
By Mr. DiCarlo, a petition of William F. Powers and Joseph J. C. DiCarlo, for legislation relative to the seizure, forfeiture and disposition of vehicles used in, for; or in connection with the unlawful possession or use of any narcotic drug. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy.

AN ACT RELATIVE TO THE SEIZURE, FORFEITURE AND DISPOSITION OF VEHICLES USED IN, FOR, OR IN CONNECTION WITH THE UNLAWFUL POSSESSION OR USE OF ANY NARCOTIC DRUG.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 94 of the General Laws is hereby amended by strik-
2 ing out section 214, inserted by section one of chapter six hun-
3 dred and sixty of the acts of nineteen hundred and fifty-seven,
4 and inserting in place thereof the following section:—

5 *Section 214.* All narcotic drugs, together with all articles,
6 implements, paraphernalia and vehicles used in, for, or in con-
7 nection with the unlawful possession or use of any narcotic
8 drug, the lawful possession of which is not established or the
9 title to which cannot be ascertained, which have come into
10 the custody of the district attorneys, police officers or inspec-
11 tors of the department or any public officer, shall be forfeited,
12 and disposed of as follows:—

13 (a) The court having jurisdiction shall, upon completion of
14 the trial, in writing, order such drugs and vehicles to be deliv-
15 ered forthwith to the department for destruction or disposition
16 in any way not prohibited by law.

17 (b) The department shall keep a record of the place where
18 such drugs and vehicles were seized, of the kinds and quanti-
19 ties of drugs and vehicles received, by whose order the drugs
20 and vehicles were received, by whom the drugs and vehicles

21 were delivered and received, the date and manner of destruc-
22 tion or disposition of such drugs and vehicles, and report, under
23 oath, of such destruction or disposition shall be made to the
24 court.

25 (c) The department may at its discretion upon an official
26 written order, deliver to any hospital within the state, not op-
27 erated for private gain, any narcotic drugs (except heroin
28 and its salts and derivatives) for medicinal purposes.

29 (d) The department shall keep a full and complete record
30 of all drugs and vehicles received and of all drugs and vehicles
31 disposed of, showing the exact kinds, quantities and forms
32 of such drugs, the persons from whom received and the dates
33 of receipt, disposal or destruction, which record shall be open
34 to inspection by all federal and state officers charged with
35 enforcement of federal and state narcotic laws.

36 (e) Notwithstanding any other provisions of this section to
37 the contrary, title to vehicles seized in compliance with this
38 section shall revert to the department making the seizure.

39 For the purpose of this section, the word "vehicle" includes
40 every description of carriage or other contrivance used, or
41 capable of being used, as a means of transportation on land.