

By Mr. Caron of Springfield, petition of Paul E. Caron and James P. Jajuga for legislation to further regulate the operation of motor vehicles without insurance. Insurance.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO OPERATING A MOTOR VEHICLE WITHOUT INSURANCE.

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. Massachusetts General Law, chapter 34J, as so
2 appearing in the 1994 Official Edition, is hereby amended by
3 striking the first paragraph in its entirety, and inserting in place
4 thereof the following:—

5 “Whoever, except as provided or exempted by statute, know-
6 ingly operates or permits to be operated or permits to remain on
7 public or private way a motor vehicle which is subject to the pro-
8 visions of section one A during such time as the motor vehicle lia-
9 bility policy or bond or deposit required by the provisions of this
10 chapter has not been provided and maintained in accordance
11 therewith shall be punished by a fine of not less than five hundred
12 nor more than five thousand dollars or by imprisonment for not
13 more than one year in a house of correction, or both.”

1 SECTION 2. Massachusetts General Law, chapter 34J, as so
2 appearing in the 1994 Official Edition, is hereby amended by
3 striking the second paragraph in its entirety and inserting in place
4 thereof the following:—

5 “In proceedings under this section, evidence that a motor
6 vehicle liability policy or bond or deposit was in effect for such
7 vehicle at the time of the alleged offense shall be admissible as
8 evidence in any court of the Commonwealth and shall raise a
9 rebuttable presumption that such motor vehicle liability policy or
10 bond or deposit was in effect at the time of the alleged offense.

11 Such presumption may be rebutted and overcome by the admis-
12 sion of a written certification by the registrar of motor vehicles
13 that the registry of motor vehicles has no record of a motor
14 vehicle liability policy or bond or deposit in effect at the time of
15 the alleged offense as required by the provisions of this chapter
16 for the motor vehicle to have been operated in violation of this
17 section.”

1 SECTION 3. Massachusetts General Law, chapter 278, sec-
2 tion 7, is hereby amended in line two following the word
3 “license,” by inserting the following:— “motor vehicle liability
4 policy or bond or deposit required by the provisions of chapter
5 ninety,”.