

HOUSE No. 3096

The Commonwealth of Massachusetts

PRESENTED BY:

William M. Straus

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 carriers of property by motor vehicle.

PETITION OF:

NAME:

William M. Straus

DISTRICT/ADDRESS:

10th Bristol

HOUSE No. 3096

By Mr. Straus of Mattapoisett, a petition (accompanied by bill, House, No. 3096) of William M. Straus relative to the transportation of alcoholic beverages and property by agricultural, common or contract carriers. Transportation.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3154 OF 2013-2014.]

The Commonwealth of Massachusetts

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

An Act relative to carriers of property by motor vehicle.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately provide for the permitting and transportation of certain property by motor vehicle, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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 15A the following section:-

3 Section 15B. Notwithstanding any general or special law or regulation to the contrary,
4 any agricultural carrier by motor vehicle or common or contract carrier by motor vehicle, or any
5 individual, partnership, or corporation regularly and lawfully conducting a parcel delivery
6 service or a general express or trucking business, or a business regularly and lawfully engaged in
7 the business of leasing trucks for hire, with or without drivers, may, if authorized by a fleet

8 permit issued by the department, transport or deliver the products sold at retail by licensees under
9 sections 19B, 19C, or 19F of chapter 138 to the ultimate consumers of such products. There shall
10 be an annual fee for such fleet permit of \$3,500. Such fleet permit shall cover any and all
11 vehicles owned or hired, and operated, by such permittee. Persons operating a vehicle when
12 engaged in such transportation or delivery shall be required to carry such permit or a photostatic
13 copy thereof. Parcels transported or delivered under this paragraph shall be clearly labeled with
14 words that indicate that the package contains alcohol and that the signature of a person, age 21
15 years or older, is required for delivery. Receipts for delivery of such parcels shall contain a
16 check box next to the recipient's signature where he shall certify that he is not under 21 years of
17 age and a check box where the delivery person shall certify that valid identification showing that
18 the recipient is not under 21 years of age was presented by the recipient upon delivery.
19 Notwithstanding the foregoing, a delivery company may use an electronic device to receive the
20 signature of a person accepting delivery of a parcel under this section and to certify that the
21 person has displayed a valid identification as so required. No such delivery shall exceed 108
22 liters.