

HOUSE No. 3402

The Commonwealth of Massachusetts

PRESENTED BY:

John J. Mahoney

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 recovery.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>John J. Mahoney</i>	<i>13th Worcester</i>	<i>1/20/2017</i>
<i>Daniel M. Donahue</i>	<i>16th Worcester</i>	<i>1/20/2017</i>

HOUSE No. 3402

By Mr. Mahoney of Worcester, a petition (accompanied by bill, House, No. 3402) of John J. Mahoney and Daniel M. Donahue relative to reimbursable expenses for the towing of commercial and non-commercial vehicles. Telecommunications, Utilities and Energy.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2897 OF 2015-2016.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to recovery.

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 6B. The department shall establish the maximum charges that may
2 be made by persons subject to the provisions of this chapter for the towing away of motor
3 vehicles, when such towing is ordered by the police or other public authority. Notwithstanding
4 any general or special law to the contrary, a city or town by vote of its council or selectmen may
5 establish the maximum rate that may be charged for the towing away of motor vehicles within its
6 jurisdiction, but the maximum rate charged by a city or town shall not exceed the maximum rate
7 established by the department. Persons subject to the provisions of this chapter for the towing
8 away of motor vehicles may charge an additional fee. The calculation for said fee shall include,
9 but not be limited to, the following: wrecker working, winching, waiting time, clean up time and
10 the provisions for special equipment and personnel necessary for placing a disabled vehicle in a

11 position to be towed. The charges for such extraordinary, special or additional services shall not
12 exceed the carriers normal and customary rates charged to similarly situated customers. The
13 maximum rate for said fee shall be on file with the department. Notwithstanding any general or
14 special law to the contrary, a city or town by vote of its council or selectmen may establish the
15 maximum rate that may be charged for the towing away of motor vehicles within its jurisdiction,
16 but the maximum rate charged by a city or town shall not exceed the maximum rate established
17 by the Department.