

**HOUSE . . . . . No. 1607**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Jessica Ann Giannino*

*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 oil spills on public ways.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Jessica Ann Giannino</i>	<i>16th Suffolk</i>	<i>2/10/2021</i>

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By Ms. Giannino of Revere, a petition (accompanied by bill, House, No. 1607) of Jessica Ann Giannino for legislation to impose a penalty for commercial motor vehicle oil spills on public ways. The Judiciary.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 3469 OF 2019-2020.]

**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Second General Court  
(2021-2022)**  
\_\_\_\_\_

An Act relative to oil spills on public ways.

*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 85 of the General Laws is hereby amended by adding the following section:—

2 Section 37. Any commercial motor vehicle or trailer used to deliver gasoline, oil or other  
3 flammable material which causes a spill in excess of 100 gallons on any way as defined in  
4 section one of chapter 90 shall be subject to a civil penalty not to exceed \$25,000 for each such  
5 spill. Said penalty shall be in addition to liability for costs incurred by the Commonwealth or any  
6 political subdivision thereof on cleaning and removing such spill. The superior court department  
7 of the trial court shall have jurisdiction to enforce the provisions of this section. Any civil  
8 penalty imposed under the provisions of this section shall be paid over to the treasury of the city  
9 or town wherein the spill took place.