

SENATE No. 01779

The Commonwealth of Massachusetts

PRESENTED BY:

Anthony W. Petruccelli

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 noncriminal disposition of parking violations.

PETITION OF:

NAME:

Anthony W. Petruccelli

DISTRICT/ADDRESS:

First Suffolk and Middlesex

SENATE No. 01779

By Mr. Petruccelli, petition (accompanied by bill, Senate, No. 1779) of Petruccelli for legislation relative to noncriminal disposition of parking violations [Joint Committee on Transportation].

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
□ SENATE
□ , NO. 1954 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to noncriminal disposition of parking violations.

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 20A½ of chapter 90 of the General Laws is hereby amended on the
2 second line of the eighth paragraph thereof by deleting the word “two” at the end thereof and by
3 inserting in place thereof the word “one”.

4 SECTION 2. Section 20A½ of chapter 90 of the General Laws is hereby amended on the
5 fourth line of the eighth paragraph thereof by inserting after the words “said vehicle” the
6 following: “and shall not issue a new motor vehicle registration to said person.”

7 SECTION 3. Section 20A½ of chapter 90 of the General Laws is hereby amended by
8 inserting after the ninth paragraph the following new paragraph:

9 “If any person licensed to operate a motor vehicle in the commonwealth or having a
10 motor vehicle registered in the commonwealth fails to appear in accordance with five or more
11 notices the parking clerk shall notify the registrar of motor vehicles who shall place the matter on
12 record and shall suspend, without a hearing, the person’s license to operate a motor vehicle in the
13 commonwealth until such time as the matter has been disposed of in accordance with law. The
14 registrar of motor vehicles shall also suspend without a hearing and shall not renew the person’s
15 motor vehicle registration and shall not issue a new motor vehicle registration of any kind to said
16 person until after notice from the parking clerk that all such matters have been disposed of in
17 accordance with law. In the case of any person licensed to operate a motor vehicle in a state
18 other than the commonwealth or having a motor vehicle registered in a state other than the
19 commonwealth where said person has failed to appeal or appear in accordance with five of said
20 notices, notwithstanding any notification to the registrar, the parking clerk may notify the chief
21 of police or director of traffic or parking of said city or town that the vehicle involved in said
22 multiple violations shall be removed and stored, or otherwise immobilized by a mechanical
23 device, at the expense of the registered owner of said vehicle until such time as the matter has
24 been disposed of in accordance with law.”

25 SECTION 4. Section 20A of chapter 90 of the General Laws is hereby amended on the
26 second line of the seventh paragraph thereof by deleting the word “two” at the end thereof and
27 by inserting the word “one”.

28 SECTION 5. Section 20A of chapter 90 of the General Laws is hereby amended on the
29 fourth line of the seventh paragraph thereof by inserting after the words “said vehicle” the
30 following: “and shall not issue a new motor vehicle registration to said person”.

31 SECTION 6. Section 20A of chapter 90 of the General Laws is hereby amended by
32 inserting after the eighth paragraph the following new paragraph:

33 “If any person licensed to operate a motor vehicle in the commonwealth or having a
34 motor vehicle registered in the commonwealth fails to appear in accordance with five or more
35 notices the parking clerk shall notify the registrar of motor vehicles who shall place the matter on
36 record and shall suspend, without a hearing, the person’s license to operate a motor vehicle in the
37 commonwealth until such time as the matter has been disposed of in accordance with law. The
38 registrar of motor vehicles shall also suspend without a hearing and shall not renew the person’s
39 motor vehicle registration and shall not issue a new motor vehicle registration of any kind to said
40 person until after notice from the parking clerk that all such matters have been disposed of in
41 accordance with law. In the case of any person licensed to operate a motor vehicle in a state
42 other than the commonwealth or having a motor vehicle registered in a state other than the
43 commonwealth where said person has failed to appeal or appear in accordance with five of said
44 notices, notwithstanding any notification to the registrar, the parking clerk may notify the chief
45 of police or director of traffic or parking of said city or town that the vehicle involved in said
46 multiple violations shall be removed and stored, or otherwise immobilized by a mechanical
47 device, at the expense of the registered owner of said vehicle until such time as the matter has
48 been disposed of in accordance with law.”

49 SECTION 7. Section 22 of chapter 90 of the General Laws is hereby amended in the
50 second paragraph of subsection (c) on line two thereof by deleting the words after “ordinance”
51 and by inserting in place thereof the following: “including parking violations upon notice from
52 the parking clerk, as provided for in sections 20A and 20A½ of chapter 90 of the General Laws,

53 when a person fails to appear in accordance with five or more parking violation notices, when
54 the parking clerk has notified the registrar of motor vehicles”.

55 SECTION 8. Section 7V of chapter 90 of the General Laws is hereby amended by
56 adding a new sub-section (d) as follows: “The registrar shall, on or before January 1, 2012 make
57 and implement rules and regulations relative to the issuance of certificates of inspection which
58 shall provide that said certificate of inspection shall not be issued to the registrant and or any
59 person licensed to operate a motor vehicle in the commonwealth, until all parking violations on
60 record with the registrar marked to the person’s drivers license number, pursuant to the
61 provisions of sections 20 and 20A½ of chapter 90 of the General Laws, have been disposed of in
62 accordance with the law.

63 SECTION 9. Notwithstanding the provisions of any special or general law to the
64 contrary the registrar shall not renew or issue a new license to operate a motor vehicle in the
65 commonwealth to any person whose previous motor vehicle license is marked by the registrar for
66 non-renewal, in accordance with the provisions of sections 20A or 20A½ of chapter 90 of the
67 General Laws, until such time as all parking violations on record with the registrar have been
68 disposed of in accordance with law.

69 SECTION 10. Section 20A of chapter 90 of the General Laws is hereby amended on the
70 seventh line of the seventh paragraph by adding at the end thereof after the word “vehicle” the
71 following: “and an additional twenty dollar charge payable to the city or town in which the
72 violation occurred, shall be assessed against the registered owner of said vehicle”.

73 SECTION 11. Section 20A½ of chapter 90 of the General Laws is hereby amended on
74 the seventh line of the eighth paragraph by adding at the end thereof after the word “vehicle” the

75 following: “and an additional twenty dollar charge, payable to the city or town in which the
76 violation occurred shall be assessed against the registered owner of said vehicle”.