



Maura Healey, Governor  
Kimberley Driscoll, Lieutenant Governor  
Monica Tibbitts-Nutt, Secretary & CEO



## REGISTRY OF MOTOR VEHICLES

### NOTICE OF PUBLIC COMMENT PERIOD AND HEARING

Notice is hereby given pursuant to M.G.L. c. 30A, § 2-3, that the Massachusetts Department of Transportation, ("MassDOT") will hold a hybrid public hearing on **Friday July 12, 2024 at 10:00 a.m.** and accept written public comment until **5:00 p.m. on July 12, 2024**, the same day, concerning the following regulatory action:

Amend 540 CMR 4.00 - Annual Safety and Combined Safety and Emissions Inspection of All Motor Vehicles, Trailers, Semitrailers and Converter Dollies

The proposed regulatory action is required under Chapter 358 of the Acts of 2022 which amended MGL c. 90, sec. 7, and provides that a motor vehicle, trailer, semi-trailer or semi-trailer unit classified as a class 3 or above by the Federal Highway Administration, with a gross vehicle weight rating of 10,001 pounds or more, that is leased or purchased by the commonwealth on or after January 1, 2023, or operated under a contract with the commonwealth on or after January 1, 2025, shall be equipped with lateral protective devices, convex mirrors, crossover mirrors and backup cameras. This could include municipalities under Chapter 90 funding agreements. For additional information visit: [mass.gov/info-details/truck-safety-devices](https://mass.gov/info-details/truck-safety-devices)

MassDOT will hold this hearing:

Remotely at: <https://us02web.zoom.us/j/86258327009>

In person at: 10 Park Plaza  
MassDOT Board Room, 2<sup>nd</sup> Floor  
Boston, Massachusetts 02116

Individuals who notify MassDOT of their intent to testify during the hearing will be afforded an earlier opportunity to speak. Speakers are strongly encouraged to notify MassDOT of their intention to testify at the hearing by emailing the address below with the subject line "Regulation Hearing Comment - Annual Safety and Combined Safety and Emissions Inspection of All Motor Vehicles, Trailers, Semitrailers and Converter Dollies." Written comments must be submitted by email or postal mail to the following address:

Email: [Eileen.Fenton@dot.state.ma.us](mailto:Eileen.Fenton@dot.state.ma.us)

Postal Mail: Eileen Fenton  
Managing Counsel  
MassDOT

Ten Park Plaza, Suite 4160, Boston, MA 02116  
Tel: 857-368-4636, TTY: 857-368-0655  
[mass.gov/massdot](https://mass.gov/massdot)

10 Park Plaza, Suite 3510  
Boston, Massachusetts 02116

A copy of the above-listed regulations may be obtained by request to the above address or email address.

**MassDOT may adopt a revised version of the proposed action taking into account relevant comments received and any other practical alternatives that come to its attention.**

For accommodation or language assistance requests, please contact MassDOT's Chief Diversity & Civil Rights Officer by phone at (857) 368-8580, TTD/TTY at (857) 266 0603, fax (857) 368 0602 or by email to [MassDOT.CivilRights@dot.state.ma.us](mailto:MassDOT.CivilRights@dot.state.ma.us). Requests should be made as soon as possible, ideally at least five business days before the close of the public hearing.

**Small Business Impact Statement**  
(As required by M.G.L. c. 30A §§ 2, 3 & 5)

**CMR No:**

540 CMR 4.00 - Annual Safety and Combined Safety and Emissions Inspection of All Motor Vehicles, Trailers, Semitrailers and Converter Dollies

**Estimate of the Number of Small Businesses Impacted by the Regulation:**

Indeterminable at this time.

**Select Yes or No and Briefly Explain**

Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<p>Will small businesses have to create, file, or issue additional reports?</p> <p>Small businesses that are contractors of the Commonwealth using motor vehicles classified as a class 3 or above by the Federal Highway Administration, with a gross vehicle weight rating of 10,001 pounds or more are required to install convex mirrors, crossover mirrors, lateral protective devices and back up cameras ("safety devices") on the vehicles that are being used on Commonwealth contracts. The small business will have to file a self-certification of compliance with the regulations.</p>
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<p>Will small businesses have to implement additional recordkeeping procedures?</p> <p>Small businesses that are contractors of the Commonwealth using motor vehicles classified as a class 3 or above by the Federal Highway Administration, with a gross vehicle weight rating of 10,001 pounds or more would have to keep records relating to compliance with the installation of the safety devices on vehicles used on Commonwealth projects.</p>
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<p>Will small businesses have to provide additional administrative oversight?</p> <p>Small businesses that are contractors of the Commonwealth using motor vehicles classified as a class 3 or above by the Federal Highway Administration, with a gross vehicle weight rating of 10,001 pounds or more would have to ensure that vehicles that are used on Commonwealth projects are complaint with the safety device requirements.</p>

Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Will small businesses have to hire additional employees in order to comply with the proposed regulation?</p> <p>It is not likely that compliance with the regulations will require the hiring of additional employees.</p>
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<p>Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)?</p> <p>Small businesses that are contractors of the Commonwealth using motor vehicles classified as a class 3 or above by the Federal Highway Administration, with a gross vehicle weight rating of 10,001 pounds or more may be required to hire individuals to install the relevant safety devices, to the extent not already on the vehicle.</p>
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<p>Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation?</p> <p>Small businesses that are contractors of the Commonwealth using motor vehicles classified as a class 3 or above by the Federal Highway Administration, with a gross vehicle weight rating of 10,001 pounds or more may be required to purchase and install the relevant safety devices, to the extent not already on the vehicle.</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Are performance standards more appropriate than design or operational standards to accomplish the regulatory objective?</p> <p>(Performance standards express requirements in terms of outcomes, giving the regulated party flexibility to achieve regulatory objectives and design/operational standards specify exactly what actions regulated parties must take.)</p> <p>The statute specifically requires the specified design and operational standards for the safety devices. Owners of vehicles may apply for a waiver from any or all of the requirements. Waivers may be granted if a vehicle cannot comply with the safety device requirements due to the design, operation or other safety considerations relating to the vehicle; or if a vehicle is designed such that its shape, characteristics or component parts can be regarded as an adequate replacement or a functional equivalent substitute for the safety device requirements.</p>

Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Do any other regulations duplicate or conflict with the proposed regulation?</p> <p>We are not aware of other duplicative or conflicting regulations.</p>
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<p>Does the regulation require small businesses to cooperate with audits, inspections or other regulatory enforcement activities?</p> <p>Small businesses that are contractors of the Commonwealth using motor vehicles classified as a class 3 or above by the Federal Highway Administration, with a gross vehicle weight rating of 10,001 pounds or more may be subject to audits and may be required to cooperate with inspection to ensure the relevant safety devices are installed.</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements?</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Is the regulation likely to <i>deter</i> the formation of small businesses in Massachusetts?</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts?</p>
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<p>Does the regulation provide for less stringent compliance or reporting requirements for small businesses?</p> <p>The proposed regulations provide for alternative means of compliance with any or all of the safety device requirements. Owners of vehicles may apply for a waiver from any or all of the requirements. Waivers may be granted if a vehicle cannot comply with the safety device requirements due to the design, operation or other safety considerations relating to the vehicle; or if a vehicle is designed such that its shape, characteristics or component parts can be regarded as an adequate replacement or a functional equivalent substitute for the safety device requirements.</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses?</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Did the agency consolidate or simplify compliance or reporting requirements for small businesses?</p>

Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective?</p> <p>The statute specifically requires the specified design and operational standards. The proposed regulations provide for alternative means of compliance with any or all of the safety device requirements. Owners of vehicles may apply for a waiver from any or all of the requirements. Waivers may be granted if a vehicle cannot comply with the safety device requirements due to the design, operation or other safety considerations relating to the vehicle; or if a vehicle is designed such that its shape, characteristics or component parts can be regarded as an adequate replacement or a functional equivalent substitute for the safety device requirements.</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Are there alternative regulatory methods that would minimize the adverse impact on small businesses?</p> <p>The statute specifically requires the specified design and operational standards. The proposed regulations provide for alternative means of compliance with any or all of the safety device requirements. Owners of vehicles may apply for a waiver from any or all of the requirements. Waivers may be granted if a vehicle cannot comply with the safety device requirements due to the design, operation or other safety considerations relating to the vehicle; or if a vehicle is designed such that its shape, characteristics or component parts can be regarded as an adequate replacement or a functional equivalent substitute for the safety device requirements.</p>