

To accompany the petition of Robert S. Kretschmar for legislation to provide for the acceptance of guaranteed arrest bond certificates of automobile clubs in lieu of cash bail in connection with certain violations of the motor vehicle laws. The Judiciary.

The Commonwealth of Massachusetts

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

AN ACT PROVIDING FOR THE ACCEPTANCE OF GUARANTEED ARREST BOND CERTIFICATES OF AUTOMOBILE CLUBS IN LIEU OF CASH BAIL IN CONNECTION WITH CERTAIN VIOLATIONS OF THE MOTOR VEHICLE LAWS.

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 175 of the General Laws is hereby
2 amended by inserting after section 105 the following section:—
3 *Section 105A.* Any domestic or foreign surety company
4 which has qualified to transact surety business in this com-
5 monwealth may, in any year, become surety in an amount
6 not to exceed two hundred dollars with respect to any guar-
7 anteed arrest bond certificates issued in such year by an auto-
8 mobile club or association by filing with the commissioner of
9 corporations and taxation an undertaking thus to become
10 surety.

11 Such undertaking shall be in form to be prescribed by the
12 commissioner and shall state the following:—

13 (1) The name and address of the automobile club or clubs
14 or automobile association or associations with respect to the
15 guaranteed arrest bond certificates of which the surety com-
16 pany undertakes to be surety.

17 (2) The unqualified obligation of the surety company to
18 pay the fine or forfeiture in an amount not to exceed two
19 hundred dollars of any person who, after posting a guaranteed
20 arrest bond certificate, with respect to which the surety com-
21 pany has undertaken to be surety, fails to make the appear-
22 ance to guarantee which the guaranteed arrest bond certifi-
23 cate was posted.

24 (3) The term, guaranteed arrest bond certificate, as used
25 herein, means any printed card or other certificate issued by
26 an automobile club or association to any of its members, which
27 said card or certificate is signed by such member and contains
28 a printed statement that such automobile club or association
29 and a surety company guarantee the appearance of the per-
30 son whose signature appears on the card or certificate and
31 that they will, in the event of failure of such person to appear
32 in court at the time of trial, pay any fine or forfeiture imposed
33 on such person in an amount not to exceed two hundred dol-
34 lars.

1 SECTION 2. Chapter 276 of the General Laws is hereby
2 amended by inserting after section 79 the following section:—
3 *Section 79A.* Any guaranteed arrest bond certificate with
4 respect to which a surety company has become surety, as pro-
5 vided in section one hundred and five A of chapter one hun-
6 dred and seventy-five of the General Laws shall, when posted
7 by the person whose signature appears thereon, be accepted
8 in lieu of cash bail in an amount not to exceed two hundred
9 dollars, as a bail bond, to guarantee the appearance of such
10 person in any court, including municipal courts, in this com-
11 monwealth, at such time as may be required by the court,
12 when such person is arrested for violation of any motor vehi-
13 cle law of this commonwealth or ordinance of any munici-
14 pality in this commonwealth (except for the offence of driv-
15 ing while intoxicated or for any felony) committed prior to
16 the date of expiration shown on such guaranteed arrest bond
17 certificates; provided, that any such guaranteed arrest bond
18 certificate so posted as a bail bond in any court in this com-
19 monwealth shall be subject to the forfeiture and enforce-
20 ment provisions with respect to bail bonds posted in criminal

21 cases as set forth in chapter two hundred and seventy-six of
22 the General Laws as it now exists or may hereafter be amended,
23 and that any such guaranteed arrest bond certificate posted
24 as a bail bond in any municipal court in this commonwealth
25 shall be subject to the forfeiture and enforcement provisions
26 of the chapter or ordinance of the particular municipality
27 pertaining to bail bonds posted.

28 The term, guaranteed arrest bond certificate, shall have the
29 meaning set forth in section one hundred and five A of chapter
30 one hundred and seventy-five of the General Laws.

24. That the said defendant is a citizen of the State of New York and is a resident thereof;

25. That the said defendant is a resident of the City of New York and is a resident thereof;

26. That the said defendant is a resident of the County of New York and is a resident thereof;

27. That the said defendant is a resident of the State of New York and is a resident thereof;

28. That the said defendant is a resident of the City of New York and is a resident thereof;

29. That the said defendant is a resident of the County of New York and is a resident thereof;

30. That the said defendant is a resident of the State of New York and is a resident thereof;

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