate of Inspection	\$40	\$13
Expired Registration	\$40	\$13
Non-Emergency Repairs	\$40	\$13
Over One Foot From Curb	\$35	\$11
Driveway	\$25	\$8
Meter Fee Unpaid	\$25	\$8
Over Meter Limit	\$25	\$8
Not in Metered Space	\$25	\$8
Meter Violation ("Out of Order")	\$25	\$8
Over Posted Limit (Zone A/Zone B)	\$25	\$8
Meter Violation ("Not a Legal Space")	\$20	\$6
Wrong Direction	\$15	\$5
Angle Parking Prohibited	\$15	\$5
Angle Parking Only	\$15	\$5
All Others	\$15	\$5

If an unpaid violation is forwarded to the Massachusetts Registry of Motor Vehicles for non-renewal of the registered owner's driver's license or motor vehicle registration there shall be an additional fee of twenty (\$20.00) dollars assessed in accordance with Section 20A1/2 of Chapter 90 of Massachusetts General Laws (as amended by Section 22 of Chapter 153 of the Acts of 1992).

## **Section 2. Removal of Vehicles Parking or Standing in Violation of Law on Public Ways in Certain Areas**

The Police Commissioner of the City, or such sergeants or officers of higher rank in the Police Department of the City as he/she may from time to time designate, is hereby authorized to remove to some convenient place, through the agency of a person or persons in the employ of the City or by an independent contractor selected on the basis of competitive bids invited by advertisement in the City Record, as said Police Commissioner shall from time to time determine, any vehicle, except a vehicle owned by the Commonwealth or a political division thereof, or registered by a member of a foreign diplomatic corps or by a foreign consular officer who is not a citizen of the United States and bearing a distinctive number plate or otherwise conspicuously marked as so owned or registered, and except also a vehicle owned by a disabled veteran and bearing a distinctive number plate authorized by Section 2 of Chapter 90 of the Massachusetts General Laws, stopped, standing or parked on any part of any street, way, highway, road, or parkway under the control of the City in violation of any provision of Parts 2 and 3 of this Section of these Rules and Regulations of the City of Boston Transportation Department which prohibit the stopping, standing or parking of all vehicles on such part at such time, and liability for the reasonable cost of such removal, and of the storage charges, if any, resulting therefrom is hereby imposed upon the owner of such vehicle, provided, however, that the liability so imposed for removal shall not exceed twelve (\$12.00) dollars, and that the liability so imposed for storage shall not exceed the schedule of maximum rates contained in the then latest lease of an off-street parking facility under Chapter 474 of the Acts of 1946, as amended. Every vehicle removed pursuant to this Section shall be held until all charges lawfully imposed for such removal and storage following the same have been paid.

1. General Prohibitions-Tow Zone: No driver shall stop, stand or park a vehicle in any of the following places:
  - a. Within an intersection., except in those areas where the installation and erection of parking meters have been approved by the Boston Transportation Commissioner.
  - b. Upon any sidewalk.
  - c. Upon any crosswalk.
  - d. Upon any street or way within twenty (20') feet on an intersection way, except alleys.

- e. Within twenty (20') feet of the driveway entrance to any fire station or on the side of the street opposite the driveway entrance to any fire station within seventy-five (75') feet of said driveway entrance, provided at least one official sign is erected and maintained.
- f. Upon any street or way within ten (10') feet of a fire hydrant, the distance to be measured from the point of the edge or curb of said street or way nearest said fire hydrant.
- g. In front of any driveway.
- h. Upon any roadway, unless both wheels on the side of the vehicle adjacent to the curb are within one (1') foot of the curb or edge of the roadway, except where angle parking is permitted or commercial vehicles, as defined, are permitted to back to the curb or edge of the roadway.
- i. Upon any roadway where the parking of a vehicle will not leave a clear and unobstructed lane of at least ten (10') feet wide for passing traffic.
- j. In excess of one (1) vehicle width from the curb or edge of a roadway.
- k. Upon any roadway in such a manner as to obstruct the movement of any streetcar, bus, or railroad train.
- l. Adjacent to or upon any center division strip, streetcar reservation or island placed upon and being a part of any public way, unless the vehicle is entirely within a parking meter space otherwise provided in these Rules and Regulations.
- m. In any street, or part thereof, where at least one (1) sign prohibits parking for the purpose of facilitating snow removal, unless the vehicle is a passenger vehicle stopped temporarily during the actual receiving or discharging of passengers or a commercial vehicle, as defined, stopped during the actual loading or unloading of goods.
- n. Upon any street or way within fifty (50') feet of an intersecting way where at least one (1) official sign is erected.
- o. Upon any roadway, unless the vehicle is parked facing in the direction of traffic flow on that side of the street, except where angle parking is permitted or commercial vehicles, as defined, are permitted to back to the curb or edge of the roadway.
- p. In any street or part thereof where at least one (1) sign is erected reserving the space for HP (handicap) or DV (disabled veteran) plate vehicles, except for disabled veteran/handicap plate/handicap placard vehicles, as defined.
- q. In front of any curb ramp designed for use by handicapped persons.
- r. Upon any street, way, highway, road or parkway, unless the vehicle displays a valid registration plate as required by Chapter 90 of Massachusetts General Laws.



- s. Upon any street, way, highway, road or parkway, unless the vehicle displays a valid certificate of inspection as required by Chapter 90 of Massachusetts General Laws.
- t. Upon any street, way, highway, road or parkway, for the purpose of performing non-emergency repairs to a vehicle.
- u. Parking or standing any commercial vehicle or semi-trailer having a capacity of one (1) ton or over for more than one (1) hour between nine (9:00) PM. of one (1) day and eight (8:00) A.M. of the following day, or at any time on Sunday, on any part of any street, way, highway, road, or parkway under the control of the City, where parking or standing a vehicle is not otherwise prohibited, provided that this Regulation shall not apply during the actual loading or unloading of materials.
- v. Parking or standing a motor vehicle of any type having a gross vehicle weight in excess of twelve thousand (12,000) pounds between the hours of nine (9:00) PM of one (1) day and eight (8:00) AM of the following day or anytime on Sunday, on any part of any street, way, highway, road or parkway under the control of the City that is residential.

## 2. Specific Prohibitions-Tow Zones:

- a. No driver shall stop, stand, or park a vehicle in any of the following places:

In an area where at least one (1) official traffic sign bearing the legend "Tow Zone" is installed.

In any area designated as a bus stop, except buses.

In any area designated as a loading zone, except commercial vehicles, as defined.

In any Public Hackney Carriage Stand which has been officially established by the Boston Police Department, except taxis licensed by the Boston Police Department.

In any road in Franklin Park from which motor vehicles have been excluded.

3. Official Traffic Signs: The provisions of Part 3 of this Section shall be effective only during such time as at least one (1) official traffic sign bearing the legend "Tow Zone" is installed and located so as to be visible to approaching drivers, said sign to be appended above or incorporated into the legend of signs prohibiting stopping, standing, or parking.

Whoever violates any of the provisions of Parts 2 and 3 of this Section of the Rules and Regulations of the City of Boston Transportation Department shall be liable to charge for the removal and storage of the vehicle as well as subject to punishment by fine.

**ARTICLE XI****SEVERABILITY**

The provisions of these Traffic Rules and Regulations of the City of Boston are hereby declared to be severable; and if any provision hereof any Rule is invalid, such invalidity shall not affect or impair any other provision hereof.

**GENERAL INFORMATION****THE OFFICE OF THE PARKING CLERK**

The responsibility for the adjudication, collection and processing of parking tickets issued within the City of Boston belongs to the Office of the Parking Clerk, an agency within the City of Boston's Transportation Department. The Office of the Parking Clerk was charged with this responsibility by an Act of the State Legislature, which transferred this authority from the Commonwealth District Court System to the cities and towns of ticket issuance. It is the goal of the Office of the Parking Clerk to offer a civil hearing that is fair and equitable for the administrative adjudication of contested parking violations.

**RULES REGULATING OPEN-AIR PARKING SPACES**

ORDERED, that until otherwise ordered, every original license, and every renewal license, hereafter granted under Section 56 of Chapter 148 of Massachusetts General Laws to engage in the business of conducting or maintaining an open-air parking space shall, unless the application therefore sets forth extraordinary or unreasonable conditions, be granted upon the condition that the licensee shall conform to the Rules set forth below. The Rules regulating Open Air Parking Spaces is hereby declared to be severable; and if any provision of any Rule is invalid, such invalidity shall not affect or impair any other provision of such Rule or any other Rule:

**RULE 1. Definitions**

In construing these Rules, the following words shall, unless a contrary intention clearly appears, have the meaning herein given.

