

By Mr. Hillman of Sturbridge, petition of Reed V. Hillman relative to abandoned vehicles and aircraft. Public Safety.

The Commonwealth of Massachusetts

In the Year Two Thousand and One.

AN ACT RELATIVE TO ABANDONED VEHICLES AND AIRCRAFT.

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 90: Section 2213. Abandonment of motor vehicles;
2 penalties. Section 2213. (a) A motor vehicle owner who abandons
3 a motor vehicle registered or unregistered, upon any public or pri-
4 vate way or upon any property other than his own without the per-
5 mission of the owner or lessee of said property shall be subject to
6 the provision and penalties as described in sections (b) to (j).

7 (b) Notwithstanding the provisions of any other general or
8 special law to the contrary, proceedings under the provisions of
9 subsections (a) to (j), inclusive, shall be deemed non-criminal. As
10 used in subsections (a) to (j), inclusive, the word "motor vehicle
11 owner" shall mean the person or entity registered as the owner, of
12 a motor vehicle in the records of the registry of motor vehicles or
13 the person or entity who last had custody or possession of a motor
14 vehicle, legally or otherwise, including, without limitation, opera-
15 tors and owners of automobile graveyards or junkyards as defined
16 in section one of chapter one hundred and forty B; provided, how-
17 ever, that the owner of a motor vehicle which has been stolen
18 from said owner and subsequently abandoned shall not be subject
19 to the penalties provided for in this section. The city or town
20 parking clerk as designated or appointed as provided in section
21 twenty A or twenty A, in addition to other duties provided by law,
22 shall supervise and coordinate the processing of abandoned motor
23 vehicles. Said parking clerk shall have the authority to hire per-
24 sonnel, or may contract by competitive bid for services necessary
25 to implement the provisions of this section.

26 (c) A motor vehicle owner who abandons a motor vehicle, reg-
27 istered or unregistered, upon any public or private way, or upon
28 the property of another, without the permission of the owner or
29 lessee of said property, shall pay a civil penalty of two hundred
30 and fifty dollars for the first such abandonment and five hundred
31 dollars for each such abandonment thereafter and, in addition
32 thereto shall be liable for costs incurred by a city or town in
33 removing or disposing of such motor vehicle, including, but not
34 limited to, towing, storage, processing and disposal charges.

35 (d) A police officer, or a person assigned responsibility for
36 abandoned motor vehicles by the parking clerk, who determines
37 that a motor vehicle has been abandoned shall attach a tag to said
38 vehicle containing, but not limited to, the following information:
39 the current date, the location of said vehicle, its make, color, reg-
40 istration number, if any, and its vehicle identification number; a
41 telephone number or address at which the motor vehicle owner
42 may obtain information regarding the status of the motor vehicle;
43 the hearing procedure regarding abandoned motor vehicles, as
44 provided herein; and, a statement that after a specified period of
45 time, the vehicle may be towed and disposed of.

46 (e) After said tag has been affixed to such vehicle, if the own-
47 er's identity is ascertained and the motor vehicle is still deemed to
48 be abandoned pursuant to section twenty-two C, the parking clerk
49 or his designee shall send a written notice in a form approved by
50 the registrar of motor vehicles by first class mail to the motor
51 vehicle owner's last known address as contained in records of said
52 registrar of motor vehicles. Such notice shall be deemed suffi-
53 cient, whether or not actually received by the addressee, if mailed
54 to the address furnished by said registrar. Such notice shall con-
55 tain, but not be limited to, the following information regarding the
56 abandoned vehicle: the current date, the location of said vehicle,
57 make, color, registration number, if any, and its vehicle identifica-
58 tion number; the amount of the fine and costs assessed for the
59 offense and the scheduled date, time and place of the hearing
60 before a hearing officer. Notwithstanding the hearing scheduled
61 by the parking clerk, the motor vehicle owner shall be granted a
62 hearing prior to the scheduled hearing date by appearing at the
63 office of the parking clerk during its regular business hours and
64 requesting an immediate hearing regarding the apparently aban-

65 doned motor vehicle. Notwithstanding the hearing scheduled by
66 the parking clerk, the motor vehicle owner may elect to have the
67 matter adjudicated in accordance with the provisions of subsection
68 (g).

69 (f) All such hearings shall be held before a person hereinafter
70 referred to as a hearing officer who shall be the parking clerk or a
71 designee of said parking clerk. Such hearings shall be informal,
72 the rules of evidence shall not apply and decisions of the hearing
73 officer shall be subject to judicial review as provided by section
74 fourteen of chapter thirty A. No appeal or exception shall operate
75 to stay the imposition of the fine and costs, the revocation or non-
76 renewal of the license or the prohibition of registration as pro-
77 vided for herein.

