

HOUSE No. 1413

The Commonwealth of Massachusetts

PRESENTED BY:

Tackey Chan

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act permitting persons to bring car damage arising from a pothole against the public entity into small claims court.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Tackey Chan</i>	<i>2nd Norfolk</i>	<i>1/12/2023</i>

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By Representative Chan of Quincy, a petition (accompanied by bill, House, No. 1413) of Tackey Chan for legislation to authorize the filing for damages in small claims court against a public entity arising from potholes under the jurisdiction of said entity. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1488 OF 2021-2022.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act permitting persons to bring car damage arising from a pothole against the public entity into small claims court.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 3 of Chapter 258 of the General Laws, under the 2020 Official
2 Edition, is hereby amended in line 6 after the word “county” by inserting the following words:-
3 “and except in the case where the damage to a claimant’s motor vehicle’s tire, rim or both is
4 caused by a state, county or municipal roadway shall be brought under sections 21 to 25 of
5 chapter 218 of the General Laws.”