

HOUSE No. 1909

The Commonwealth of Massachusetts

PRESENTED BY:

David T. Vieira

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 relative to civil fine enforcement.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|--------------------------|-----------------------|
| <i>David T. Vieira</i> | <i>3rd Barnstable</i> |
| <i>Timothy R. Whelan</i> | <i>1st Barnstable</i> |

HOUSE No. 1909

By Mr. Vieira of Falmouth, a petition (accompanied by bill, House, No. 1909) of David T. Vieira and Timothy R. Whelan relative to the suspension or revocation of a license or registration. Transportation.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3546 OF 2015-2016.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to civil fine enforcement.

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 22 of chapter 90 of the General Laws, as appearing in the 2012 Official Edition,
2 is hereby amended by adding the following subsection:-

3 (k) Upon receipt of notice submitted by a city or town, in a form and manner specified by
4 the registrar, indicating that an outstanding municipal fine exists against a particular resident of
5 the commonwealth or an individual licensed to operate a motor vehicle pursuant to this chapter,
6 the registrar, without opportunity for further hearing, shall prohibit the issuance or renewal of
7 such license, learner's permit, right to operate a motor vehicle or certificate of motor vehicle
8 registration for such resident or individual and forward any notice required by paragraph (d) to
9 such resident or individual. The registrar shall allow for the issuance or renewal of such license,
10 learner's permit or right to operate a motor vehicle or allow the registration of a motor vehicle

11 upon receipt of notice submitted by a city or town, in a form and manner specified by the
12 registrar, indicating that the outstanding municipal fine no longer exists. The registrar shall
13 promulgate regulations to implement this section, which shall include the opportunity for a
14 hearing to challenge the existence of an outstanding municipal fine. Notices between the
15 municipalities and the registrar pursuant to this subsection may be made in any form authorized
16 by the registrar, including electronic transmission. For purposes of this subsection, “outstanding
17 municipal fine” shall mean a legally enforceable fine incurred as a result of violation of a rule,
18 regulation, order, ordinance or by-law of any city or town that remains unpaid 25 days after the
19 last day on which payment of such fine was due or, if the recipient filed a timely appeal with the
20 city or town, 15 days after the recipient exhausted all administrative and legal remedies and
21 payment is still due and legally enforceable.