

HOUSE No. 3726

The Commonwealth of Massachusetts

PRESENTED BY:

Dylan A. Fernandes and Julian Cyr

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 concerning the rental of mopeds and motor scooters in the town of Oak Bluffs.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Dylan A. Fernandes</i>	<i>Barnstable, Dukes and Nantucket</i>	<i>1/27/2023</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>2/2/2023</i>

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By Representative Fernandes of Falmouth and Senator Cyr, a joint petition (accompanied by bill, House, No. 3726) of Dylan A. Fernandes and Julian Cyr (by vote of the town) that the town of Oak Bluffs be authorized to further regulate the rental of mopeds and motor scooters in said town. Municipalities and Regional Government. [Local Approval Received.]

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 4322 OF 2021-2022.]

The Commonwealth of Massachusetts

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

An Act concerning the rental of mopeds and motor scooters in the town of Oak Bluffs.

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. Notwithstanding the provisions of G. L. c. 90, § 1B, or any other general or
2 special law to the contrary, the Town of Oak Bluffs (the “Town”) is hereby authorized to amend
3 Chapter XV(F) of its Recodified General By-laws (April 9, 2002), as amended through
4 September of 2017, as set out in Section Two of this Act, to prohibit the commercial lease or
5 rental of mopeds and motor scooters to the public.

6 SECTION 2. The question shall be submitted for acceptance to the voters of the Town at
7 its next special or annual town meeting in the form of the following warrant article: “To see if
8 the Town will vote to delete the existing text of Chapter XV(F) of its Recodified General By-
9 laws (April 9, 2002), as amended through September of 2017, in its entirety, and replace it with

10 the following language: ‘The rental or leasing of mopeds and motor scooters to the public is
11 prohibited within the Town, and no license shall be issued for an entity to engage in the business
12 of renting or leasing mopeds or motor scooters to the public.’”

13 SECTION 3. If a majority of the voters at the special or annual town meeting in which
14 the article provided for in Section Two vote in the affirmative, then this Act shall take effect, but
15 not otherwise.

16 SECTION 4. Duly issued licenses in effect at the time this Act becomes effective shall
17 remain valid for the duration of the then existing license, but shall otherwise confer no benefit or
18 right on the holder to operate past the effective date of the existing license.