

HOUSE No. 2659

By Mr. Flanagan of Malden, petition of Edward M. Flanagan for legislation to permit the sale of frozen desserts by street vendors without hawkers or peddlers licenses. Commerce and Labor.

The Commonwealth of Massachusetts

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

AN ACT PERMITTING THE SALE OF FROZEN DESSERTS BY STREET VENDORS WITHOUT HAWKERS OR PEDDLERS LICENSES.

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 15 of chapter 101 of the General Laws is hereby
2 amended by striking out said section 15, as most recently
3 amended by section 11 of chapter 757 of the acts of 1955,
4 and inserting in place thereof the following section:—

5 *Section 15.* The provisions of this chapter relating to
6 hawkers and peddlers shall not apply to wholesalers or
7 jobbers selling to dealers only, nor to commercial agents or
8 other persons selling by sample, lists, catalogues or otherwise
9 for future delivery, nor to any dealer regularly engaged in
10 supplying customers with fuel oil for heating or cooking
11 purposes from a fixed place of business within the common-
12 wealth and who does not customarily solicit direct sales from
13 house to house or by means of outcry, sign or signal, nor to
14 any person who peddles only fish obtained by his own labor
15 or that of his family, fruits, vegetables or other farm pro-
16 ducts raised or produced by himself or his family, nor to
17 persons selling articles for charitable purposes under section
18 thirty-three, nor to persons licensed under section forty of
19 chapter ninety-four with respect to the sale by them of eggs,
20 or milk, skimmed milk, cream, butter, cheese or other milk
21 products, nor to persons licensed under section sixty-five H of

22 chapter ninety-four to sell frozen desserts as defined in
23 section sixty-five G of said chapter ninety-four, or their
24 agents who make such sales from motor vehicles, but this
25 section shall not apply to the sale of the same sold otherwise by
26 hawkers or peddlars.