

HOUSE No. 2406

By Mr. Cox of Lowell, petition of John F. Cox for legislation to impose a moratorium on the elimination of automotive service bay facilities used for the maintenance and repair of motor vehicles. Commerce and Labor.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Two.

AN ACT IMPOSING A MORATORIUM ON THE ELIMINATION OF AUTOMOTIVE SERVICE BAY FACILITIES.

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 of Chapter 93E of the General Laws is hereby
2 amended by inserting after line 7 of paragraph 5 the following
3 new paragraphs: —

4 “Full-service station”, any place of business where motor
5 vehicle fuel is sold and delivered into the tanks of motor vehicles
6 and has an enclosed area where automobile repairs are offered
7 to consumers, including, but not limited to, lubrication, oil
8 change, tire repair, battery charge, replacement of fan belts, hoses,
9 and wiper blades.

10 “Service bays”, enclosed areas where automobile repairs are
11 performed, including, but not limited to, lubrication, oil change,
12 tire repair, battery charge, replacement of fan belts, hoses, and
13 wiper blades.

14 Chapter 93E of the General Laws is hereby amended by
15 inserting after section 4A the following new sections: —

16 Section 4B. No Supplier shall alter a full service station
17 building for the purpose of eliminating the service bays unless the
18 dealer operating the full service station consents in writing to the
19 alterations.

20 Nothing in this subdivision prohibits a supplier from altering
21 a full-service station that is not operated by a franchisee dealer.

22 Section 4C. The attorney general or any aggrieved party may
 23 institute a civil action in the district court for an injunction
 24 prohibiting any violation of section 4B. It shall be no defense to
 25 such an action that the state or aggrieved party may have adequate
 26 remedies at law.