

Chap. 455. AN ACT REGULATING CERTAIN ASSETS IN FINANCIAL STATEMENTS OF NON-PROFIT HOSPITAL SERVICE CORPORATIONS, MEDICAL SERVICE CORPORATIONS, AND DENTAL SERVICE CORPORATIONS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 176A of the General Laws is hereby amended by inserting after section 18 the following section: —

Section 18A. In an account of its financial condition, a non-profit hospital service corporation may include as an asset available for the payment of losses electronic data processing equipment, provided that the cost of such equipment at the time of acquisition is at least one hundred thousand dollars and that said cost is to be amortized in full over a period not to exceed ten years.

SECTION 2. Chapter 176B of the General Laws is hereby amended by inserting after section 8 the following section: —

Section 8A. In an account of its financial condition, a medical service corporation may include as an asset available for the payment of losses electronic data processing equipment, provided that the cost of such equipment at the time of acquisition is at least one hundred thousand dollars and that said cost is to be amortized in full over a period not to exceed ten years.

SECTION 3. Chapter 176E of the General Laws is hereby amended by inserting after section 8 the following section: —

Section 8A. In an account of its financial condition, a dental service corporation may include as an asset available for the payment of losses electronic data processing equipment, provided that the cost of such equipment at the time of acquisition is at least one hundred thousand dollars and that said cost is to be amortized in full over a period not to exceed ten years.

Approved June 26, 1973.

Chap. 456. AN ACT PROVIDING A CIVIL REMEDY FOR PERSONS DEFRAUDED BY THE TAMPERING WITH AUTOMOBILE ODOMETERS, AND INCREASING THE CRIMINAL PENALTY FOR SUCH TAMPERING.

Be it enacted, etc., as follows:

Chapter 266 of the General Laws is hereby amended by striking out section 141, inserted by chapter 468 of the acts of 1966, and inserting in place thereof the following two sections:—

Section 141. Whoever advertises for sale, sells, uses, installs or has installed any device which causes an odometer to register any mileage other than the true mileage driven, or whoever resets, or alters the odometer of any motor vehicle with the intent to change the number of miles indicated thereon, or whoever, with the intent to defraud, operates a motor vehicle on any street or highway knowing that the odometer of such vehicle is disconnected to non-functional, shall be liable in a civil action of tort or contract in an

amount equal to the sum of three times the amount of actual damages sustained or one thousand five hundred dollars, whichever is the greater, plus the costs of the action together with reasonable attorney fees as determined by the court.

A violation of the provisions of this section shall constitute an unfair method of competition under chapter ninety-three A.

For the purposes of this section, the true mileage driven shall be that mileage traveled by the motor vehicle as registered by the odometer within the manufacturer's designed tolerance.

The term "odometer", as used in this section and in section one hundred and forty-one A, shall mean, an instrument for measuring and recording the actual distance a motor vehicle travels while in operation; but shall not include any auxiliary odometer designed to be reset by the operator of the motor vehicle for the purpose of recording mileage on trips.

Nothing in this section and section one hundred and forty-one A shall prevent the service, repair or replacement of an odometer, provided the mileage indicated thereon remains the same as before the service, repair or replacement. Where the odometer is incapable of registering the same mileage as before such service, repair or replacement, the odometer shall be adjusted to read zero and a notice in writing shall be attached to the left door frame of the vehicle by the owner or his agent specifying the mileage prior to repair or replacement of the odometer and the date on which it was repaired or replaced.

Section 141A. Whoever, with the intent to misrepresent to a prospective or eventual purchaser the number of miles traveled by a motor vehicle, turns back or readjusts the speedometer or odometer thereof shall be punished by a fine of not less than one hundred nor more than five hundred dollars. In a prosecution under this section, evidence that a dealer, as defined in section one of chapter ninety, or a person required to be licensed under the provisions of section fifty-nine of chapter one hundred and forty, by himself or by another turned back or readjusted the speedometer or odometer shall constitute prima facie evidence of such intent to misrepresent.

Approved June 26, 1973.

Chap. 457. AN ACT PROVIDING A PENALTY FOR FALSELY MAKING, ALTERING, FORGING, UTTERING OR PUBLISHING PARI-MUTUEL BETTING TICKETS.

Be it enacted, etc., as follows:

Chapter 128A of the General Laws is hereby amended by inserting after section 10A, inserted by chapter 102 of the acts of 1960, the following section: —

Section 10B. Whoever, with intent to defraud, falsely makes, alters or forges a pari-mutuel betting ticket issued under the provisions of section five, or whoever, with intent to defraud, utters and publishes as true a false, forged or altered pari-mutuel betting