HOUSE . . . . . No. 1975

By Mr. Picucci of Leominster, petition of Richard E. McLaughlin (Registrar of Motor Vehicles) that provision be made for the licensing of persons furnishing services in connection with the registration of motor vehicles. Public Safety.

The Commonwealth of Massachusetts

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

AN ACT TO LICENSE PERSONS PROVIDING SERVICES IN CONNECTION WITH REGISTRATION OF MOTOR VEHICLES.

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 90 of the General Laws is hereby amended by in-
2 serting after section 32H the following sections:—
3 *Section 32L.* No person shall, unless exempt as herein-
4 after provided, for compensation offer his services to, or per-
5 form services for, another in connection with the registration
6 of motor vehicles in which any part or all of the services con-
7 sists in paying or causing to be paid any sales tax imposed
8 upon motor vehicles, or procuring a receipted sales tax bill,
9 or displaying or delivering a receipted tax bill to the registry
10 of motor vehicles in connection with, or for the purpose of pro-
11 curing, the registration of a motor vehicle or trailer, unless
12 he has procured a license to perform such service from the
13 registrar of motor vehicles and posted with him a bond for
14 the faithful performance of his employment, written by a
15 surety company qualified to do business in this common-
16 wealth, payable to the commonwealth, the registry of motor
17 vehicles and an applicant for registration of a motor vehicle
18 as their respective interests shall appear, in an amount ap-
19 proved by the registrar, but not less than ten thousand dollars
20 nor more than fifty thousand dollars in any event; said bond
21 to remain in force so long as said license is in effect. The

22 obligees of said bond shall be the commonwealth, the registry
23 of motor vehicles, and the owner of the motor vehicle for the
24 registration of which the licensee is employed, as their respec-
25 tive interests shall appear.

26 *Section 32J.* Applications for such license may be made
27 on such form, and shall contain such information, as the
28 registrar may require by rules and regulations propounded by
29 him from time to time, accompanied by a fee of one hundred
30 dollars payable to the registry of motor vehicles, and which,
31 if the license is granted shall constitute the first year's license
32 fee. If the license is not granted, seventy-five dollars thereof
33 shall be refunded to the applicant. Each such license granted
34 shall be valid for a period of twelve months from the date of
35 issuance and shall be in such form as the registrar may pre-
36 scribe. The fee for renewal shall be one hundred dollars. No
37 such license shall be issued unless the registrar is satisfied
38 from investigation of the facts that the applicant is a proper
39 person to engage in such business.

40 *Section 32K.* Each licensee under this chapter shall make
41 a report under the penalties of perjury to the registrar of
42 motor vehicles annually or more frequenly as requested by the
43 registrar, setting forth for a period covered by said report
44 (*a*) each registration number with respect to which the
45 licensee, his agents or servants has rendered any service as
46 specified in section one, (*b*) the date said registration was
47 procured, and (*c*) the name of the person in whose name the
48 motor vehicle was registered. Failure to furnish such report
49 as requested, or the filing of a report which is false or mis-
50 leading, shall be cause for suspension of any license granted
51 under this act without prior hearing.

52 *Section 32L.* The provisions of section 32I shall not apply
53 to (*a*) motor vehicle dealers (as defined in section one of
54 chapter ninety of the General Laws) with respect to, but only
55 with respect to, motor vehicles owned and/or sold by them,
56 and who procure, or assist in procuring, the registration there-
57 of in connection with such sale, and (*b*) a person acting on
58 his own behalf, and (*c*) a person who is not in the business of
59 performing the services enumerated in section one and who in
60 any case performs such services not more than five times in
61 any calendar year.

62 *Section 32M.* The penalty for violating the provisions of
63 sections thirty-two I through thirty-two M shall be suspension
64 of the license without prior hearing and, in addition, a fine of
65 one hundred dollars for each registration procured without the
66 license prescribed in section one. Any person who violates the
67 provisions of said sections himself or by his agents or servants
68 shall be civally liable in treble damages to the commonwealth;
69 the registrar of motor vehicles and/or the applicant for regis-
70 tration of a motor vehicle for any loss or damage suffered by
71 them respectively by reason of his fraud, misconduct or negli-
72 gence or that of his agents or servants in connection with the
73 services specified in section one.