**"COMMISSIONER"**: Commissioner of Transportation.

**"LICENSE"**: a license granted under Section 56 of Chapter 148 of Massachusetts General Laws; and **"LICENSEE"**: the holder of such a license.

**"PARKING SPACE"**: an open-air parking space within the meaning of Section 56 of Chapter 148 of Massachusetts General Laws.

**RULE 2. Application for Original License or for Renewal of Existing License**

A person desiring a license or a person desiring to renew a license, shall apply in writing to the Commissioner at least two (2) months before such license or renewal is to take effect. Such application shall be on a form furnished by the Commissioner, shall be signed by the applicant or, if the applicant is a partnership or corporation, by a duly authorized agent thereof. All applications shall be typed and shall be originals, no duplicates of previous licenses will be accepted, and shall specify:

1. All the premises to be occupied by the applicant for the purpose of conducting the business to be licensed (including the street and number of such premises). The total area of the space therein to be actually used for parking and/or storing vehicles, and the maximum number of vehicles to be parked and/or stored in such area.
2. In the case of an individual, his/her name and place of residence, a telephone number where he/she may be contacted while the parking space is open for parking and/or storing vehicles, and a telephone number where he/she may be contacted when the parking space is not open for parking and/or storing vehicles.
3. In the case of a partnership, the business name, address and telephone number of the partnership, the name and place of residence of each partner, and for each partner, a telephone number where he/she may be contacted while the parking space is open for parking and/or storing vehicles and a telephone number where he/she may be contacted when the parking space is not open for parking and/or storing vehicles.
4. In the case of a corporation, its name, date and place of incorporation, principal office address and telephone number, the names and places of residence of its president, treasurer, and clerk, the respective telephone numbers where they severally may be contacted while the parking space is open for parking and/or storing vehicles, and the respective telephone numbers where they severally may be contacted when the parking space is not open for parking and/or storing vehicles.

Such application shall be accompanied by a seventeen inch by twenty-two inch (17" x 22"), minimum, layout plan, drawn to a scale of one inch equals forty feet (1" = 40'), prepared by a registered land surveyor, architect, or civil engineer with distances, the boundaries of the parking space, the adjoining portions of abutting ways and estates, every structure outside the limits of the parking space but within ten (10) feet of any boundary thereof, all driveways for the parking space, all lanes of ingress and egress within the parking space, the location of all barriers, each space to be used for parking and/or storing a vehicle, the location of every attendant's station, the location of every mechanically controlled gate, and every place for fire extinguishing equipment, and bearing legends indicating the type of surfacing and method of marking lanes of ingress and egress (cones, stanchions, painted markings, etc.) and showing each space to be used for parking and/or storing a vehicle, and a eight and one-half inch by eleven inch (8-1/2" x 11") drawing made to a scale noted thereon, of every sign to be maintained on the parking space pursuant to Rule 6 herein.

If, while a license is in effect, there is a reduction in the gross area of the premises to be occupied under the license as specified in the application therefor, or there is a change in the name, place of residence, or telephone number of an individual licensee or, if the licensee is a partnership, in its business name, address, or telephone number or the name, place of residence, or telephone number of any partner or, if the licensee is a corporation, in its name, principal office address or telephone number or in its president, treasurer, or clerk or the name, place of residence, or telephone number of its president, treasurer or clerk, the licensee shall forthwith notify the Commissioner thereof in writing. If, while a license is in effect, the licensee desires to make any change in the layout of his/her parking space or in any sign maintained pursuant to Rule 6 herein, he/she may petition the Commissioner in writing for leave to substitute for the layout plan or sign drawing accompanying the application for his/her license a seventeen inch by twenty-two inch (17" x 22") plan or eight and one-half inch by eleven inch (8-1/2" x 11") sign drawing annexed to such petition; and such substitution shall be deemed to occur upon the approval of the Commissioner of such petition, but not otherwise.

### **RULE 3. Termination of License**

A license shall, unless sooner revoked, expire on the first (1st) day of July in the year next succeeding the year in which it takes effect, or on such earlier date as may be specified in the license. A license may be suspended or revoked by the Commissioner at any time after notice and hearing, if there is a false statement or misrepresentation of material fact in the application therefor or if, while the license is in force, the licensee violates any condition of the license or any statute, ordinance, rule, or regulation of the license. A license granted in renewal of an earlier license may be likewise suspended or revoked for any cause aforesaid or if, while the earlier license was in force, the licensee violated any condition thereof or any statute, ordinance, rule, or regulation.

### **RULE 4. License Not Transferable**

No license shall be transferred, assigned, or used by any person other than the one to whom it is issued, or used at any location other than the one for which it is issued. Monthly space fees for licenses not in effect for the entire term may be rebated on a prorated basis.

### **RULE 5. Pavement, Pavement Markings, and General Maintenance**

No licensee shall have his/her parking space open for the parking and/or storing of vehicles unless the surface thereof is such that at all times it provides for vehicles parked and/or stored, a hard stand free from dust, mud, ruts, ridges, frost, leaves, holes, and puddles of water, nor unless there are maintained in good condition markings (cones, stanchions, painted markings, etc.) delineating all lanes for ingress or egress. In the case of any space having an asphalt or concrete surface, all markings shall be in paint. Nor shall any licensee have his/her parking space open for the parking and/or storing of vehicles unless every boundary of his/her parking space abutting on a public way or public alley is, except at the driveways therefor, equipped with barriers so constructed, maintained, and permanently affixed to the surface of each space as to withstand the shocks and stresses to which they

will normally be subjected by vehicles using such space and of such height not less than six (6") inches above the surface of the parking space, as to engage the wheel of any vehicle parked and/or stored on such space and that no portion of such vehicle shall extend over such boundary or obstruct egress from any fire escape or fire door. The Commissioner shall have the authority to require any licensee to install barriers along any boundary line of the licensee's space, if in the opinion of the Commissioner, such installation is necessary to maintain the integrity of the licensee's space. Nor shall any licensee have his/her parking space open for the parking and/or storing of vehicles unless he/she is maintaining all maneuvering areas shown on the layout plan accompanying the application for his/her license.

Vehicles parked perpendicular to any building or structure must have appropriate barriers, as previously defined in this Rule, installed to engage the wheel of any vehicle parked and/or stored on such space, so that no portion of such vehicle shall be permitted to come in contact with the building or structure. (Waiver of the above barrier requirement may be granted by the Commissioner in writing, upon the submission of a written request by the lot operator, accompanied by a letter or letters of concurrence from all adjacent building or structure owners.)

A licensee shall so maintain his/her parking space so that no substance thereon shall be blown or scattered by the movement of vehicles or the wind, or otherwise carried onto any other estate, public way, alley, or private way open to public use; and no licensee shall deposit or suffer to be deposited, upon any public way, alley, or private way open to public use, any snow, ice, or other substance of any kind removed from his/her parking space. A licensee shall keep the sidewalks (including all driveways therein) abutting his/her parking space free from dirt, ice, sleet, and snow, and in a safe condition for the travel of pedestrians.

### **RULE 6. Signs.**

No licensee shall have his/her parking space open for the parking and/or storing of vehicles unless there is at each entrance thereto, a permanently affixed sign conforming in every respect to the sign drawing accompanying the application for his/her license and setting forth in capital letters of plain gothic type not less than three (3") inches in height or in Arabic numerals not less than three (3") inches in height:

1. The name of the licensee.
2. An address and telephone number where the licensee (or agent of the licensee) may be contacted both when the parking space is open and not open for parking and/or storing vehicles.
3. The words "LICENSE NO." followed by the number of his/her license, and the word "CAPACITY" followed by the total number of spaces on the layout plan accompanying the application for his/her license as spaces to be used for parking and/or storing vehicles. Also, the words: "LICENSED BY THE CITY OF BOSTON TRANSPORTATION DEPARTMENT."

