
By Mr. Foster, a petition of Robert Braucher and A. Frank Foster for legislation relative to contribution between joint tortfeasors. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Three.

AN ACT TO CLARIFY THE CONTRIBUTION AMONG JOINT TORT FEASORS.

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 34A of Chapter 90 is hereby amended by striking
2 out paragraphs five and six and inserting in place thereof the
3 following paragraphs:
4 "Motor vehicle liability bond", a bond conditioned that the
5 obligor shall within thirty days after the rendition thereof sat-
6 isfy all judgments rendered against him or against any person
7 responsible for the operation of the obligor's motor vehicle
8 with his express or implied consent in actions to recover dam-
9 ages for bodily injuries, including death at any time resulting
10 therefrom, and judgments rendered as aforesaid for conse-
11 quential damages consisting of expenses incurred by a hus-
12 band, wife, parent or guardian for medical, nursing, hospital
13 or surgical services in connection with or on account of such
14 bodily injuries or death, *or by reason of liability for contribu-*
15 *tion under chapter two hundred thirty-one B, or for indemnity,*
16 *by any person or the insurer thereof in connection with or on*
17 *account of such bodily injury or death, sustained during the*
18 term of said bond by any person, other than a guest occupant
19 of such motor vehicle or any employee of the owner or regis-
20 trant of such vehicle or of such other person responsible as
21 aforesaid who is entitled to payments or benefits under the
22 provisions of chapter one hundred and fifty-two, and arising

23 out of the ownership, operation, maintenance, control or use
24 upon the ways of the commonwealth of such motor vehicle, to
25 the amount or limit of at least five thousand dollars on ac-
26 count of injury to or death of any one person, and, subject to
27 such limits as respects injury to or death of one person, of at
28 least ten thousand dollars on account of any one accident re-
29 sulting in injury to or death of more than one person; pro-
30 vided, however, that in the case of a person who is engaged in
31 the business of leasing motor vehicles under any system re-
32 ferred to in section thirty-two C the words "motor vehicle lia-
33 bility bond" shall mean a bond as described herein but condi-
34 tioned further, except in the case of vehicles leased for a term
35 of more than thirty days, that the obligor shall within thirty
36 days after the rendition thereof satisfy all judgments ren-
37 dered against him or against any person responsible for the
38 operation of the obligor's motor vehicle with his express or
39 implied consent, including such consent imputed under section
40 thirty-two E, in actions to recover damages for injury to
41 property *or by reason of liability for contribution under chap-*
42 *ter two hundred thirty-one B, or for indemnity, by any person*
43 *or the insurer thereof in connection with or on account of such*
44 *injury to property, sustained during the term of said bond by*
45 *any person, and arising out of the ownership, operation,*
46 *maintenance, control or use upon the ways of the common-*
47 *wealth of such motor vehicle, to the amount or limit of at*
48 *least one thousand dollars on account of any such injury to*
49 *property.*

50 "Motor Vehicle liability policy", a policy of liability insur-
51 ance which provides indemnity for or protection to the insured
52 and any person responsible for the operation of the insured's
53 motor vehicle with his express or implied consent against loss
54 by reason of the liability to pay damages to others for bodily
55 injuries, including death at any time resulting therefrom, or
56 consequential damages consisting of expenses incurred by a
57 husband, wife, parent or guardian for medical, nursing, hos-
58 pital or surgical services in connection with or on account of
59 such bodily injuries or death, *or by reason of liability for con-*
60 *tribution under chapter two hundred thirty-one B, or for in-*

61 *demnity, by any person or the insurer thereof in connection*
62 *with or on account of such bodily injury or death, sustained*
63 *during the term of said policy by any person, other than a*
64 *guest occupant of such motor vehicle or of any employee of*
65 *the owner of registrant of such vehicle or of such other per-*
66 *son responsible as aforesaid who is entitled to payments or*
67 *benefits under the provisions of chapter one hundred and fifty-*
68 *two, and arising out of the ownership, operation, maintenance,*
69 *control or use upon the ways of the commonwealth of such*
70 *motor vehicle, to the amount or limit of at least five thousand*
71 *dollars on account of injury to or death of any one person,*
72 *and, subject to such limits as respects injury to or death of*
73 *one person, of at least ten thousand dollars on account of any*
74 *one accident resulting in injury to or death of more than one*
75 *person, or a binder as defined in section one hundred and thir-*
76 *teen A of said chapter one hundred and seventy-five providing*
77 *indemnity or protection as aforesaid pending the issue of such*
78 *a policy; provided, however, that in the case of a person who*
79 *is engaged in the business of leasing motor vehicles under any*
80 *system referred to in section thirty-two C, the words "motor*
81 *vehicle liability policy" shall mean a policy of liability insur-*
82 *ance as described herein and providing, in addition, except in*
83 *the case of vehicles leased for a term of more than thirty days,*
84 *indemnity for or protection to the insured and any person re-*
85 *sponsible for the operation of the insured's motor vehicle with*
86 *his express or implied consent, including such consent imputed*
87 *under section thirty-two E, against loss by reason of the lia-*
88 *bility to pay damages to others for injury to property or by*
89 *reason of liability for contribution under chapter two hundred*
90 *thirty-one B, or for indemnity, by any person or the insurer*
91 *thereof in connection with or on account of such injury to*
92 *property, sustained during the term of the maintenance, con-*
93 *trol or use upon the ways of the commonwealth of such motor*
94 *vehicle, to the amount or limit of at least one thousand dollars*
95 *on account of any such injury to property.*

The first part of the book deals with the general principles of the subject. It is divided into three main sections: the first deals with the theory, the second with the practice, and the third with the application of the principles to the various branches of the subject. The author has endeavored to present the subject in a clear and concise manner, and to give the reader a full and complete understanding of the principles and practice of the subject. The book is intended for the use of students and practitioners alike, and is a valuable addition to the literature of the subject.

The second part of the book deals with the practical application of the principles. It is divided into three main sections: the first deals with the theory, the second with the practice, and the third with the application of the principles to the various branches of the subject. The author has endeavored to present the subject in a clear and concise manner, and to give the reader a full and complete understanding of the principles and practice of the subject. The book is intended for the use of students and practitioners alike, and is a valuable addition to the literature of the subject.

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