

**HOUSE . . . . . No. 1685**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Kathi-Anne Reinstein**

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*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 passage of the accompanying bill:

An Act relative to oil spills on public ways.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Kathi-Anne Reinstein	16th Suffolk
Jennifer M. Callahan	18th Worcester

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1697 OF 2007-2008.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine

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### AN ACT RELATIVE TO OIL SPILLS ON PUBLIC WAYS.

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

1 Chapter 85 of the General Laws is hereby amended by adding the following section:—

2 Section 37. Any commercial motor vehicle or trailer used to deliver gasoline, oil or other flammable material which  
3 causes a spill in excess of 100 gallons on any way as defined in section one of chapter 90 shall be subject to a civil  
4 penalty not to exceed \$10,000 for each such spill. Said penalty shall be in addition to liability for costs incurred by  
5 the Commonwealth or any political subdivision thereof on cleaning and removing such spill. The superior court  
6 department of the trial court shall have jurisdiction to enforce the provisions of this section. Any civil penalty  
7 imposed under the provisions of this section shall be paid over to the treasury of the city or town wherein the spill  
8 took place.