

# SENATE . . . . No. 343

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## The Commonwealth of Massachusetts

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SENATE, March 20, 1930.

The joint committee on the Judiciary, to whom was referred so much of the Report of the special commission (including members of the General Court) appointed (under Chapter 40 of the Resolves of 1929) to investigate and recommend whether the present system of compulsory motor vehicle liability insurance should be continued or whether said system should be superseded by any other system or arrangement designed to carry out the purposes of the present system (Senate, No. 280) as relates to certain reports relative to registry and hospital records, report the accompanying Bill.

For the committee,

J. BRADFORD DAVIS.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Thirty.

An Act relative to the Furnishing by Certain Hospitals and by the Registrar of Motor Vehicles of Copies of Reports of Accidents caused by Motor Vehicles and Trailers.

*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. Section seventy of chapter one  
2 hundred and eleven of the General Laws, as  
3 amended by chapter three hundred and thirty-  
4 seven of the acts of nineteen hundred and twenty-  
5 three and by chapter one hundred and forty-nine  
6 of the acts of nineteen hundred and twenty-six,  
7 is hereby further amended by striking out, in the  
8 first line of the last sentence, added by said chap-  
9 ter one hundred and forty-nine, the word "Sec-  
10 tion" and inserting in place thereof the words: —  
11 Except as provided in section seventy A, section,  
12 — so as to read as follows: — *Section 70.* Hos-  
13 pitals supported in whole or in part by contribu-  
14 tions from the commonwealth or from any town,  
15 incorporated hospitals offering treatment to pa-  
16 tients free of charge, and incorporated hospitals  
17 conducted as public charities shall keep records of  
18 the treatment of the cases under their care and

19 the medical history of the same. Such records  
20 and similar records kept prior to April twenty-  
21 fifth, nineteen hundred and five, shall be in the  
22 custody of the person in charge of the hospital.  
23 Except as provided in section seventy A, section  
24 ten of chapter sixty-six shall not apply to such  
25 records; provided, that upon proper judicial  
26 order, whether in connection with pending judicial  
27 proceedings or otherwise, or, except in the case of  
28 records of hospitals under the control of the de-  
29 partment of mental diseases, upon order of the  
30 head of the state department having supervision  
31 of such hospital, and in compliance with the  
32 terms of said order, such records may be inspected  
33 and copies furnished on payment of a reasonable  
34 fee.

1 SECTION 2. Said chapter one hundred and  
2 eleven is hereby amended by inserting after sec-  
3 tion seventy the following new section: —

4 *Section 70A.* Every hospital shall keep records  
5 of the treatment and medical history of each  
6 person under its care who has been injured, or  
7 claims to have been injured, by a motor vehicle,  
8 as defined by section one of chapter ninety, or by  
9 a trailer, the owner or applicant for registration of  
10 which furnished security for his civil liability on  
11 account of personal injuries caused thereby, as  
12 provided by law, and, upon written request there-  
13 for by any person so injured or claiming to have  
14 been so injured, by such owner or applicant or by  
15 the insurance company which issued the certifi-

16 cate, as defined in section thirty-four A of said  
17 chapter ninety, covering such motor vehicle or  
18 trailer and upon payment of a reasonable fee  
19 therefor, shall furnish to such claimant, owner,  
20 applicant or company a copy of such records.

1 SECTION 3. Chapter ninety of the General  
2 Laws is hereby amended by striking out section  
3 twenty-six and inserting in place thereof the fol-  
4 lowing: —

5 *Section 26.* Every person operating a motor  
6 vehicle which is in any manner involved in an  
7 accident in which any person is killed or injured  
8 shall forthwith report in writing to the registrar,  
9 who shall, upon request therefor in writing and  
10 upon payment of a reasonable fee therefor, furnish  
11 to any person injured or otherwise involved in  
12 such accident, or his attorney or legal representa-  
13 tive, a copy of such report. The registrar may  
14 revoke or suspend the license of any person fail-  
15 ing so to make any such report.