

HOUSE No. 771

The Commonwealth of Massachusetts

PRESENTED BY:

Daniel M. Donahue

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 civil liability for snow removal.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Daniel M. Donahue</i>	<i>16th Worcester</i>	<i>1/19/2017</i>

HOUSE No. 771

By Mr. Donahue of Worcester, a petition (accompanied by bill, House, No. 771) of Daniel M. Donahue relative to civil liability for snow removal. The Judiciary.

The Commonwealth of Massachusetts

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

An Act relative to civil liability for snow removal.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 231 of the General Laws is hereby amended by inserting after section 85AA the
2 following section:-

3 Section 85BB. No individual who is employed to remove an accumulation of snow or ice
4 from the property of another, and who in fact undertakes the removal of snow or ice from a
5 property and completes the removal in accordance with any agreement between the individual
6 and the property owner, shall be liable for any civil damages for injuries to persons or property
7 arising out of his or her acts or omissions relating solely to the removal of such snow or ice,
8 where: (1) 36 hours have passed between the removal of snow or ice and the incident giving rise
9 to the claim for civil damages, during which the temperature has been below 32 degrees
10 Fahrenheit for at least 12 hrs, or (2) snow, sleet or freezing rain has accumulated by 2 inches or
11 more between the removal of snow or ice and the incident giving rise to the claim for civil
12 damages; unless such acts or omissions constitute willful, wanton or reckless conduct.