4. The days and hours when the parking space is open for parking and/or storing vehicles.
5. The rates charged and if different rates are charged at different times, the respective days and hours when different rates are charged. Where more than one rate is charged, the figures for each rate shall be not less than one and one-half (1 1/2") inches in height.
6. Each sign shall be so constructed that all information shall be permanently painted on each sign face. This stipulation is to preclude the use of any type of material, other than paint, to temporarily or permanently change the information required on each sign face. Each sign shall be erected at a height of not less than eight (8') feet nor more than twelve (12') feet above the sidewalk level, and shall be so erected as not to interfere with, mislead, or confuse traffic. The use of any type of ground mounted sign within the public way, including the public sidewalk, is expressly prohibited as part of this Regulation.

#### **RULE 7. Fire Extinguishing Equipment**

Every licensee shall at all times maintain on his/her parking space a place for fire extinguishing equipment away from heat generated from natural or artificial sources. A licensee shall, at all times when his/her parking space is open for parking and/or storing vehicles, keep every place for fire extinguishing equipment readily accessible, and shall provide at least one (1), minimum twenty (20 lb.) pound BC rated, portable fire extinguisher. If the layout plan accompanying the application for his/her license shows more than seventy (70) spaces to be used for the parking and/or storing of vehicles, one (1) additional fire extinguisher, of equal size to the required extinguisher, will be required. No licensee shall have his/her parking space open for the parking and/or storing of vehicles unless every place where fire extinguishing equipment is kept is signified by conspicuous and readily intelligible markings open to clear view both by persons on foot and by persons in vehicles.

#### **RULE 8. Parking Space Personnel**

Every licensee shall, at all times when his/her parking space is open for parking and/or storing vehicles on a daily (or shorter interval) rate basis, keep on such space, unless every entrance thereto is mechanically controlled, a suitable person, employed by the licensee, in direct charge of his/her parking space, who is properly licensed by the Registry of Motor Vehicles of the Commonwealth of Massachusetts to operate motor vehicles.

#### **RULE 9. Parking and/or Storing of Vehicles**

No licensee shall permit a vehicle to enter or leave his/her parking space except over a driveway. No licensee shall, while his/her parking space is open for the parking and/or storing of vehicles, obstruct or suffer to be or remain obstructed, any lane of ingress or egress shown on the layout plan accompanying the application for his/her license. No licensee shall receive for parking and/or storing, any vehicle not wholly within the limits of his/her parking space, and no licensee shall deliver except within such limits a vehicle parked and/or stored on his/her parking space. No licensee shall charge a rate for parking

and/or storing a vehicle for any interval of time different from the rate specified for such interval on any sign on his/her parking space.

Except in case of fire or other casualty, no licensee shall move out of his/her parking space, onto any public way, any vehicle parked and/or stored thereon, unless first expressly authorized in writing by the owner or person having control of such vehicle. No licensee shall use, or permit to be used, for any purpose whatsoever, any vehicle parked and/or stored in his/her parking space, unless such use shall have first been expressly authorized in writing by the owner or person having control of such vehicle. Nothing in this Rule shall be construed to prevent a licensee from moving a vehicle from one space to another space within his/her parking space.

### **RULE 10. Identification Check**

When a vehicle is received for parking and/or storing on a daily (or shorter interval) rate basis, unless every entrance to and exit from the parking space is mechanically controlled, the licensee shall tender, or cause to be tendered, to the person presenting such vehicle for parking and/or storing, an identification check which shall have printed or written thereon the name of the licensee, the address of the parking space, and the date and time of parking and/or storing of such vehicle. If the licensee requires that such vehicle be left in his/her control, such identification check shall also have printed or written thereon a distinctive number, and the licensee shall fasten, or cause to be fastened, on such vehicle a card having the same distinctive number printed or written thereon. If the licensee shall fasten, or cause to be fastened, on a vehicle any such card, tag, or other device for the purpose of identification, he/she shall so fasten it, or cause it to be so fastened, so as not to obscure any part of any number plate on such vehicle.

### **RULE 11. Exemption from Liability Prohibited**

No licensee shall, except by a covenant or release limited to a particular claim and executed subsequent to its accrual, be exempted by agreement or otherwise from, nor shall he/she by any words on an identification check or a sign or in any other way whatsoever preclude, his/her liability for injury to, or the death of, any person or damage to, or conversion or loss of, any property arising from any omission, fault, negligence or other misconduct on his/her part or on the part of his/her agents or servants, in the conduct or maintenance of his/her parking space. Every licensee shall pay every final judgment against him/her arising out of any such omission, fault, negligence, or other misconduct.

### **RULE 12. Report of Injury, Damage, or Loss**

Every licensee shall forthwith report in writing to the Commissioner, every injury, death of a person, damage, conversion, or loss of property, known or alleged to have occurred on his/her parking space. Every claim against him/her for injury or death of a person, damage to, conversion, or loss of property, alleged to have arisen from omission, fault, negligence, or other misconduct on his/her part, or on the part of his/her agents or servants, in the conduct or maintenance of his/her parking space shall also be reported by the licensee in writing to the Commissioner. Every licensee shall also immediately notify Boston Police

Headquarters of every crime committed, alleged, or suspected to have been committed, on his/her parking space.

### **RULE 13. Handicapped Parking Spaces**

Pursuant to the City of Boston Code, Ordinances, Title 6, Sections 200, 201 and 203 and Chapter 644 of the Acts of 1981, as amended, every licensee shall be required to provide handicapped parking spaces in the numbers and size as required. The Commissioner will waive this requirement unless and until a written request is received by a handicapped or disabled individual requesting space be provided. At that time the Commissioner shall notify the licensee, in writing, that space must be provided as defined. Failure to comply immediately shall be grounds for immediate revocation, without a hearing, of the license to operate.

### **RULE 14. Vehicle Ingress and Egress**

All applications for original licenses or for renewal of existing licenses are subject to an evaluation by the Commissioner in order to insure that there is safe and adequate vehicular ingress and egress to the parking space and that the vehicular traffic generated will not create undue traffic congestion in the vicinity of the parking space or pose a public safety hazard. An evaluation may examine the anticipated number of vehicles that will enter and leave the parking space during the AM and PM peak hours, the turning movements required for vehicles that will enter and leave the parking space, the anticipated vehicular volumes on streets in the vicinity of the parking space, the existing background vehicular volumes on streets in the vicinity of the parking space, pedestrian volume counts in the crosswalks in the vicinity of the parking space, accident experience in the vicinity of the parking space and the location of schools in the vicinity of the parking space. An evaluation may, at the discretion of the Commissioner, include a public hearing. Based on the results of an evaluation the Commissioner may impose conditions upon operation of the parking space including, but not limited to designation of sites of access and egress, designation of travel routes to the parking space, designation of times for peak hour ingress and egress and/or a reduction of the number of parking spaces sought by the applicant.

### **SECTION 56 OF CHAPTER 148 OF MASSACHUSETTS GENERAL LAWS**

(Accepted by the City of Boston by vote passed by its City Council on December 29, 1930, and approved by its Mayor on December 30, 1930.)

In any city or town which accepts the provisions of this Section, no person shall engage in the business of conducting or maintaining an open-air parking space without a license therefor granted, in the City of Boston, by its Commissioner of Transportation, and in any other city or town, by the local licensing authority, approved in all cases by the head of the Fire Department. Each license granted under this Section and the application therefor shall specify all the premises to be occupied by the licensee for the purpose of conducting the licensed business, the total area of the space therein to be actually used for parking or storing vehicles, and the maximum number of vehicles to be parked or stored in such area.



The fee for each such license shall be such amount as may be established by the authority granting the license, and said authority may reasonably classify said licenses and fees. Licenses granted hereunder shall expire on April thirtieth (30th) following the date of issue, or on such date as may be specified therein, and may be suspended or revoked by such authority and by the head of the Fire Department. Whoever, not being licensed, engages in a business required by this Section to be licensed, or is concerned therein, or, being licensed, violates any condition of his license or engages in such business, or is concerned therein, in any other place than that designated in his license or after notice to him that his license has been suspended or revoked, shall be punished by a fine of not more than three hundred (\$300.00) dollars.

