

By Mr. O'Brien of Springfield, petition of John P. O'Brien 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.

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

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

33 The registrar may prescribe such rules and regulations as
34 he may deem necessary to carry out the provisions of this
35 section and may provide that a violation thereof shall be
36 punishable by a fine of not more than one hundred dollars in
37 addition to such suspension or revocation as may be im-
38 posed.

39 The registrar, or any person having police powers under
40 section twenty-nine at any time during regular business hours
41 may enter upon any premises used as a place of business by
42 the licensee under this section to ascertain how he conducts
43 the same, and examine all records and vehicles used in
44 connection with the licensed premises. Every licensee shall
45 maintain accurate records on every vehicle on which it has
46 made a charge for parts or labor and shall preserve such
47 records for not less than twelve months.

48 Whoever engages in the business of repairing or maintain-
49 ing motor vehicles without being licensed as required by this
50 section shall be punished by a fine of not less than twenty-
51 five dollars nor more than two hundred and fifty dollars or by
52 imprisonment for more than six months.

53 Any person aggrieved by a ruling or decision of the
54 registrar under the provisions of this section may appeal
55 therefrom in the manner provided by section twenty-eight;
56 provided, however, that such appeal shall operate to stay the
57 ruling or decision of the registrar from which the appeal is
58 taken, and provided further that the appellant shall be
59 granted a hearing de novo before the board of appeal on
60 motor vehicle liability policies and bonds.

61 No provision of this section shall be construed to prohibit
62 the registered owner of any motor vehicle from repairing or

63 maintaining any motor vehicle registered in his name nor the
64 lessee of any motor vehicle from performing such work on
65 any motor vehicle in his custody.

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

1 SECTION 3. The provisions of this act shall take effect July
2 first, nineteen hundred and seventy-one.