78 (g) A motor vehicle owner so notified to appear before the
79 hearing officer may appear and contest or confess the alleged vio-
80 lation, either personally or through an agent duly authorized in
81 writing or in the alternative, may confess the alleged violation by
82 mailing to the parking clerk the notice accompanied by the fine
83 and any costs assessed; provided, however, that such payment
84 shall be made only by postal note, money order or registered
85 check made payable to the city or town in which the violation
86 occurred.

87 (h) If the motor vehicle owner fails to appear at hearing, or fails
88 to pay the fine and costs, the parking clerk shall, in the case of a
89 person, notify the registrar of motor vehicles who shall place the
90 matter on record and not renew the license of such person to
91 operate a motor vehicle, and in the case of an entity, notify the
92 appropriate person to revoke or not renew the owner's license or
93 permit to operate a business pertaining to the towing, storing, ser-
94 vicing or dismantling of motor vehicles including, without limita-
95 tion, automobile graveyards and junkyards. If the abandoned
96 motor vehicle is registered in such motor vehicle owner's name or
97 was last registered in his name, the registrar shall prohibit the reg-
98 istration and renewal of registration of any such motor vehicle
99 under such motor vehicle owner's name. Such notice shall be in a
100 form approved by the registrar of motor vehicles. Upon notifica-
101 tion to the registrar of the motor vehicle owner's name, an addi-
102 tional ten-dollar charge shall be assessed against such motor
103 vehicle owner of the abandoned vehicle. Said ten-dollar charge

104 shall be collected by the city or town and notification of such col-
105 lection shall be made to the registrar of motor vehicles each
106 month. On or before September first of each year, the registrar
107 shall certify the total number of ten-dollar charges to be assessed
108 against the city or town. This number shall equal the total number
109 of notifications of actual collections by said city or town. The reg-
110 istrar shall transmit such certified assessments to the treasurer of
111 the commonwealth who shall include such assessments in the war-
112 rants prepared in accordance with section twenty of chapter fifty-
113 nine. All such actions taken by the registrar shall remain in effect
114 until said registrar receives notice from the parking clerk that the
115 matter has been disposed of in accordance with the law.

116 (i) Notwithstanding any other general or special law, ordinance
117 or regulation to the contrary, if a motor vehicle owner has aban-
118 doned a motor vehicle on three occasions and has incurred a fine
119 therefore, each subsequent abandonment, in addition to the fines
120 and costs assessed herein, shall result, in the case of a person, in
121 the revocation for one year of the motor vehicle owner's license to
122 operate a motor vehicle, and in the case of an entity, in the revoca-
123 tion for one year of the motor vehicle owner's license or permit to
124 operate a business pertaining to the towing, storing, servicing or
125 dismantling of motor vehicles including, without limitation, auto-
126 mobile graveyards and junkyards. Such one year time period shall
127 commence on the date on which the parking clerk's records indi-
128 cate that a hearing was held and a fourth or subsequent abandon-
129 ment was found or that a fine was received in the mail confessing
130 a fourth or subsequent abandonment.

131 (j) Notwithstanding any other provisions of this section, when-
132 ever the clerk or a person designated or appointed by said clerk,
133 shall deem that an abandoned motor vehicle is worth less than the
134 cost of its removal, transportation and three days storage and
135 expenses incidental to its disposal, said clerk or designee shall
136 direct a carrier to take possession of such motor vehicle and dis-
137 pose of it as refuse. A record of such disposal shall be made and
138 kept in the office of said clerk for a period of two years. Neither
139 said clerk, carrier nor the city or town shall be liable for such dis-
140 posal. The motor vehicle owner of such vehicle shall be notified
141 as hereinbefore provided and shall pay to said carrier all charges
142 for removal, transportation, storage and disposal of such vehicle

143 within fourteen days after the mailing of said notice or shall be
144 subject to the fine herein provided as well as non-renewal of such
145 motor vehicle owner's license to operate and registration of a
146 motor vehicle.

The first part of the report deals with the general situation of the country and the progress of the work during the year. It is followed by a detailed account of the various projects and the results obtained. The report concludes with a summary of the work done and the prospects for the future.

The work has been carried out in accordance with the programme of work approved by the Council of the Institute. It has been a year of active and successful work, and the results obtained are of great interest and value.

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The Development of Language

Language is a complex system of communication that develops over time. It is a key feature of human culture and is essential for social interaction. The development of language is a process that begins in early childhood and continues throughout life.

There are several factors that influence the development of language, including genetics, environment, and social interaction.

Genetics play a role in the development of language, as certain genes are known to be involved in the process. For example, the FOXP2 gene is associated with the ability to learn and use language.

The environment also plays a significant role in language development. Children who are exposed to a rich language environment from an early age are more likely to develop strong language skills. This includes hearing a variety of words and phrases, being read to, and having conversations with others.

Social interaction is another key factor in language development. Children learn to use language by interacting with others and receiving feedback. This process is often referred to as the "social interactionist" model of language development.

