

By Mrs. Fantasia of Somerville, petition of Mary E. Fantasia 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-Four.

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:—

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

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

28 The registrar, or any person having police powers under
29 section 29 at any time during regular business hours may enter
30 upon any premises used as a place of business by the licensee
31 under this section to ascertain how he conducts the same, and
32 examine all records and vehicles used in connection with the
33 licensed premises. Every licensee shall maintain accurate records
34 on every motor vehicle on which it has made a charge for parts or
35 labor and shall preserve such records for not less than twelve
36 months.

37 Whoever engages in the business of repairing or maintaining
38 motor vehicles without being licensed as required by this section
39 shall be punished by a fine of not less than twenty-five dollars,
40 nor more than two hundred and fifty dollars, or by imprison-
41 ment for not more than six months.

42 Any person aggrieved by a ruling or decision of the registrar
43 under the provisions of this section may appeal there from in the
44 manner provided by section 28; provided, however, that such
45 appeal shall operate to stay the ruling or decision of the registrar
46 from which the appeal is taken, and provided further that the
47 appellant shall be granted a hearing *de novo* before the board of
48 appeal on motor vehicle liability policies and bonds.

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

54 The registrar may prescribe such rules and regulations as he
55 may deem necessary to carry out the provisions of this section
56 and may provide that a violation thereof shall be punishable by a
57 fine of not more than one hundred dollars in addition to such
58 suspension or revocation as may be imposed.

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

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