City of Boston Code, Ordinances, Chapter 18, Section 18-1.16.2

The fee for a license granted by the Commissioner of Transportation under Section 56 of Chapter 148 of Massachusetts General Laws to engage in the business of conducting or maintaining an open-air parking space in the City of Boston shall be five dollars (\$5.00) per space per month for all such open-air parking spaces, regardless of capacity, within the area bounded by and including Boston Harbor, the Charles River, the Boston University Bridge, the Brookline town line, Huntington Avenue, Ruggles Street, the M.B.T.A. Southwest Corridor, Massachusetts Avenue, Albany Street, the Broadway Bridge, Broadway, C Street, Summer Street and the Viaduct extended to Boston Harbor. The fee for such a license shall be two dollars and fifty cents (\$2.50) per space per month for all such open-air parking spaces outside the above described area with capacities for greater than forty-nine (49) vehicles. The fee for such a license shall be two dollars (\$2.00) per space per month for all such open-air parking spaces outside the above described area with capacities for forty-nine (49) or fewer vehicles.

## **PEDESTRIAN CONTROL RULES**

### **RULE 1. Crossing of Roadways by Pedestrians**

No pedestrian shall cross a roadway within three hundred (300') feet of a police officer directing traffic at a marked crosswalk, except as directed by such police officer. Whenever there is a traffic control signal or a marked crosswalk within three hundred (300') feet, no pedestrian shall enter upon or cross a roadway, except within the limits of a marked crosswalk and in conformity with these Rules, unless otherwise directed by a police officer. For the purposes of these Rules, "roadway" shall be construed to mean that part of a street, highway, road, or parkway under the control of the City of Boston devoted to vehicular traffic.

### **RULE 2. Pedestrian Obedience to Traffic Control Signals**

Unless otherwise directed by a police officer, a pedestrian within three hundred (300') feet of a traffic control signal shall obey the indication of such signal as follows:

a. "WALK or PERSON": Whenever the single word "Walk" is illuminated or the outline of a person is illuminated, pedestrians facing such indication may proceed across the roadway, but only in the direction of such signal.

b. RED ALONE, "DON'T WALK or HAND": Whenever the words "Don't Walk", the outline of a hand or any indication other than red and yellow shown together are illuminated in a traffic control signal having red and yellow, "Walk" or international walk/don't walk symbols (person/hand) indications, pedestrians approaching or facing such indication shall wait on the sidewalk or in the pedestrian refuge area of a traffic island and shall not enter upon or cross a roadway until the red and yellow or "Walk" or the outline of a person indication is illuminated in the traffic control signal, but any pedestrian who has partially completed his/her crossing on the red and yellow or "Walk" indication shall proceed (or return) to the nearest sidewalk or safety island immediately on the yellow indication, the red indication or when the words "Don't Walk" or the outline of a hand are illuminated by rapid intermittent flashes.

c. GREEN ALONE: At a traffic control signal having no red and yellow, "Walk" or international walk/don't walk symbols indication, pedestrians facing the signal may proceed across the roadway within any marked crosswalk in the direction of an illuminated green indication.

d. YELLOW ALONE, RED ALONE, FLASHING "DON'T WALK" or FLASHING HAND: Pedestrians approaching or facing a yellow, red, flashing "Don't Walk" or flashing outline of a hand illuminated indication shall not start to cross a roadway.

e. FLASHING RED, FLASHING YELLOW, or FLASHING GREEN: At a traffic control signal where a flashing red, flashing yellow, or flashing green indication is being given facing a crosswalk, pedestrians shall actuate, where provided, the pedestrian signal indication and cross the roadway only when the red and yellow, "Walk" or the outline of a person indication is illuminated. If no pedestrian indication is provided, pedestrians shall cross within crosswalks with due care.

### **RULE 3. Pedestrian Actuation of Traffic Control Signal**

At a traffic control signal having red and yellow, "Walk" or international walk/don't walk symbols indication which is illuminated only upon actuation by a pedestrian push button, no pedestrian shall cross a roadway unless or until the pedestrian push button has been actuated, and he/she shall then cross only when the red and yellow, "Walk" or the outline of a person indication is illuminated. At a traffic control signal having no red and yellow, "Walk" or international walk/don't walk symbols indication, a pedestrian shall cross only when the green indication is illuminated. If the green indication is illuminated, only upon actuation by a pedestrian push button, no pedestrian shall cross unless or until such button has been actuated, and then only when the green indication is illuminated. No person shall actuate a pedestrian push button unless a crossing of the roadway is intended.

**RULE 4. Crossing at Tunnels and Overpasses**

No pedestrian shall cross a roadway within three hundred (300') feet of a pedestrian tunnel or pedestrian overpass except by use of such tunnel, overpass, or marked crosswalk.

**RULE 5. Crossing at Non-Signalized Locations**

Whenever, within three hundred (300') feet of a pedestrian desiring to cross a roadway, there is neither a police officer directing traffic, a traffic control signal, a marked crosswalk, or a pedestrian tunnel or overpass, the pedestrian shall yield the right-of-way to all vehicles upon the roadway and shall cross such roadway only at right angles to the sideline of such roadway.

**RULE 6. Pedestrian Use of Roadway**

- a. A pedestrian crossing a roadway shall yield the right-of-way to funerals or other processions, ambulances, civil defense, fire, police, and like vehicles on emergency runs, and when such procession of vehicles has passed, shall cross the roadway only in conformance with these Rules.
- b. No pedestrian shall leave a sidewalk or safety island and walk or run into the path of a moving vehicle which is so close that it is impossible for the driver to yield the right-of-way.
- c. No pedestrian shall stand in a roadway for the purpose of soliciting a ride, employment, or business from the operator or any occupant of any vehicle thereon.
- d. No pedestrian shall enter upon a marked crosswalk unless a crossing of the roadway is intended.
- e. A pedestrian crossing a roadway within a marked crosswalk shall use the half of such crosswalk to his/her right.
- f. A person alighting from a vehicle parked or stopped at a sideline of, or a curb in a roadway, shall alight from the side of such a vehicle nearest such sideline or curb, or if he/she alights from the other side of such vehicle, shall proceed immediately to such sideline or curb, and in either case shall thereupon cross such roadway only in conformance with these Rules.
- g. No pedestrian shall walk along the roadway of any way having a sidewalk open to pedestrian use; and no pedestrian shall walk along any other roadway, except on the unfinished shoulder nearest to vehicles proceeding in the direction opposite to the pedestrian's direction.

**RULE 7. Exemptions**

These Rules shall not apply to pedestrians actually engaged in work upon a roadway closed to travel, under construction, reconstruction or repair, or to public officers or employees, or the officers or employees of a public service corporation, in the performance of their duties, or to a pedestrian in an emergency.

**RULE 8. Penalties**

Any person who violates any provision of these Rules shall be punished as provided in Section 18A of Chapter 90 of Massachusetts General Laws.

**RULE 9. Provisions Severable**

The provisions of these Rules are hereby declared to be severable; and if any provision of any Rule is invalid, such invalidity shall not affect or impair any other provision of such Rule or any other Rule.

**EXCERPTS FROM CHAPTER 89 OF MASSACHUSETTS GENERAL LAWS**

(An Act Establishing Regulations for Vehicles When Approaching Pedestrians in Certain Marked Crosswalks).

Section 9. The Department of Highways may designate any state highway or part thereof as a through way and may designate intersections or other roadway junctions with state highways at which vehicular traffic on one or more roadways should stop or yield and stop before entering the intersection or junction, and the department may, after notice, revoke any such designation. The Department of Highways on any state highway or part thereof so designated as a through way, or on any way where the department has designated such way as intersecting or joining with a state highway, shall erect and maintain stop signs, yield signs and other traffic control devices.

The local authorities of a city or town authorized to enact ordinances or bylaws, or make rules, orders or regulations under the provisions of Section 22 of Chapter 40 of Massachusetts General Laws may in accordance with the provisions of Section 2 of Chapter 85 of Massachusetts General Laws, including department approval when required, designate any way or part thereof under the control of such city or town as a through way and may designate intersections or other roadway junctions at which vehicular traffic on one or more roadways shall stop or yield and stop before entering the intersection or junction, and may, after notice and like department approval, when required, revoke any such designation. Such local authorities of a city or town having control of any way or part thereof so designated as a through way shall erect and maintain stop signs, yield signs and other traffic control devices at such designated intersections or junctions.

