

HOUSE No. 3910

So much of the message from His Excellency the Governor recommending legislation relative to modernizing municipal finance and government [for message, see House, No. 3905] as relates to sections 184 through 200. Transportation.

The Commonwealth of Massachusetts

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

An Act relative to modernize municipal finance and government.

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 [184]. Section 16A of chapter 83 of the General Laws, as so appearing, is
2 hereby amended by inserting after the word “deeds”, in line 4, the following words:- , and files a
3 copy of said certificate with the collector of taxes of the city or town in which the lien hereinafter
4 mentioned is to take effect, .

5 SECTION 2 [185]. Chapter 90B of the General Laws, as so appearing, is hereby
6 amended by inserting after section 2 the following section:-

7 Section 2A. The owner of a vessel, which has a valid marine document issued by the
8 Bureau of Customs of the United States or any federal agency successor thereto and is
9 homeported in the commonwealth or maintained in commonwealth waters by a resident of the
10 commonwealth, shall apply to the director on a form prescribed him for a registration decal or
11 renewal thereof. The application shall be signed by the owner of the vessel and submitted to the

12 director together with a fee, as determined annually by the commissioner of administration under
13 the provision of section 3B of chapter 7.

14 The registration decal shall be displayed, so as to be visible to any law enforcement
15 officer, on the upper left section of the transom while facing the transom.

16 Registration decal information for such documented vessels shall be maintained by the
17 department and transmitted to the board of assessors of each city and town for the purposes of
18 assessing the excise imposed by chapter 60B.

19 This section shall not apply to owners of vessels documented for commercial use.

20 SECTION 3 [186]. Section 3 of said chapter 90B, as so appearing, is hereby amended by
21 adding the following subsection:

22 (l) Registration information for such motorboats shall be maintained by the department
23 and transmitted to the board of assessors of each city and town for the purposes of assessing the
24 excise imposed by chapter 60B.

25 SECTION 4 [187]. Section 1 of chapter 90C of the General Laws, as so appearing, is
26 hereby amended by striking out the definition of “Audit sheet” and inserting in place thereof the
27 following definition:-

28 “Audit sheet”, a list of unique numbers assigned to the citations in a particular citation
29 book or books, or in electronic format, and in such form as the registrar shall determine.

30 SECTION 5 [188]. Said section 1 of said chapter 90C, as so appearing, is hereby further
31 amended by striking out the definition of “Citation” and inserting in place thereof the following
32 definition:-

33 “Citation”, a notice, whether issued in handwritten form from a “citation book” or issued
34 electronically and then printed on paper, upon which a police officer shall record an occurrence
35 involving all automobile law violations by the person cited. Each citation shall be numbered and
36 shall be in such form and such parts as determined jointly by the administrative justice of the
37 district court department and the registrar.

38 SECTION 6 [189]. Said section 1 of said chapter 90C, as so appearing, is hereby further
39 amended by inserting, in line 60, after the word “town,” the following words:- or his or her
40 designee,.

41 SECTION 7 [190]. Said section 1 of said chapter 90C, as so appearing, is hereby further
42 amended by striking out, in lines 61 to 62, inclusive, the words “chairman of the Massachusetts
43 Department of Transportation” and inserting in place thereof the words:- Secretary of the
44 Massachusetts Department of Transportation or his or her designee.

45 SECTION 8 [191]. Section 2 of said chapter 90C, as so appearing, is hereby amended by
46 inserting, in line 9, after the word “issued,” the following words:- The executive office of public
47 safety and security shall promulgate rules and regulations establishing the standards required by
48 this section for the issuance of electronic citations, including the proper equipment to be
49 maintained by each department. In lieu of issuing citation books or in addition thereto, each
50 police chief whose department issues citations electronically may grant authority to do so to each
51 police officer of his or her department who has been trained pursuant to the regulations.

52 SECTION 9 [192]. Said section 2 of said chapter 90C, as so appearing, is hereby further
53 amended by striking out, in line 66, the words “by said police officer and by the violator”, and

54 inserting in place thereof the following words:- , manually or electronically, by said police
55 officer.

56 SECTION 10 [193]. Said section 2 of said chapter 90C, as so appearing, is hereby
57 further amended by striking out, in lines 68 to 70, inclusive, the words “The violator shall be
58 requested to sign the violation in order to acknowledge that is has been received.”

59 SECTION 11 [194]. Said section 2 of said chapter 90C, as so appearing, is hereby
60 further amended by inserting, in line 96, after the word “him” the following words:- and except
61 further that if a citation has been issued electronically, an electronic record shall be made and
62 delivered to the police chief.

63 SECTION 12 [195]. Said section 2 of said chapter 90C, as so appearing, is hereby
64 further amended by inserting, in line 104, after the word “citation,” the following words:- or if
65 issued electronically, shall retain the police department report of the issuance,.

66 SECTION 13 [196]. Said section 2 of said chapter 90C, as so appearing, is hereby
67 further amended by inserting, in line 106, after the word “citations” the following words:- issued
68 from a citation book.

69 SECTION 14 [197]. Said section 2 of said chapter 90C, as so appearing, is hereby
70 further amended by inserting, in line 108, after the word “registrar” the following words:- , or in
71 the case of citations issued electronically alleging one or more civil motor vehicle infractions,
72 shall ensure that such citation or citations were electronically forwarded as required.

73 SECTION 15 [198]. Said section 2 of said chapter 90C, as so appearing, is hereby
74 further amended by inserting, in line 110, after the word “copies” the following words:- or
75 electronic records.

76 SECTION 16 [199]. Said section 2 of said chapter 90C, as so appearing, is hereby
77 further amended by inserting, in line 121, after the word “citation” the following words:- issued
78 from a citation book.

79 SECTION 17 [200]. Said section 2 of said chapter 90C, as so appearing, is hereby
80 further amended by inserting at the end of said section the following sentence:- If any record of a
81 citation issued electronically is spoiled, mutilated or voided, the record of such electronic
82 citation, to the extent it can be recovered, shall be endorsed with a full explanation thereof by the
83 police officer voiding such electronic citation and it shall be forwarded to the registrar in a
84 manner approved by him and the officer shall be prepared to account for the void in an electronic
85 audit trail.