

The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, May 6, 1949.

The committee on the Judiciary, to whom were referred the petition (accompanied by bill, House, No. 316) of Anthony Kupha, Arthur J. Sheehan, C. Gerald Lucey and others for legislation to provide for non-criminal disposition of charges for violation of motor vehicle parking rules, regulations, orders, ordinances and by-laws, the petition (accompanied by bill, House, No. 709) of Thomas Worcester for legislation relative to non-criminal disposition of parking violations, the petition (accompanied by bill, House, No. 1119) of Lawrence E. Crowley and another relative to non-criminal proceedings in the violations of municipal ordinances and regulations covering the parking of motor vehicles, the petition (accompanied by bill, House, No. 1121) of Joseph F. McEvoy, Jr., for legislation relative to the non-criminal disposition of parking violations, the petition (accompanied by bill, House, No. 1333) of John A. Armstrong for further regulation of penalties for motor vehicle parking violations, the petition (accompanied by bill, House, No. 1552) of Wilfred S. Mirsky that non-criminal penalties be established for certain offences against motor vehicle parking ordinances, and the petition (accompanied by bill, House, No. 2102) of Joseph N. Gannon for legislation to regulate further the giving of notice of parking violations, report the accompanying bill (House, No. 2454).

For the committee,

JOSEPH P. GRAHAM.

## The Commonwealth of Massachusetts

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

### AN ACT RELATIVE TO THE NON-CRIMINAL DISPOSITION OF PARKING VIOLATIONS, SO CALLED.

*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. The first paragraph of section 20A of  
2 chapter 90 of the General Laws, as amended by  
3 chapter 201 of the acts of 1938, is hereby further  
4 amended by striking out, in line 24, the word "forty-  
5 eight" and inserting in place there the word:—  
6 seventy-two.

1 SECTION 2. Said section 20A of said chapter 90 is  
2 hereby further amended by striking out the third  
3 paragraph, as appearing in chapter 176 of the acts of  
4 1935, and inserting in place thereof the following:—  
5 Any person notified to appear before the clerk of a  
6 district court as provided herein, instead of appearing  
7 personally may appear through any person duly au-  
8 thorized by him in writing, or mail to said clerk, with  
9 the notice, the amount due as provided herein. Any  
10 such offender, or in his absence a person authorized,  
11 may request the clerk of the court that the offence  
12 charged be taken for confessed, and if it appears that  
13 it is the first offence charged against such offender for  
14 a violation of any provision mentioned in this section  
15 committed within the jurisdiction of such court within

16 a calendar year, said clerk shall dismiss the charge  
17 without payment of any fine or forfeiture, which pro-  
18 ceedings shall not be deemed criminal, and shall warn  
19 the offender or person authorized, as the case may be,  
20 that the offender will be subject to a fine or forfeiture  
21 for another such offence committed within such cal-  
22 endar year, and if it appears that it is a second or sub-  
23 sequent offence as aforesaid so committed within such  
24 calendar year, the offender or person authorized may  
25 pay to said clerk one dollar, in case of such second  
26 offence, or two dollars, in case of such third offence,  
27 or three dollars, in case of a fourth or subsequent  
28 offence; except that the owner of a vehicle who vio-  
29 lates the rules for parking in the downtown area of  
30 the city of Boston, that is, the section of said city  
31 bounded by the waterfront starting at an imaginary  
32 line drawn through the center of Staniford street that  
33 meets the Charles river near the North Station, and  
34 following the waterfront to the Broadway bridge,  
35 thence turning on Broadway and continuing through  
36 Park square to Charles street, including both sides of  
37 said ways to Beacon street, thence turning on said  
38 Beacon street and proceeding up Beacon street on the  
39 Common side to Bowdoin street, thence turning on  
40 Bowdoin street and proceeding down Bowdoin street  
41 on the easterly side thereof to Cambridge street,  
42 thence crossing Cambridge street to Staniford street,  
43 thence turning and proceeding down the center of  
44 Staniford street and continuing in an imaginary line  
45 to the Charles river at the North Station to the point  
46 of beginning, as shown on a map filed in the office of  
47 the Secretary of State and marked "Downtown area  
48 of the City of Boston referred to in General Laws,  
49 chapter 90, section 20A", shall be liable for a fine or

50 forfeiture of one dollar for the first offence. When-  
51 ever it becomes necessary to ascertain whether a  
52 person owning two or more motor vehicles is charge-  
53 able as such owner with a first, second, third, fourth  
54 or subsequent offence hereunder, such question shall,  
55 in the case of vehicles singly registered, be determined  
56 separately with respect to the particular vehicle in-  
57 volved in such violation and, in the case of vehicles  
58 subject to section five, with respect to the particular  
59 register number plates used on the vehicle involved  
60 in such violation at the time thereof.

1 SECTION 3. Said section 20A of said chapter 90 is  
2 hereby further amended by striking out the fifth  
3 paragraph, as so appearing, and inserting in place  
4 thereof the following: —

5 Should any person notified to appear hereunder  
6 fail to appear and, if a fine or forfeiture is provided  
7 hereunder, to pay the same, or having appeared shall  
8 desire not to avail himself of the benefits of the pro-  
9 cedure established by this section, the clerk shall as  
10 soon as may be notify the officer concerned, who shall  
11 forthwith make a complaint and follow the procedure  
12 established for criminal cases. The clerk of any court  
13 finally disposing of such a criminal case instituted  
14 because of failure to appear and, if a fine or forfeiture  
15 is provided hereunder, to pay the same, as herein-  
16 before provided, shall forthwith notify the registrar  
17 that such case has been so disposed of. The notice to  
18 appear, provided herein, shall be printed in such form  
19 as the chief justice of the municipal court of the city  
20 of Boston may prescribe for said court and as the  
21 administrative committee of district courts as created  
22 by section forty-three A of chapter two hundred and

23 eighteen may prescribe for district courts other than  
24 said municipal court. The clerks of the district courts  
25 shall distribute such notices to the commanding officers  
26 of police departments upon request, and shall take a  
27 receipt therefor.

23. Payment for district courts other than  
 24. said municipal court. The clerk of the district courts  
 25. shall distribute such moneys to the several officers  
 26. of police departments upon request, and shall take a  
 27. receipt therefor.

HOUSE

NO. 112

The Government of Massachusetts

State of Massachusetts

The following is a list of the names of the members of the House of Representatives of the Commonwealth of Massachusetts, elected at the general election held on the 27th day of October, 1900, and who have taken the oath of office and qualification on the 11th day of January, 1901.

WALTER B. WATSON

Speaker

1901

