

HOUSE No. 2908

The Commonwealth of Massachusetts

PRESENTED BY:

John W. Scibak

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 voluntary towing.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

John W. Scibak

2nd Hampshire

Carolyn C. Dykema

8th Middlesex

HOUSE No. 2908

By Mr. Scibak of South Hadley, a petition (accompanied by bill, House, No. 2908) of John W. Scibak and Carolyn C. Dykema relative to the certification and regulation by the Department of Public Utilities of persons engaged in the consensual and voluntary towing of motor vehicles. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

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

An Act relative to voluntary towing.

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. Chapter 159B of the General Laws, as appearing in the 2012 Official
2 Edition, is hereby amended by inserting, after section 6D, the following section:-

3 Section 6E.(a) No person, with a principal place of business within the commonwealth,
4 shall engage in the consensual and voluntary towing of motor vehicles within the commonwealth
5 without a certificate issued by the department. For the purposes of this section, the term
6 department shall mean the department of public utilities. A certificate or any renewal of a
7 certificate issued to a person shall expire 12 months after the effective date of such certificate.

8 (b) An application for a certificate to engage in the consensual and voluntary towing of
9 motor vehicles shall be made to the department. No certificate for operation of such towing
10 service shall be issued until the following 3 requirements have been met:

11 (1) proof of insurance, as prescribed by the department, is provided to the department;

12 (2) each operator of a tow company or unincorporated independent operator, including
13 any person who provides voluntary towing to the public and has direct contact with the public,
14 has met criminal offender record information standards as determined by the department to
15 ensure the public's safety; and

16 (3) each tow company or operator submits a certificate fee, as determined by the
17 secretary of administration and finance under section 3B of chapter 7.

18 SECTION 2. The department of public utilities shall promulgate all regulations for
19 compliance with section 6E of chapter 159B of the General Laws within 12 months of the
20 effective date of this act. Every person engaged in the consensual and voluntary towing of motor
21 vehicles shall comply with the requirements of this act within 12 months of the promulgation of
22 regulations by the department of public utilities.