

# HOUSE . . . . No. 2030

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, April 23, 1947.

The committee on Mercantile Affairs to whom was referred the petition (accompanied by bill, House, No. 1389) of Hollis M. Gott for legislation to provide for the bonding of persons engaged in the business of conducting or maintaining open air parking places, report the accompanying bill (House, No. 2030).

For the committee,

EARLE S. BAGLEY.

## The Commonwealth of Massachusetts

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In the Year One Thousand Nine Hundred and Forty-Seven.

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### AN ACT FURTHER REGULATING THE BUSINESS OF CONDUCTING OR MAINTAINING PARKING AREAS.

*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 148 of the General Laws is hereby amended  
2 by striking out section 56, as appearing in the Ter-  
3 centenary Edition, and inserting in place thereof the  
4 following section: —

5 *Section 56.* No person shall engage in the business  
6 of conducting or maintaining public parking facilities  
7 for privately owned motor vehicles and other vehicles  
8 for which a charge is made, if engaging in such business  
9 for not less than three months in each year, without  
10 a license therefor granted by the licensing authority of  
11 the city or town, approved by the head of the fire de-  
12 partment thereof. The license shall specify all prem-  
13 ises in such city or town to be occupied by the licensee  
14 for the purpose of engaging in such business. Fees for  
15 such licenses shall be in such amount as may be estab-  
16 lished from time to time by the licensing authority,  
17 authority being hereby given to such authority to  
18 reasonably classify said licenses and said fees. Every  
19 license granted under this section shall be upon the  
20 following conditions: —

21 1. That the licensee shall maintain each parking  
22 area covered thereby in a safe and clean condition;

23 2. That the licensee shall maintain at all times at  
24 each such parking area one or more permanent signs,  
25 plainly visible at each entrance, stating clearly the  
26 time of closing the parking area, the prices for parking  
27 therein, any changes in prices and the hours at which  
28 such changes shall become effective;

29 3. That the licensee shall have at least one attend-  
30 ant on duty at each parking area covered thereby at  
31 all times during the hours during which such area is  
32 open for business; and

33 4. That the licensee shall afford reasonable protec-  
34 tion to customers against theft of motor vehicles  
35 parked therein and the contents of such motor ve-  
36 hicles and against damage to such motor vehicles.

37 No license shall be issued under this section until  
38 the applicant therefor shall have filed with the clerk  
39 of the city or town where the premises to be covered  
40 by the license are located a bond, running to the city  
41 or town and with sureties approved by the treasurer  
42 thereof, either in the penal sum of one thousand dol-  
43 lars for each location covered by the license or a bond  
44 in the penal sum of five thousand dollars covering all  
45 such parking areas, said bond or bonds to be condi-  
46 tioned on the payment, up to the amount of the bond,  
47 of all losses or damages, or both, sustained by persons  
48 with respect to their motor vehicles parked on said  
49 premises and resulting from the negligence of the li-  
50 censee or any person in his employ or under his con-  
51 trol in the operation or maintenance of the premises  
52 covered by such bond.

53 Each license granted under authority of this section  
54 shall expire on April thirtieth following the date of

55 issuance or on such other date, not later than one  
56 year from the date of issuance thereof, as may be  
57 specified therein. Any such license may be suspended  
58 or revoked by the authority granting it, after a hear-  
59 ing, due notice of which shall have been given to all  
60 persons interested. Any person aggrieved by the  
61 order of the licensing authority following such hear-  
62 ing may appeal therefrom to the district court within  
63 the judicial district of which he resides, whose deci-  
64 sion shall be final.

65 Whoever, not being licensed under this section, en-  
66 gages in the business required by it to be licensed, or  
67 whoever, being licensed for one or more places within  
68 a city or town, engages in such business in any other  
69 place than that or those designated in his license, or  
70 whoever continues to engage in such business at any  
71 place covered by his license after having been notified  
72 in writing by the authority granting the license that  
73 his license has been revoked, or whoever, after notice  
74 of suspension, continues so to operate during the  
75 period of suspension, shall be punished by a fine of not  
76 more than one hundred dollars.