

SENATE No. 800

By Mr. Tarr, a petition (accompanied by bill, Senate, No. 800) of Bruce E. Tarr and John A. Locke for legislation to reduce the number of uninsured drivers. Insurance.

The Commonwealth of Massachusetts

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

AN ACT TO REDUCE THE NUMBER OF UNINSURED DRIVERS.

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. Section one hundred thirteen A of Chapter 175 is
2 hereby amended by adding at the end of the penultimate sentence
3 of subsection (2) thereof the following new language: —
4 ... and further provided, in the event the cancellation is for
5 nonpayment of premium, the company may, in lieu of forwarding
6 said notice of cancellation to the registrar of motor vehicles but,
7 within thirty days after the effective date of cancellation stated in
8 the notice intended to be sent to the insured, send copy of said
9 notice to the insured along with a description of the motor vehicle
10 or motor vehicles and the name and address of the owner of said
11 motor vehicle or vehicles, to any duly licensed constable whose
12 principal place of business is within fifty miles of the address of
13 the insured or of the place of garaging of the insured vehicle for
14 the purpose of seizing the registration plates pursuant to section
15 thirty-four P of chapter ninety.

1 SECTION 2. Section thirty-four P of chapter ninety is hereby
2 amended by adding at the end thereof the following new
3 paragraph: —

4 Any constable who shall receive a notice as referred to in sec-
5 tion 113A of chapter 175, shall, upon receipt thereof, seize the
6 registration plates in use on said motor vehicle and shall affix to
7 the windshield thereof, a self adhesive notice, measuring not less
8 than twelve inches by twelve inches, stating that the plates has

9 been so seized, the time and the date of said seizure, that the
10 motor vehicle may not be legally driven until the registration
11 plates have been redeemed, that the owner or his representative
12 may recover possession of said plates by tendering to the con-
13 stable, in cash or by certified bank check, the amount of the defi-
14 ciency of the premium owed the company or receipt from a duly
15 authorized agent or broker of the company for said amount, plus a
16 constable fee in an amount not to exceed fifty dollars, the name,
17 business address and telephone number of the constable and a
18 statement that in the event such a tender is not made within ten
19 days of the seizure of said plates, the constable is bound by law, to
20 return said registration plates to the registrar of motor vehicles
21 along with a copy of the notice of cancellation received from the
22 insurer.

23 Any constable receiving such notice may, but need not, request
24 in advance the assistance of the local police department in seizing
25 such plates; in such instances the local police department shall
26 allow the constable to retain possession of the plates pursuant to
27 this section.

28 Any constable obtaining possession of such registration plates
29 under the provisions of this section shall, unless the local police
30 department was present at the time said plates were obtained,
31 within one hour after obtaining such possession, notify the police
32 department of the city or town in which such possession occurred,
33 giving such police department a description of the vehicle
34 involved, the address where said possession took place, and the
35 name and address of the owner.