Except when directed to proceed by a police officer, every driver of a vehicle approaching a stop sign or a flashing red signal indication shall stop at a clearly marked stop line, but if

none, before entering the crosswalk on the near side of the intersection, or, if none, then at the point nearest the intersecting roadway when the driver has a view of approaching traffic on the intersecting roadway before entering it. After having stopped, the driver shall yield the right of way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time when such driver is moving across or within the intersection or junction of roadways.

The driver of a vehicle approaching a yield sign shall in obedience to such sign slow down to a speed reasonable for the existing conditions and, if required to safely stop, shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or, if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering it. After slowing or stopping, the driver shall yield the right of way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time such driver is moving across or within the intersection or junction of roadways; provided, however, that if such a driver is involved in a collision with a vehicle in the intersection or junction of roadways, after driving past a yield sign without stopping, such collision shall be deemed prima facie evidence of his failure to yield the right of way.

The driver of a motor vehicle shall not cross or enter an intersection, which it is unable to proceed through, without stopping and thereby blocking vehicles from traveling in a free direction. A green light is no defense to blocking the intersection. The driver must wait another cycle of the signal light, if necessary.

For the purpose of this Section the word, "vehicle", shall include a trackless trolley. Any person violating the provisions of this Section shall be punished by a fine not to exceed one hundred fifty (\$150.00) dollars for each offense.

Section 11. When traffic control signals are not in place or not in operation the driver of a vehicle shall yield the right of way, slowing down or stopping if need be so to yield, to a pedestrian crossing the roadway within a crosswalk marked in accordance with standards established by the Department of Highways if the pedestrian is on the half of the traveled part of the way on which the vehicle is traveling or if the pedestrian approaches from the opposite half of the traveled part of the way to within ten (10') feet of that half of the traveled part of the way on which said vehicle is traveling.

No driver of a vehicle shall pass any other vehicle which has stopped at a marked crosswalk to permit a pedestrian to cross, nor shall any such operator enter a marked crosswalk while a pedestrian is crossing or until there is a sufficient space beyond the crosswalk to accommodate the vehicle he is operating, notwithstanding that a traffic control signal may indicate that vehicles may proceed.

Whoever violates any provision of this Section shall be punished by a fine of not more than two hundred (\$200.00) dollars.

### **ADDITIONAL INFORMATION**

The Official list of Boston Streets is published by the City of Boston Public Works Department , Room 714, Boston City Hall, Boston, MA 02201, (617) 635-4900. Sightseeing vehicles are regulated by the City of Boston Police Department, One Schroeder Plaza, Boston MA 02120, (617) 343-4200.

Any requests for further information concerning these Rules and Regulations may be submitted in writing or by e-mail to the Commissioner of Transportation, Boston Transportation Department, Boston City Hall, One City Hall Plaza, Boston, MA 02201 (telephone 635-4680 and e-mail address: [BTD@ci.boston.ma.us](mailto:BTD@ci.boston.ma.us))

### **Revisions Effective April 2000**

The preface to the Transportation Department's Traffic Rules and Regulations is hereby amended by adding the following language at the end of the first sentence thereof: "and other applicable laws."

Article III, Section 11, Sub section 4 of the Transportation Department's Traffic Rules & Regulations entitled Loading Zones is hereby amended by adding the following language at the end of the sentence thereof: "stopped for not more than three (3) hours."

Article IV, Section 2A of the Transportation Department's Traffic Rules and Regulations, entitled, Standing and Parking Prohibited in Certain Places, is hereby amended by deleting in that section the following language: "and further provided that this Regulation shall not apply on Saturdays, Sundays, or legal holidays wherever the hours indicated are not 'twenty-four (24) hours,' unless otherwise posted."

Article IV, Section 3 of the Transportation Department's Traffic Rules and Regulations, entitled, Parking Prohibitions and Restrictions in Certain Places, is hereby amended by deleting in subsection 1 thereof the following language: "provided that this Regulation shall not apply to the service entrances to any such building"; and by deleting in subsection 2.d. thereof the following language: "Posted regulations on Saturdays, Sundays, or legal holidays wherever the hours indicated on the sign are not 'twenty-four (24) hours.'"

Article IV, Section 4 of the Transportation Department's Traffic Rules and Regulations, entitled, Parking Meters – General Regulations, is hereby amended by deleting in subsection 5. thereof the word "for" the first time it appears in that subsection and substituting in its place the word "that"; and further by deleting in subsection 5. the word "and" after the phrase "as defined" and substituting in its place the following: "herein, may park for up to three (3) hours.

Article IV, Section 9 of the Transportation Department's Traffic Rules and Regulations, entitled , Parking Vehicle at Angle to Curb Prohibited, is hereby amended by deleting in the first sentence thereof the following language: "in the following streets or parts thereof" and substituting in its place the following: "unless otherwise prohibited."; and provided further by deleting the second sentence thereof in its entirety.

Article IV, Section 15 of the Transportation Department's Traffic Rules and Regulations, entitled, Parking Time Limited, is hereby amended by adding in the second sentence thereof after the word "Section" and before the word "as", the following: "15C".

Article IV, Section 16 of the Transportation Department's Traffic Rules and Regulations, entitled, Interpretation of Posted Parking Regulations, is hereby amended by deleting existing sub-sections 1.b and c. and adding the following new sub-sections in place thereof:

b. On a two-way street, a sign with an arrow which points to the left ( $\Leftarrow$ ) on a sign indicates

that the parking restriction applies only to the parking from that point forward of the sign (forward refers to the direction of vehicle travel on that side of the street).

c. On a two-way street, a sign with an arrow which points to the right ( $\Rightarrow$ ) on a sign

indicates that the parking restriction applies only to the parking from that point backward of the sign (backward refers to the opposite direction of vehicle travel on that side of the street).

d. On the right hand side of a one-way street, a sign with an arrow which points to the left

( $\Leftarrow$ ) on a sign indicates that the parking restriction applies only to the parking from that

point forward of the sign (forward refers to the direction of vehicle travel on that side of the street).

e. On the right hand side of a one-way street, a sign with an arrow which points to the right

( $\Rightarrow$ ) on a sign indicates that the parking restriction applies only to the parking from that

point backward of the sign (backward refers to the opposite direction of vehicle travel on that side of the street).

f. On the left hand side of a one-way street, a sign with an arrow which points to the left

( $\Leftarrow$ ) on a sign indicates that the parking restriction applies only to the parking from that

point backward of the sign (backward refers to the opposite direction of vehicle travel on that side of the street).

g. On the left hand side of a one-way street, a sign with an arrow which points to the right

(⇒) on a sign indicates that the parking restriction applies only to the parking from that

point forward of the sign (forward refers to the direction of vehicle travel on that side of the street).

Article X, Section 2 of the Transportation Department's Traffic Rules and Regulations, entitled, Removal of Vehicles Parking or Standing in Violation of Law on Public Ways in Certain Areas, is hereby amended by deleting subsection 3. a. thereof in its entirety and substituting in its place the current subsection 3. b.; and is further amended by adding a new sentence in the new subsection 3.b. after the words "the following places:": "In any area where at least one (1) official traffic sign bearing the legend "Tow Zone" is installed."

### **Revisions Effective November 2003**

Article I, Section 1 of the Transportation Department's Rules and Regulations, entitled Definitions is hereby amended to include the following definitions:

**Multi- Space Parking Meter** A device installed by the City for the acceptance of required parking fees for more than one parking stall. A multi-space meter may regulate multiple parking spaces on-street (curbside, parallel, or angled spaces) and off-street (parking lots or garages). Use of a multi-space meter may require a motorist to affix and display a receipt on the curbside window or on the dashboard of their vehicle, or may require a motorist to enter a space number in conjunction with making a payment. Multi-space meters may accept one or more of the following options: coins, tokens, cash, credit cards, smart cards or other stored value cards. At all times, payment is required in advance at any single parking meter or multi-space meter.

**Multi-Space Parking Meter Spaces.** Any parking space, designated or not, where at least one posted sign states requirement for payment at a multi-space meter. Multi-space meter spaces may not be adjacent to a multi-space meter, but shall be in close proximity to the parking space.

**Parking Meters w/Red Cap Domes.** Parking Meters with Red Cap Domes signify meters that are not in effect due to parking restrictions as posted.

**Parking Meters w/Yellow Cap Domes.** Parking Meters with Yellow Cap Domes signify meters that are also used as loading zones, as posted.

