

By Mr. Tarr of Gloucester, petition of Bruce E. Tarr relative to uninsured motor vehicle operators in the Commonwealth. Insurance.

The Commonwealth of Massachusetts

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

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
2 is hereby amended by adding at the end of the penultimate
3 sentence of subsection (2) thereof the following new language: —
4 . . . and further provided, in the event the cancellation is for non-
5 payment of premium, the company may, in lieu of forwarding said
6 notice of cancellation to the registrar of motor vehicles, but within
7 thirty days after the effective date of cancellation stated in the
8 notice intended to be sent to the insured, send a copy of said notice
9 sent 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
5 section 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 have
9 been so seized, the time and the date of said seizure, that the motor

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

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

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