HOUSE DOCKET, NO. 1368 FILED ON: 2/4/2021

HOUSE . . . . . No. 393

The Commonwealth of Massachusetts

PRESENTED BY:

Steven S. Howitt

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 background checking for bidding privileges at auto auctions.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Steven S. Howitt	*4th Bristol*	*2/4/2021*

HOUSE DOCKET, NO. 1368 FILED ON: 2/4/2021

HOUSE . . . . . No. 393

By Mr. Howitt of Seekonk, a petition (accompanied by bill, House, No. 393) of Steven S. Howitt relative to background checks for bidders at auto auctions. Consumer Protection and Professional Licensure.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *259* OF 2019-2020.]

The Commonwealth of Massachusetts

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

An Act relative to background checking for bidding privileges at auto auctions.

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

SECTION 1. Chapter 140 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by striking section 57 in its entirety and inserting in place thereof the following new section:--

Section 57. (a) No person, except one whose principal business is the manufacture and sale of new motor vehicles but who incidentally acquires and sells second hand vehicles, or a person whose principal business is financing the purchase of or insuring motor vehicles but who incidentally acquires and sells second hand vehicles, shall engage in the business of buying, selling, exchanging or assembling second hand motor vehicles or parts thereof or allow any property under his control to be used as a place of sale or display of motor vehicles without securing a license as providing in section fifty-nine. This section shall apply to any person

engaged in the business of conducting auctions for the sale of motor vehicles, and to any person engaged in the business of leasing or renting motor vehicles and who, as an incident to such business, sells or offers to sell any such lease or rental vehicle to the public. All sales of second-hand motor vehicles or parts thereof made by any person referred to in this section shall be reported weekly to the registrar of motor vehicles on such forms as may be prescribed by him.

(b) Any persons who intend to bid and/or purchase vehicles from an auto auction shall be required to submit a CORI check or similar background check from the dealer license issuance state to be submitted to the auction on a yearly basis when renewing privileges for anyone with signatory power and or/bidding access. The auction shall be responsible to forward any checks that have issues to the registry for review.