

the second time it appears in line 1, the words:—; provided, however, that in the event of an error in grading the director shall have full authority to make any corrections he may deem necessary.

SECTION 3. The second paragraph of section 8C of said chapter 31, as appearing in chapter 655 of the acts of 1968, is hereby amended by adding the following sentence:—Section twelve A shall not apply to examinations held under this section; provided, however, that in the event of an error in grading the director shall have full authority to make any corrections he may deem necessary.

Approved June 24, 1970.

Chap. 469. AN ACT REQUIRING THE FILING OF ANNUAL FINANCIAL RETURNS BY PERSONS ENGAGED IN THE TOWING AWAY OF MOTOR VEHICLES.

Be it enacted, etc., as follows:

Section 6B of chapter 159B of the General Laws is hereby amended by adding the following paragraph:—

Every person engaged in the towing away of motor vehicles under this section and section six C shall annually transmit to the department a financial statement, on a form prescribed by the department, reflecting the net profits for the preceding year from such towing operations on or before March the thirty-first in each year. Failure to make such return, within the time herein provided, shall result in the forfeiture of twenty-five dollars for each day that said return is not so filed.

Approved June 24, 1970.

Chap. 470. AN ACT FURTHER REGULATING THE ERECTION OF BARRIERS AROUND EXCAVATIONS IN CITIES AND TOWNS.

Be it enacted, etc., as follows:

Section 21 of chapter 40 of the General Laws is hereby amended by striking out clause (19), as most recently amended by chapter 436 of the acts of 1957, and inserting in place thereof the following clause:—

(19) For requiring any person excavating land or any person in charge of such excavation and for requiring any owner of land which has been excavated to erect barriers or take other suitable measures within two days after such person has been notified in writing by the mayor or city manager and the city council, the selectmen or the building inspector, of the city or town in which the land is located that in their opinion such excavation constitutes a hazard to public safety. The penalty for violation of any ordinance or by-law made hereunder shall not exceed two hundred dollars per day for every day such person is in violation of such notice commencing with the fourth day thereof. The superior court shall have jurisdiction in equity to compel compliance with any ordinance or by-law made under the provisions of this clause. Notwithstanding the foregoing, no person shall be found guilty of a violation of such an ordinance or by-law, nor shall a person be compelled in equity to comply therewith unless, in the opinion of the court, such excavation constitutes a hazard.

Approved June 24, 1970.