Article IV, Section 3 of the Transportation Department's Rules and Regulations, entitled Parking Prohibitions and Restrictions in Certain Places, is hereby amended by adding in sub section 1. thereof the following language: "unless otherwise posted".



Article IV, Section 3 of the Transportation Department's Rules and Regulations, entitled Parking Prohibitions and Restrictions in Certain Places, is hereby amended by deleting in sub section 2c. thereof the following language: " stopped for not more than one (1) hour ".

Article IV, Section 4 of the Transportation Department's Rules and Regulations, entitled Parking Meters – General Regulations, is hereby amended by deleting in sub section 5. thereof the following language: " except that " and replacing it with the word However "; and by inserting the following language: " In the event said meter is out of order, commercial vehicles may not park for longer than one (1) hour ". Sub section 6 is hereby amended by inserting the following language at the beginning: " Any vehicle ".

Article IV, Section 5 of the Transportation Department's Rules and Regulations, entitled Multi-Space Meters (General Regulations,) is hereby amended by inserting the following: Multi-space meters shall operate in one of the following ways:

**Pay & Display:** The motorist shall park their vehicle, proceed to the nearest meter, pay the required parking fee, then return to their vehicle to affix and display the paid receipt on the curbside window of the vehicle.

**Pay – By – Space:** (Also known as pay – and – retain). Motorists shall park their vehicle, proceed to the nearest meter, enter their space number, and then pay the required fee. A receipt may or may not be issued, depending on type of payment and the meter's available programming options.

1. No owner or operator of any vehicle, upon entering a multi-space meter regulated parking space during the hours when the multi-space parking meter zone is effective as hereinafter provided, shall fail to immediately deposit, or cause to be deposited in said multi-space meter, the required fee in coins or cash or by credit cards, smart cards or other stored value cards if applicable, as approved by the Boston Transportation Department. Payment shall be made in the manner and amount as indicated on the multi-space meter and if so required, the operator shall return to their vehicle to affix and display the receipt on the curbside window of the vehicle.

2. When parking on a block regulated by multi-space pay & display meters and the nearest meter is out of order, unable to accept payment and/or issue a receipt, payment shall be made at the next available multi-space meter on the block. In no case shall parking in a multi-space meter area be allowed without payment, except as otherwise provided herein.

3. When parking on a block regulated by multi-space pay & display meters, motorists shall park their vehicles in alignment with the curb or street edge, rather than a meter pole, since no meter poles exist with multi-space pay & display technology.

Article IV, Section 10, of the Transportation Department's Rules and Regulations, entitled Loading Zone, is hereby amended by deleting the following language: " stopped for not more than one (1) hour ".

Article IV-A, Section 5, of the Transportation Department's Rules and Regulations is hereby amended by inserting the following language: All applications for new valet parking permits shall be limited to the following locations: hospitals, hotels and restaurants. Any exceptions are at the sole discretion of the Commissioner of Transportation. All current pre-existing valet parking permits, which do not fall under the aforementioned categories, shall continue so long as their permit renewals are current and they remain in compliance with existing BTM regulations.

Article IV-B, Section 2 of the Transportation Department's Rules and Regulations, entitled Requested Hearings, is hereby amended by deleting in sub section 2. the following language: " two (2) years of issuance " and inserting the following language: " forty-five (45) days of the first mail notice ".; and in sub section 6. deleting the following language: " six (6) months ", and substituting in its place the following language: " three (3) months ".

Article IV-B, Section 3 of the Transportation Department's Rules and Regulations, entitled Walk - In Hearings, is hereby amended by deleting the existing sub-sections 1. a, b, c, d and e; 2. and 3. and adding the following new sub-sections in place thereof:

1. Administrative hearings on a "walk-in" basis shall be offered in accordance with the following criteria.
  - a. On a same-day "walk-in" basis to an individual who is the registered owner of the ticketed vehicle, and has been issued a disabled veteran/handicapped plate/handicap placard by the Massachusetts Registry of Motor Vehicles, pursuant to Section 2 of Chapter 90 of the Massachusetts General Laws.
  - b. On a same-day "walk-in" basis if his/her vehicle has been towed for a public safety violation.
  - c. Within five (5) days of payment, on a "walk-in" basis, if his/her vehicle has been towed for a public safety violation.

Article V, Section 2, of the Transportation Department's Rules and Regulations, entitled Rotary Traffic, is hereby amended by deleting the following language: Within the following intersections, vehicular traffic shall move only in a rotary counter-clockwise direction, except when otherwise directed by a police officer. The list of "streets or parts thereof" referred to in the preceding paragraph is on file at the office of the Boston Transportation Department; and inserting the following language: All vehicular traffic shall move only in a rotary counter-clockwise direction, except when otherwise directed by a police officer or an official traffic sign, signal, marking or other device, erected and maintained, or caused to be erected and maintained by the Commissioner of Transportation.

Article VI, Section 10, of the Transportation Department's Rules and Regulations, entitled Left Turns Prohibited is hereby amended by deleting the following language: The driver of any vehicle shall not make the following turns; and inserting the following language: No driver shall make a left turn where prohibited by an official traffic sign, signal, marking or

other device, erected and maintained, or caused to be erected and maintained by the Commissioner of Transportation.

Article VI, Section 10A, of the Transportation Department's Rules and Regulations, entitled Only Left Turn Movements Permitted, is hereby amended by deleting the following language: No driver of any vehicle shall not proceed in any direction other than to the left, at the points of intersection described below: and inserting the following language: No driver of any vehicle shall proceed in any direction other than to the left, at the points of intersection, where prohibited by an official traffic sign, signal, marking or other device, erected and maintained, or caused to be erected and maintained by the Commissioner of Transportation.

Article VI, Section 11, of the Transportation Department's Rules and Regulations, entitled Only Right Turns Permitted is hereby amended by deleting the following language: The driver of any vehicle shall not proceed in any direction other than to the right at points of intersection described below: and inserting the following language: No driver of any vehicle shall proceed in any direction other than to the right, at points of intersection, where prohibited by an official traffic sign, signal, marking or other device, erected and maintained, or caused to be erected and maintained by the Commissioner of Transportation.

Article VI, Section 12, of the Transportation Department's Rules and Regulations, entitled Right Turns Prohibited is hereby amended by deleting the following language: The driver of any vehicle shall not make the following right turns; and inserting the following language: No driver shall make a right turn where prohibited by an official traffic sign, signal, marking or other device, erected and maintained, or caused to be erected and maintained by the Commissioner of Transportation.

Article VI, Section 14, of the Transportation Department's Rules and Regulations, entitled U Turns Prohibited is hereby amended by deleting the following language: The driver of a vehicle shall not make the following U turns; and inserting the following language: No driver shall make a U turn where prohibited by an official traffic sign, signal, marking or other device, erected and maintained, or caused to be erected and maintained by the Commissioner of Transportation.

Article VI, Section 15, Sub section 3b, of the Transportation Department's Rules and Regulations, entitled Obedience to Traffic Control Signals is hereby amended by deleting the following language: (the following) and inserting the following language: (those).

Article VII, Section 7, of the Transportation Department's Rules and Regulations, entitled Exclusive Bus Lanes is hereby amended by inserting " /Restricted " in the title and deleting the following language: No vehicle shall be operated on the following streets or parts thereof, in the designated lane or lanes set aside for the sole purpose of operating Massachusetts Bay Transportation Authority buses; and inserting the following language: No vehicle shall be operated in the designated lane or lanes set aside for the sole purpose of operating Massachusetts Bay Transportation Authority buses, unless otherwise regulated or

posted by an official traffic sign, signal, marking or other device, erected and maintained, or caused to be erected and maintained by the Commissioner of Transportation.

Article VIII-A, Section 1, Sub section 5, of the Transportation Department’s Rules and Regulations, entitled Requirements, is hereby amended by adding the following language after the words twenty-four (24) hours: “ in commercial areas and forty-eight(48) hours in residential areas, before the effective date and time of the restriction”.

Article VIII, Section 2, Sub section c, of the Transportation Department’s Rules and Regulations, entitled Parades, Processions and Formations is hereby amended by changing 6:00pm to 6:30pm.

