

# Committee on Public Safety and Homeland Security

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## *Bill Summary*

**Bill Number:** H2622

**Name:** An Act relative to liquid or gas flammable material spills on public ways

**Sponsor(s):** Representative Jessica Gianno

**Hearing Date:** July 24<sup>th</sup> at 1:00 PM in room A2

**Prior History:** N/A

**Summary:** Section 1: proposes to amend Chapter 85 of the General Laws by adding Section 38: Operators of commercial motor vehicles or trailers transporting flammable materials may face civil penalties up to \$20,000 per violation for spills contaminating surface or groundwater. Each day a violation continues counts as a separate offense, but penalties do not accrue until MassDOT's Highway Division provides notice. In addition to fines, violators are liable for clean-up costs incurred by the state or municipality. The Attorney General may seek injunctive relief, and Superior Court has jurisdiction to enforce this section, with all penalties paid to the affected municipality's treasury.

Section 2: proposes to amend Chapter 90 of the General Laws by adding Section 64: The Department shall establish a surety bond schedule for commercial motor vehicle and trailer companies, as well as product suppliers and dealers handling gasoline, oil, or other flammable materials. These bonds ensure emergency cleanup funding and environmental protection against accidental spills and intentional violations of Chapter 21E regulations. Municipalities will be the obligees of these bonds, receiving compensation for both short- and long-term remediation of spills exceeding 100 gallons.

Section 3: The Secretary of Public Safety, with state agencies and UMass Amherst, will study spills from commercial motor vehicles carrying flammable materials. The study will examine driver pay structures, accident risks, spill impacts on safety and the environment, and prevention methods. A report with recommendations will be submitted within one year.

