

HOUSE No. 1049

By Mr. Demeter of Boston, petition of George Demeter that the Board of Appeal on Motor Vehicle Liability Policies and Bonds be required to publish rules and regulations governing their hearings. State Administration.

The Commonwealth of Massachusetts

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

An Act to require the Board of Appeal on Motor Vehicle Liability Policies and Bonds to make and publish Rules and Regulations governing their Hearings.

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 eight A of chapter twenty-six of the General
2 Laws, as amended by chapter two hundred and sev-
3 enty-two of the acts of nineteen hundred and twenty-
4 six, and chapter three hundred and eighty-one of the
5 acts of nineteen hundred and twenty-eight, is hereby
6 further amended by striking out the last sentence
7 and inserting in place thereof the following:— The
8 board, with the approval of the governor and council,
9 shall make and amend reasonable rules and regula-
10 tions to expedite and regulate hearings and the pro-
11 cedure before it, — so that section eight A will read as
12 follows:— *Section 8A.* There shall be a board of
13 appeal on motor vehicle liability policies and bonds
14 serving in the division of insurance and consisting of

15 the commissioner of insurance or his representative,
16 the registrar of motor vehicles or a representative, and
17 an assistant attorney general to be designated from
18 time to time by the attorney general. The commis-
19 sioner of insurance may by a writing, in such form
20 as he may prescribe, filed in his office, designate from
21 time to time a representative to act in his place and
22 the commissioner of public works may in like manner
23 designate from time to time a representative to act
24 in the place of said registrar. Any such designation
25 may be revoked at any time and may run for such
26 period as the designating officer may prescribe. The
27 compensation of such a representative, if not an em-
28 ployee of the commonwealth, shall be fixed by the
29 board, subject to the approval of the governor and
30 council. The commissioner of insurance or his rep-
31 resentative shall be the chairman of the board.
32 With the approval of the governor and council, the
33 board may appoint and remove a secretary and such
34 clerical and other assistants as its work may require,
35 and fix their compensation. All expenditures incurred
36 under this section shall be paid from the Highway
37 Fund. The secretary shall keep a record of all pro-
38 ceedings before the board, and he and such clerical
39 and other assistants shall perform such duties as the
40 board may direct. Any member of the board shall
41 have power to summon and compel the attendance
42 and testimony of witnesses and the production of
43 books, records and documents and may administer
44 oaths. Sections nine and eleven of chapter two hun-
45 dred and thirty-three shall apply to the board and
46 witnesses summoned before it. The fees of witnesses
47 before the board for attendance and travel shall be
48 the same as for witnesses before the superior court in

49 civil cases and need not be paid nor tendered to them
50 prior to their attendance, and shall be paid by the
51 commonwealth upon the certificate of the board or
52 a member thereof filed with the comptroller. An
53 office and a room for hearings shall be provided by
54 the commonwealth, to be assigned by the governor
55 and council. The board, with the approval of the
56 governor and council, shall make and amend reason-
57 able rules and regulations to expedite and regulate
58 hearings and the procedure before it.

