

**HOUSE . . . . . No. 2799**

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**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>1/21/2011</i>

**HOUSE . . . . . No. 2799**

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By Mr. Chan of Quincy, a petition (accompanied by bill, House, No. 2799) of Tackey Chan for legislation to permit persons to bring car damage arising from a pothole against the public entity into small claims court. The Judiciary.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 1774 OF 2009-2010.]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Eleven**  
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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 2002 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.”