

HOUSE No. 2967

The Commonwealth of Massachusetts

PRESENTED BY:

Edward F. Coppinger

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 noncriminal disposition of parking violations.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|------------------------------|---------------------------------------|------------------|
| <i>Edward F. Coppinger</i> | <i>10th Suffolk</i> | <i>1/13/2015</i> |
| <i>Mayor Martin J. Walsh</i> | <i>1 City Hall Square, Boston, MA</i> | <i>1/13/2015</i> |
| <i>Daniel J. Ryan</i> | <i>2nd Suffolk</i> | <i>1/15/2015</i> |
| <i>Aaron Michlewitz</i> | <i>3rd Suffolk</i> | <i>1/21/2015</i> |
| <i>Daniel Cullinane</i> | <i>12th Suffolk</i> | <i>2/2/2015</i> |
| <i>Michael F. Rush</i> | <i>Norfolk and Suffolk</i> | |
| <i>Russell E. Holmes</i> | <i>6th Suffolk</i> | <i>2/3/2015</i> |
| <i>Daniel J. Hunt</i> | <i>13th Suffolk</i> | <i>1/23/2015</i> |
| <i>Shawn Dooley</i> | <i>9th Norfolk</i> | |

HOUSE No. 2967

By Mr. Coppinger of Boston, a petition (accompanied by bill, House, No. 2967) of Edward F. Coppinger and others relative to the noncriminal disposition of parking violations. Transportation.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1697 OF 2013-2014.]

The Commonwealth of Massachusetts

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

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 7V of chapter 90 of the General Laws as appearing in the 2012
2 Official Edition is hereby amended by adding the following subsection:-
- 3 (d) The registrar shall, on or before January 1, 2016 make and implement rules and
4 regulations relative to the issuance of certificates of inspection which shall provide that said
5 certificate of inspection shall not be issued to the registrant and or any person licensed to operate
6 a motor vehicle in the commonwealth, until all parking violations on record with the registrar
7 marked to the person's drivers license number, pursuant to the provisions of sections 20 and
8 20A½ of chapter 90, have been disposed of in accordance with the law.

SECTION 2. Section 8 of chapter 90 of the General Laws as appearing in the 2012 Official Edition is hereby amended by adding the following paragraph:-

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

SECTION 3. Section 20A of chapter 90 of the General Laws as appearing in the 2012 Official Edition is hereby amended by striking out, in line 117 the word “two” and inserting in place thereof the following word:--

one

SECTION 4. Said section 20A of chapter 90 as so appearing is hereby further amended by inserting after the words “said vehicle”, in line 119, the following words:--

and shall not issue a new motor vehicle registration to said person

SECTION 5. Said section 20A of chapter 90 as so appearing is hereby further amended by inserting after the word “vehicle”, in line 123, the following words:--

and an additional \$20 charge payable to the city or town in which the violation occurred, shall be assessed against the registered owner of said vehicle

SECTION 6. Said section 20A of chapter 90 as so appearing is hereby further amended by inserting after the eighth paragraph the following paragraph:--

29 If any person licensed to operate a motor vehicle in the commonwealth or having a motor
30 vehicle registered in the commonwealth fails to appear in accordance with 5 or more notices the
31 parking clerk shall notify the registrar of motor vehicles who shall place the matter on record and
32 shall suspend, without a hearing, the person's license to operate a motor vehicle in the
33 commonwealth until such time as the matter has been disposed of in accordance with law. The
34 registrar of motor vehicles shall also suspend without a hearing and shall not renew the person's
35 motor vehicle registration and shall not issue a new motor vehicle registration of any kind to said
36 person until after notice from the parking clerk that all such matters have been disposed of in
37 accordance with law. In the case of any person licensed to operate a motor vehicle in a state
38 other than the commonwealth or having a motor vehicle registered in a state other than the
39 commonwealth where said person has failed to appeal or appear in accordance with 5 of said
40 notices, notwithstanding any notification to the registrar, the parking clerk may notify the chief
41 of police or director of traffic or parking of said city or town that the vehicle involved in said
42 multiple violations shall be removed and stored, or otherwise immobilized by a mechanical
43 device, at the expense of the registered owner of said vehicle until such time as the matter has
44 been disposed of in accordance with law.

45 SECTION 7. Section 20A½ of chapter 90 of the General Laws as appearing in the 2012
46 Official Edition is hereby amended by striking out, in line 94, the word "two" and inserting in
47 place thereof the following word:--

48 one

49 SECTION 8. Said section 20A½ of chapter 90 as so appearing is hereby further amended
50 by inserting after the words "said vehicle", in line 96, the following words:--

51 and shall not issue a new motor vehicle registration to said person.

52 SECTION 9. Said section 20A½ of chapter 90 as so appearing is hereby further amended
53 by inserting after the word “vehicle”, in line 100, the following words:--

54 and an additional \$20 charge, payable to the city or town in which the violation occurred
55 shall be assessed against the registered owner of said vehicle

56 SECTION 10. Said section 20A½ of chapter 90 as so appearing is hereby further
57 amended by inserting after the ninth paragraph the following paragraph:--

58 If any person licensed to operate a motor vehicle in the commonwealth or having a motor
59 vehicle registered in the commonwealth fails to appear in accordance with 5 or more notices the
60 parking clerk shall notify the registrar of motor vehicles who shall place the matter on record and
61 shall suspend, without a hearing, the person’s license to operate a motor vehicle in the
62 commonwealth until such time as the matter has been disposed of in accordance with law. The
63 registrar of motor vehicles shall also suspend without a hearing and shall not renew the person’s
64 motor vehicle registration and shall not issue a new motor vehicle registration of any kind to said
65 person until after notice from the parking clerk that all such matters have been disposed of in
66 accordance with law. In the case of any person licensed to operate a motor vehicle in a state
67 other than the commonwealth or having a motor vehicle registered in a state other than the
68 commonwealth where said person has failed to appeal or appear in accordance with 5 of said
69 notices, notwithstanding any notification to the registrar, the parking clerk may notify the chief
70 of police or director of traffic or parking of said city or town that the vehicle involved in said
71 multiple violations shall be removed and stored, or otherwise immobilized by a mechanical

72 device, at the expense of the registered owner of said vehicle until such time as the matter has
73 been disposed of in accordance with law.

74 SECTION 11. Section 22 of chapter 90 of the General Laws as appearing in the 2012
75 Official Edition is hereby amended by striking out all words after “ordinance”, in lines 56-59,
76 and inserting in place thereof the following words:--

77 including parking violations upon notice from the parking clerk, as provided for in
78 sections 20A and 20A½ of chapter 90 of the General Laws, when a person fails to appear in
79 accordance with five or more parking violation notices, when the parking clerk has notified the
80 registrar of motor vehicles.