

HOUSE No. 3680

By Mrs. Metayer of Braintree, petition of Elizabeth N. Metayer, Robert S. Teahan, John Sydney Conway, James A. Keefe, Jr., and Alfred A. Minahan, Jr., that provision be made for the regulation and licensing of motor vehicle repair and service shops. Government Regulations.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Eight.

AN ACT PROVIDING FOR THE REGULATION AND LICENSING OF
MOTOR VEHICLE REPAIR AND SERVICE SHOPS.

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 90 of the General Laws is hereby
2 amended by adding after section 32H thereof, the following
3 section: —

4 *Section 32 I.* No person shall engage in the business of re-
5 pairing or maintaining motor vehicles for a fee or other valu-
6 able consideration without being licensed by the registrar for
7 such purpose. No license shall be issued unless the registrar is
8 satisfied after investigation that the applicant is a proper person
9 to engage in such business. Application for a license under this
10 section shall be filed with the registrar and shall contain such
11 information as he shall prescribe. Each application shall be
12 accompanied by a fee of ten dollars which shall in no event be
13 refunded. If an application is approved by the registrar, the
14 applicant upon payment of the additional fee of fifteen dollars
15 shall be granted a license which shall be valid for a period of
16 one year from the date of its issuance. The annual fee for
17 renewal thereof shall be twenty-five dollars. The registrar shall
18 issue a license certificate to each licensee, which certificate
19 shall be conspicuously displayed in the licensee's place of
20 business. A separate license shall be secured for each location

21 in which the applicant seeks to engage in such business.

22 Any original license or renewal thereof may be suspended or
23 revoked by the registrar for cause after a hearing, due notice of
24 which shall be mailed to the licensee at his last known address
25 at least ten days prior to the date of said hearing; provided,
26 however, that no such license shall be suspended or revoked
27 by the registrar for a cause arising out of the conduct of the
28 licensee's business which occurs more than six months prior to
29 the date on which the licensee or the registrar or his agent
30 receive notice of such cause.

31 The registrar, or any person having police powers under
32 section twenty-nine at any time during regular business hours
33 may enter upon any premises used as a place of business by
34 the licensee under this section to ascertain how he conducts
35 the same, and examine all records and vehicles used in connec-
36 tion with the licensed premises. Every licensee shall maintain
37 accurate records on every vehicle on which it has made a
38 charge for parts or labor and shall preserve such records for not
39 less than twelve months.

40 Whoever engages in the business of repairing or maintaining
41 motor vehicles without being licensed as required by this sec-
42 tion shall be punished by a fine of not less than twenty-five
43 dollars nor more than two hundred and fifty dollars or by
44 imprisonment for not more than six months.

45 Any person aggrieved by a ruling or decision of the registrar
46 under the provisions of this section may appeal therefrom in
47 the manner provided by section twenty-eight; provided, how-
48 ever, that such appeal shall operate to stay the ruling or
49 decision of the registrar from which the appeal is taken, and
50 provided further that the appellant shall be granted a hearing
51 de novo before the board of appeals on motor vehicle liability
52 policies and bonds.

53 No provision of this section shall be construed to prohibit
54 the registered owner of any motor vehicle from repairing or
55 maintaining any motor vehicle registered in his name nor the
56 lessee of any motor vehicle from performing such work on any
57 motor vehicle in his custody.

58 The registrar may prescribe such rules and regulations as he
59 may deem necessary to carry out the provisions of this section
60 and may provide that a violation thereof shall be punishable by

61 a fine of not more than one hundred dollars in addition to
62 such suspension or revocation as may be imposed.

1 SECTION 2. Notwithstanding the provisions of section 32I
2 of chapter 90 of the General Laws as appearing in section 1 of
3 this act, the registrar of motor vehicles shall issue licenses to
4 any person who applies for such license on or before January
5 first, nineteen hundred and seventy-six, and who, on the
6 effective date of this act was engaged in the business of
7 repairing or maintaining motor vehicles for a fee or other
8 valuable consideration, is a proper person to engage in such
9 business, and who has paid the fee provided by section one of
10 this act.

1 SECTION 3. Nothing in the act shall exempt a license from
2 any provision of chapter 93A of the General Laws.

1 SECTION 4. The provisions of this act shall take effect July
2 first, nineteen hundred and seventy-five.

