

HOUSE No. 22

So much of the recommendations of the Department of the State Treasurer (House, No. 21) as relates to explosive bonds. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act relative to explosive bonds.

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

1 Notwithstanding any provision of the general or special laws to the contrary, in
2 Chapter 148, Section 19 of the General Laws, strike the words “approved by the treasurer
3 thereof, for such penal sum, not exceeding ten thousand dollars,”;

4 And in said Chapter 148, Section 20A, strike the words “state treasurer in the
5 penal sum of twenty thousand dollars, running to the commonwealth, with sureties approved by
6 the state treasurer,” and substitute in lieu thereof “state fire marshal”.

7 Section 19. Before the issue of a permit to use an explosive in the blasting of
8 rock or any other substance as prescribed by the department, the applicant for the permit shall
9 file with the clerk of the city or town where the blasting is to be done a bond running to the city
10 or town, with sureties as the marshal or the officer granting the permit shall determine to be
11 necessary in order to cover the risk of damage that might ensue from the blasting or its keeping
12 therefor; provided, that the marshal or the officer granting the permit may determine that a single
13 and blanket bond in a penal sum not exceeding fifteen thousand dollars is sufficient to cover the

14 risk of damage from all blasting operations of the applicant, either under the permit so issued or
15 under future permits to use explosives in blasting operations. The bond shall be conditioned upon
16 the payment of any loss, damage or injury resulting to persons or property by reason of such
17 blasting or keeping. Such applicant shall pay to said clerk at the time of filing of the said bond
18 the fee provided by clause (15) of section thirty-four of chapter two hundred and sixty-two.

19 Section 20A. If the applicant for a permit to use an explosive in the blasting of
20 rock or any other substance desires to conduct blasting operations in more than one city or town
21 in the commonwealth he may, instead of filing a bond with the clerk of each city or town in
22 which such operations are to be conducted, file a bond with the state fire marshal and for such
23 additional penal sum as the marshal shall determine to be necessary to cover the losses, damages
24 or injuries that might ensue to persons or property by reason thereof. The provisions of sections
25 nineteen and twenty shall apply to said bond and actions thereon so far as applicable.