Article X, Section 1, of the Transportation Department’s Rules and Regulations, entitled Boston Parking Fine Structure is hereby amended to reflect the following changes:

Violation: (to)	Fine (from) - (to)	Penalty (from) -
HP-DV Plate Parking Only	\$75 \$120	\$25 \$40
No Stopping or Standing	\$40 \$75	\$13 \$25
Bus Stop	\$30 \$55	\$10 \$18
Loading Zone	\$30 \$55	\$10 \$18
Resident Permit Parking Only	\$30 \$40	\$10 \$13
No Parking (Zone A)	\$30 \$55	\$10 \$18

**Revisions Effective November 2012**

The Traffic Rules and Regulations of the City of Boston are hereby amended by deleting the words “valet parking permit(s)” wherever they appear in Article IV-A and inserting in place thereof the words “Valet Parking Permit(s).”

The Traffic Rules and Regulations of the City of Boston are hereby amended by deleting the words “valet parking zone(s)” wherever they appear in Article IV-A and inserting in place thereof the words “Valet Parking Zone(s).”

The Traffic Rules and Regulations of the City of Boston are hereby amended by deleting the words “valet permit holder(s)” and “permit holder(s)” wherever they appear in Article IV-A and inserting in place thereof the words “Valet Permit Holder(s).”

The Traffic Rules and Regulations of the City of Boston are hereby amended by deleting the words “valet operator(s),” “valet firm(s),” “valet parking company” and “valet parking operator(s)” wherever they appear in Article IV-A and inserting in place thereof the words “Valet Parking Operator(s).”

The Traffic Rules and Regulations of the City of Boston are hereby also amended by inserting into Article IV-A, Section 1, the following sub-section:

“Section 1.1 Definitions:

The following terms shall have the following meanings in this Article IV-A:

**Valet Parking Permit.** The permit issued by the Department to the Valet Permit Holder allowing it to conduct a valet parking operation in an approved Valet Parking Zone.

**Valet Permit Holder.** The establishment (restaurant, hotel, or hospital) holding a Valet Parking Permit and offering valet parking services to its patrons or visitors.

**Valet Parking Operator.** The company/entity that is engaged by the Valet Permit Holder to operate the valet parking service.”

Article IV-A, Section 2.0 of the Traffic Rules and Regulations of the City of Boston is hereby also amended by deleting the first sentence thereof and inserting in its place the following sentence:

“Valet parking shall be the parking of a vehicle in an approved Valet Parking Zone for the time periods listed in Section 2.2 below.”

Article IV-A, Section 2.0 of the Traffic Rules and Regulations of the City of Boston is hereby also amended by deleting the second sentence thereof and inserting in its place the following sentence:

“Vehicles that are valet parked shall be transported to and parked at a designated off-street parking facility/area and shall not be parked in any other on-street parking spaces.”

Article IV-A, Section 2.0 of the Traffic Rules and Regulations of the City of Boston is hereby also amended by deleting the third sentence thereof.

The Traffic Rules and Regulations of the City of Boston are hereby also amended by inserting into Article IV-A, Section 2.0 the following sub-section:

“2.1 Size and Location of Valet Parking Zones. The Department shall determine the size (measured in linear feet) of a Valet Parking Zone taking into account factors including but not limited to the seating capacity of the Valet Permit Holder, the nature of its business, the hours of the valet service operation, and the proximity of the Valet Permit Holder’s business to the off-street parking facility. In considering the seating capacity of the Valet Permit Holder, as reflected in its fire assembly permit, entertainment license or as visually inspected by the Department, the Department may use the following general guidelines to determine an appropriate size for the Valet Parking Zone:

100 or fewer seats – two (2) parking spaces

101-150 seats – three (3) parking spaces

151-200 seats – four (4) parking spaces”

The Traffic Rules and Regulations of the City of Boston are hereby also amended by inserting into Article IV-A, Section 2.0 the following sub-section:

“2.2 Length of Time Vehicle May Remain in Valet Parking Zone

Hotels:

Vehicles may remain in the Valet Parking Zone of a hotel holding a Valet Parking Permit during the hours of valet parking operation listed on the permit as long as necessary, while engaged in the receiving or discharging of passengers or loading or unloading of baggage; however, hotels shall make every effort to keep a minimum of one space within the Valet Parking Zone open at all times.

Restaurants:

Vehicles may remain in the Valet Parking Zone of a restaurant holding a Valet Parking Permit during the hours of valet parking operation listed on the permit for not more than fifteen (15) minutes continuously, while engaged in the receiving or discharging of passengers.

Hospitals:

Vehicles may remain in the Valet Parking Zone of a hospital holding a Valet Parking Permit during the hours of valet parking listed on the permit for as long as necessary, while engaged in the receiving or discharging of passengers.”

Article IV-A, Section 3.0 of the Traffic Rules and Regulations of the City of Boston is hereby also amended by deleting the fourth, fifth and sixth sentences thereof, and inserting in their place the following sentences:

“The Department shall provide notice to the applicable District City Councilor on all initial applications and may convene a public hearing on any initial application and solicit comments on such application. Notice of any such hearings shall include a posting in City Hall and notice to the applicable District City Councilor.”

Article IV-A, Section 5.0 of the Traffic Rules and Regulations of the City of Boston is hereby also amended by deleting sub-section 5.3 thereof in its entirety and inserting in its place the following sub-section:

“5.3 The name and address and telephone and cell phone numbers of the Valet Parking Operator that will be operating the valet service, and the daytime and nighttime telephone number and cell phone numbers of the owner or general manager of the Valet Parking Operator. The cell phone number of the owner or general manager of the Valet Parking

Operator shall be accessible twenty-four (24) hours a day. If a Valet Parking Operator will not be used, the same information shall be provided for the Valet Permit Holder.”

Article IV-A, Section 5.0 of the Traffic Rules and Regulations of the City of Boston is hereby also amended by deleting from sub-section 5.5 the following language: “following periods: Monday through Friday during the daytime; Saturday and Sunday during the daytime; Sunday to Wednesday evenings; and Thursday to Saturday evenings,” and inserting in its place the following: “days and times requested.”

Article IV-A, Section 5.0 of the Traffic Rules and Regulations of the City of Boston is hereby also amended by deleting sub-section 5.6 thereof in its entirety and inserting in its place the following sub-section:

“5.6 A letter from the owner and/or operator of an off-street parking facility/area stating an agreement exists between the off-street location and the Valet Parking Operator or Valet Permit Holder for valet parking of vehicles. The letter must state the following information: the location of the facility/area; the total number of parking spaces in the facility/area; and the total number of parking spaces that will be available for valet parked vehicles from the Valet Permit Holder.”

Article IV-A, Section 5.0 of the Traffic Rules and Regulations of the City of Boston is hereby also amended by deleting the following language from sub-section 5.8: “provided that this requirement shall not apply for permits renewed for the period July 1, 1997 to June 30, 1998.”

Article IV-A, Section 6.0 of the Traffic Rules and Regulations of the City of Boston is hereby also amended by deleting the following language from sub-section 6.7: “and is the distance between the establishment and the parking facility a reasonable walking distance (generally about 1,500 feet or a five minute walk),” and inserting in its place the following: “and whether the distance between the establishment and the parking facility/area is a reasonable walking distance for valet parking attendants.”

Article IV-A, Section 7.0, sub-section 7.1 of the Traffic Rules and Regulations of the City of Boston is hereby also amended by deleting the words “the maximum number of vehicles that can be valet parked” from the first sentence thereof.

Article IV-A, Section 7.0, sub-section 7.1 of the Traffic Rules and Regulations of the City of Boston is hereby also amended by deleting the last sentence thereof and inserting in its place the following sentence:

“The Valet Permit Holder or Valet Parking Operator may request permission to place signage in the Valet Parking Zone during the hours listed on the permit, but only Department-approved signage shall be placed on the street.”

Article IV-A, Section 7.0, sub-section 7.2 of the Traffic Rules and Regulations of the City of Boston is hereby also amended by deleting the last sentence thereof.

Article IV-A, Section 7.0, sub-section 7.5 of the Traffic Rules and Regulations of the City of Boston is hereby also amended by deleting the words “the permit” from the first sentence thereof and by inserting the words “new permits” in their place. Sub-section 7.5 is hereby further amended by inserting the following sentence: “An inventory of new, suspended and/or revoked permits shall be provided upon a request to the Department.”

