

SENATE No. 1342

The Commonwealth of Massachusetts

PRESENTED BY:

Michael O. Moore

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 voluntary towing reform.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Michael O. Moore</i>	<i>Second Worcester</i>	
<i>John W. Scibak</i>	<i>2nd Hampshire</i>	<i>1/30/2017</i>

SENATE No. 1342

By Mr. Moore, a petition (accompanied by bill, Senate, No. 1342) of Michael O. Moore and John W. Scibak for legislation relative to voluntary towing reform. Public Safety and Homeland Security.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 2469 OF 2015-2016.]

The Commonwealth of Massachusetts

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

An Act relative to voluntary towing reform.

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. Chapter 159B of the General Laws is hereby amended by inserting after
2 section 6B the following section:-

3 Section 6B½. (a) For the purposes of this section, the term “department” shall mean the
4 department of public utilities. A person with a principal place of business in the commonwealth
5 shall not engage in the consensual and voluntary towing of motor vehicles within the
6 commonwealth without a certificate issued and annually renewed by the department; provided,
7 however, that a membership service organization with more than 1,000,000 members that
8 provide towing services through company-owned vehicles or contracts with tow companies shall
9 not be subject to this section.

10 (b) A person seeking to engage in the consensual and voluntary towing of motor vehicles
11 shall apply for a certificate from the department. Such application shall be in a form prescribed
12 by the department. A certificate to provide towing services shall not be issued until a tow
13 company or sole operator meets the following requirements: (i) provides proof of insurance
14 prescribed by the department, to the department; (ii) submits a certificate fee, as determined by
15 the secretary of administration and finance under section 3B of chapter 7; and (iii) meets the
16 public safety requirements prescribed by the department.

17 (c) The commissioner of public utilities shall promulgate regulations necessary for the
18 implementation and administration of this section.

19 SECTION 2. The department of public utilities shall promulgate the regulations pursuant
20 to subsection (c) of section 6B½ of chapter 159B of the General Laws within 12 months of the
21 effective date of this act.

22 SECTION 3. A person engaged in the consensual and voluntary towing of motor vehicles
23 shall comply with the requirements section 6B½ of chapter 159B of the General Laws within 12
24 months of the promulgation of regulations by the department of public utilities.