

By Ms. Graham of Cambridge, petition of Kevin P. Crane, Sandra Graham and other (members of the city council) (with the approval of the city council) relating to regulating the towing of illegally parked motor vehicles in the city of Cambridge. Local Affairs. [Local Approval Received.]

The Commonwealth of Massachusetts

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

AN ACT REGULATING THE TOWING OF ILLEGALLY PARKED MOTOR VEHICLES IN THE CITY OF CAMBRIDGE.

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 3 of chapter 455 of the acts of 1961, as most recently
2 amended by chapter of the acts of 1981, is hereby further
3 amended by striking out clause (e), as inserted by section 2 of
4 chapter 239 of the acts of 1977, and inserting in place thereof the
5 following new clause (e): —

6 (e) The traffic director may promulgate regulations which pro-
7 vide that the traffic director, or such members of his staff as he may
8 from time to time designate, or the chief of police, or such police
9 officers as he may from time to time designate, may remove or
10 cause to be removed to some convenient place, through the agency
11 of a person or persons in the employ of the department of traffic
12 and parking, or by an independent contractor, any vehicle parked
13 or standing on any part of any way under the control of the city in
14 such manner as to impede in any way the removal of plowing of
15 snow or ice or in violation of any rule or regulation adopted under
16 this section which prohibits the parking or standing of all vehicles
17 on such part at such time and recites that whoever violates it shall
18 be liable to charges for the removal and storage of the vehicle as
19 well as subject to punishment by fine, and said regulations may
20 impose liability for the reasonable cost of such removal, and of the
21 storage charges, if any, resulting therefrom on the owner of such

22 vehicle. Said regulations may also provide that if a vehicle is
23 removed pursuant to a rule or regulation adopted under this
24 section, such vehicle shall be held until all charges lawfully imposed
25 for such removal and storage have been paid, and, if in the calendar
26 year in which such vehicle is so removed and in the preceding
27 calendar year, five or more notices, in the aggregate, have been
28 affixed to said vehicle as provided in section twenty C of chapter
29 ninety of the General Laws, until due notice has been received that
30 either the fines provided in such notices have been paid or security
31 for the payment thereof has been deposited. Said regulations may
32 also provide that a motor vehicle may, in any calendar year, if in
33 such year and in the preceding calendar year, five or more notices,
34 in the aggregate, have been affixed to said vehicle as provided in
35 said section twenty C and have not been disposed of, be removed
36 and stored, as provided in this clause (e), until all charges lawfully
37 imposed for such removal and storage have been paid and due
38 notice has been received that either the fines provided in such
39 notices have been paid or security for the payment thereof has been
40 deposited. The police department, shall promptly mail written
41 notice to the registered owner of any such vehicle so removed,
42 directed to the address furnished by the registry of motor vehicles
43 or comparable agency of the state in which said vehicle is regis-
44 tered, stating the date on which such vehicle was removed, the
45 location to which it has been removed, and a statement that it will
46 be released on the payment of all fines, storage and towing charges
47 due. Any such vehicle so removed shall be deemed to have been
48 abandoned and may be disposed of in accordance with section
49 twenty-two C of said chapter ninety, if, within thirty days of
50 mailing of the notice to the registered owner as provided for herein,
51 said owner has not paid all charges imposed for such removal and
52 storage, and due notice has not been received that either the fines
53 provided in the notices affixed to said vehicle have been paid or
54 security for the payment thereof has been deposited. Vehicles
55 owned by the Commonwealth or a political subdivision thereof or
56 by the United States or any instrumentality thereof or registered by
57 a member of a foreign diplomatic corps or by a foreign consular
58 officer who is not a citizen of the United States and bearing a

59 distinctive number plate or otherwise conspicuously marked as so
60 owned or registered, and except also a vehicle owned by a disabled
61 veteran and bearing a distinctive number plate authorized by
62 section two of said chapter ninety, shall not, however, be subject to
63 such removal.