Article IV-A, Section 7.0, sub-section 7.7 of the Traffic Rules and Regulations of the City of Boston is hereby also amended by deleting that section in its entirety and by inserting the following sub-section in its place:

“7.7 The Department may determine that a Valet Parking Zone should be shared by more than one establishment. In this case, the Department shall list all of the establishments sharing the Valet Parking Zone as the Valet Permit Holders on the Valet Parking Permit.”

Article IV-A, Section 9.0, sub-section 9.1 of the Traffic Rules and Regulations of the City of Boston is hereby also amended by deleting the words “and for each valet parking company operating in the City” from the first sentence thereof. Sub-section 9.1 is hereby further amended by inserting the words “Valet Parking Operator information” before the words “and other related documents and information” in the second sentence thereof.

Article IV-A, Section 9.0, sub-section 9.2 of the Traffic Rules and Regulations of the City of Boston is hereby also amended by deleting the first sentence thereof and by inserting the following sentence in its place: “Conducting or operating a valet parking operation without applying for and receiving a Valet Parking Permit issued hereunder shall subject the establishment serviced by the valet parking operation and the valet operator to a fine not exceeding three hundred dollars (\$300).”

Article IV-A, Section 9.0, sub-section 9.4 of the Traffic Rules and Regulations of the City of Boston is hereby also amended by deleting the words “a log of valet parking complaints” in the second sentence thereof and by inserting the following words in their place: “within the file referenced in Section 9.1 all valet parking complaints.” Sub-section 9.4 is hereby further amended by deleting the last sentence thereof.

That Article IV-A, Section 9.0, sub-section 9.5 of the Traffic Rules and Regulations of the City of Boston is hereby also amended by inserting the following sub-section:

“9.5.1 Valet vehicles that are parked in violation of these rules and regulations shall be subject to issuance of a parking citation. A licensed premise violation may also be issued to a Valet Permit Holder licensed by the Mayor’s Office of Consumer Affairs and Licensing



or the Licensing Board for the City of Boston for any violation of these rules and regulations.”

Article IV-A, Section 9.0 of the Traffic Rules and Regulations of the City of Boston is hereby also amended by deleting sub-section 9.6 thereof in its entirety and by inserting in its place the following sub-section:

“9.6 The Department may issue a written warning to a Valet Permit Holder on the basis of any complaint, compliance inspection, written violation, parking citation, or incident report. A written warning shall identify the nature of the problem and may state corrective action. Copies of written warnings shall also be provided to the Valet Parking Operator associated with the particular Valet Permit Holder receiving the warning.”

Article IV-A, Section 9.0, sub-section 9.8 of the Traffic Rules and Regulations of the City of Boston is hereby also amended by deleting the third sentence thereof and by inserting in its place the following sentence:

“The Valet Permit Holder and Valet Parking Operator shall be provided prior written notice of the hearing and both shall be required to attend. The Valet Permit Holder and/or the Valet Parking Operator may present information at the hearing.”

Article IV-A, Section 9.0, sub-section 9.8 of the Traffic Rules and Regulations of the City of Boston is hereby further amended by inserting the following sentence:

“The Department may also schedule a hearing for any of the following purposes: to hear applications for new Valet Parking Permits; to hear requests from an existing Valet Permit Holder to increase or decrease the days or hours of its valet parking operation; requests from existing Valet Permit Holders to decrease or increase the size of the Valet Parking Zone; or to address complaints or violations occurring after written warnings are sent out and that the Department determines warrant immediate attention.”

Article IV-A, Section 9.0 of the Traffic Rules and Regulations of the City of Boston is hereby also amended by deleting sub-section 9.9 thereof in its entirety and by inserting in its place the following sub-section:

“9.9 Actions involving the modification, suspension or revocation of a Valet Parking Permit shall be based on a number of factors including the number of violations, the number of occasions on which the violations occurred, or the severity of an incident resulting in a violation. A first suspension shall be for a period of not more than five (5) days and a second suspension for a period of not more than ten (10) days. Following the second suspension, the Department may revoke the Valet Parking Permit.”

Article IV-A, Section 9.0 of the Traffic Rules and Regulations of the City of Boston is hereby also amended by inserting the following sub-section:

“9.11 Parking citations received as a result of a violation of these rules and regulations are the responsibility of the Valet Permit Holder. Parking citations shall be processed and may be appealed pursuant to the procedures spelled out in Article IV-B of the Department Rules and Regulations.”

Article IV-A, Section 10.0 of the Traffic Rules and Regulations of the City of Boston is hereby also amended by deleting the second sentence thereof and by inserting the following sentences in its place:

“Such permits shall, as determined by the Department, comply with all of the provisions hereunder, and applications for such permits shall be submitted no later than five (5) days prior to the date of the event. The Department shall consider requests less than five (5) days prior to the event only in extraordinary situations.”

Article IV-A of the Traffic Rules and Regulations of the City of Boston is hereby also amended by inserting the following section:

“Section 12.0 Public Safety

In the interest of public safety, each Valet Parking Operator operating within the City of Boston must annually, on or before July 1 of each year, provide a copy of its company’s policy regarding handling intoxicated drivers to the Department.”

Article IV-A of the Traffic Rules and Regulations of the City of Boston is hereby also amended by inserting the following section:

“Section 13.0 Identifying Jackets for Valet Parkers.

As specified in City of Boston Code, sections 16-49.1, et seq., no Valet Parking Operator who is engaged in providing valet services, including but not limited to receiving or discharging passengers or loading or unloading baggage from a vehicle, making arrangements to remove the vehicle to a designated off-street parking facility, parking a vehicle, or otherwise in control of a vehicle subject to valet parking requirements, may engage in such activities unless the Valet Parking Operator is wearing a jacket or shirt clearly marked "VALET" across the back in reflective lettering that shall be highly contrasting with the background/field/screen (i.e. dark-colored reflective lettering on light-colored background or light-colored reflective lettering on dark-colored background); each individual letter of the word "VALET" shall be no smaller than three inches (3") in height. The front of the jacket or shirt worn by the Valet Parking Operator shall include the name of the person, business, establishment, or corporation granted a Valet Parking Permit.

Compliance with this section shall require the jacket or shirt required in this section to be the outermost garment worn by the Valet Parking Operator.

Enforcement of and exemptions from the provisions of this Section 13.0 shall be as set forth in City of Boston Code, sections 16-49.1, et seq.”

Article IV-A of the Traffic Rules and Regulations of the City of Boston is hereby also amended by inserting the following section:  
 “Section 14.0 Effective Date.

These amendments to the Traffic Rules and Regulations of the City of Boston shall take effect on November 1, 2012.”

Article X, Section 1A of the Traffic Rules and Regulations of the City of Boston is hereby amended to reflect the Schedule of Fines contained in City of Boston Code, § 6-6.4.

Article X, Section 1A, of the Traffic Rules and Regulations of the City of Boston, entitled Boston Parking Fine Structure is hereby amended to reflect fines imposed by City of Boston Code, §§ 6-6.3, 16-12.41, 16-12.42.

Violation:	Fine (from)-(to)	Penalty (from)-(to)
Hydrant	\$75 \$100	\$25 \$33
No Parking (Zone B)	\$10 \$25	\$13 \$8
Double Parking (Zone B)	\$20 \$30	\$6 \$10
Upon Any Sidewalk	\$40 \$65	\$13 \$21
Upon Any Crosswalk	\$40 \$85	\$13 \$28
Unobstructed 10’ Fire Lane	\$40 \$100	\$13 \$33
Weather Emergency	\$30 \$45	\$11 \$15
Taxi Stand	\$30 \$50	\$10 \$16
Street Cleaning	\$25 \$40	\$8 \$13
Over Posted Limit (Zone B)	\$10 \$25	\$3 \$8
No Overnight Commercial Vehicles	\$20 \$65	\$6 \$21
Bus Stop	\$55 \$100	\$18 \$33
Handicap Ramp	\$50 \$100	\$16 \$33
No Valid Registration Plate	\$20 \$40	\$6 \$13
No Valid Certificate of Inspection	\$20 \$40	\$6 \$13
Non-Emergency Repairs	\$20 \$40	\$6 \$13
Over One Foot From Curb	\$20 \$35	\$6 \$11
Meter Violation (“Not a Legal Space”)	\$20	\$6
No Resident Permit Permit/Sticker	\$100	\$33
Pedestrian Zone	\$100	\$33
Bike Lane	\$100	\$33
Expired Registration	\$40	\$13