

By Mr. Galvin of Boston, petition of William F. Galvin and another relative to increasing the minimum limits of deposits in lieu of motor vehicle liability bonds on motor vehicle liability policies. Insurance.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Eighty.

AN ACT INCREASING THE MINIMUM LIMITS OF DEPOSITS IN LIEU OF MOTOR VEHICLE LIABILITY BONDS ON MOTOR VEHICLE LIABILITY POLICIES.

*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 striking  
2 out section 34D, as most recently amended by section 3 of chapter  
3 670 of the acts of 1970, and inserting in place thereof the following  
4 section:—

5 *Section 34D.* The applicant for registration may, in lieu of  
6 procuring a motor vehicle liability, bond or policy, deposit with the  
7 state treasurer cash in the amount of ten thousand dollars or  
8 bonds, stocks or other evidences of indebtedness satisfactory to  
9 said treasurer of a market value of not less than ten thousand  
10 dollars as security for the payment by such applicant or by any  
11 person responsible for the operation of such applicant's motor  
12 vehicle with his express or implied consent of all judgments ren-  
13 dered against such applicant or against such person in actions to  
14 recover damages for bodily injuries, including death at any time  
15 resulting therefrom, judgments rendered as aforesaid for conse-  
16 quential damages consisting of expenses incurred by a husband,  
17 wife, parent or guardian for medical, nursing, hospital or surgical  
18 services, or for indemnity, in connection with or on account of such  
19 bodily injuries or death, and judgments rendered as aforesaid for  
20 contributions a joint tortfeasor in connection with or on account of  
21 such bodily injuries, sustained during the term of registration by

22 any person other than a guest occupant of such motor vehicle or  
23 any employee of the owner or registrant of such motor vehicle or of  
24 such other person responsible as aforesaid who is entitled to pay-  
25 ments or benefits under the provisions of chapter one hundred and  
26 fifty-two, and arising out of the ownership, operation, mainte-  
27 nance, control or use of such motor vehicle upon the ways of the  
28 commonwealth or in any place therein to which the public has a  
29 right of access, to the amount or limit of at least ten thousand  
30 dollars on account of any such judgment; provided, however, that  
31 if the applicant for registration is engaged in the business of leasing  
32 motor vehicles under any system referred to section thirty-two C,  
33 such applicant shall deposit with said treasurer additional security  
34 in the amount or value of at least one thousand dollars for the  
35 payment by such applicant or by any person responsible for the  
36 operation of such applicant's motor vehicle with his express or  
37 implied consent, including such consent imputed under section  
38 thirty-two E, of all judgments rendered against such applicant or  
39 against such person in actions to recover damages for injury to  
40 property and judgments rendered as aforesaid for indemnity, or for  
41 contribution as a joint tortfeasor, sustained during the term of  
42 registration by any person, and arising out of the ownership,  
43 operation, maintenance, control or use upon the ways of the  
44 commonwealth of such motor vehicle, to the amount or limit of at  
45 least one thousand dollars on account of any such judgment and  
46 provided further that no such deposit shall be required in the case  
47 of vehicles leased for a term of more than thirty days and the  
48 depositor shall in writing authorize the state treasurer to pay over  
49 to the insurer assigned a claim under section thirty-four N any and  
50 all amounts, including without limitation the reasonable costs of  
51 investigating and settling any such claim and such other reasonable  
52 expenses expended by it to satisfy a claim for personal injury  
53 protection made against it by any person, other than the depositor  
54 or members of his household, who is entitled to such payments as a  
55 result of the unavailability of personal injury protection benefits on  
56 said depositor's motor vehicle. The depositor shall be entitled to  
57 the interest accruing on his deposit and to the income payable on  
58 the securities deposited and may from time to time with the consent  
59 of the state treasurer change such securities. Upon presentation to



60 the state treasurer by an officer qualified to serve civil process or an  
61 execution issued on any such judgment against the registrant or  
62 other person responsible as aforesaid, said treasurer shall pay, out  
63 of the cash deposited by the registrant as herein provided, the  
64 amount of the execution, including costs and interest, up to but not  
65 in excess of ten thousand dollars. If the registrant has deposited  
66 bonds, stocks or other evidences of indebtedness, the state treasurer  
67 shall, on presentation of an execution as aforesaid, cause the said  
68 securities or such part thereof as may be necessary to satisfy the  
69 judgment to be sold at public auction, giving the registrant three  
70 days' notice in writing of the time and place of said sale, and from  
71 the proceeds of said sale the state treasurer shall, after paying the  
72 expenses thereof, satisfy the execution as hereinbefore provided  
73 when a cash deposit has been made. Any payment upon an execu-  
74 tion by the state treasurer in accordance with the provisions of this  
75 section shall discharge him from all official and personal liability  
76 whatever to the registrant to the extent of such payment. The state  
77 treasurer shall, whenever the amount of such deposit from any  
78 cause falls below the amount required by this section, require, at  
79 the option of the registrants, the deposit of additional cash or  
80 securities up to the amount required by this section or a motor  
81 vehicle liability bond or policy as provided in this chapter. Money  
82 or securities deposited with the state treasurer under the provisions  
83 of this section shall not be subject to attachment or execution  
84 except as provided in this section. The state treasurer shall deposit  
85 any cash received under the provisions of this section in a savings  
86 bank or the savings department of a trust company or of a national  
87 bank within the commonwealth, or on paid-up shares and ac-  
88 counts of and in co-operative banks, or shall use such cash to  
89 purchase share accounts in federal savings and loan associations  
90 located in the commonwealth.

The first part of the report is devoted to a general  
 description of the country and its resources. It  
 is followed by a detailed account of the  
 various industries and occupations of the  
 people. The third part of the report  
 contains a list of the principal towns and  
 villages of the country. The fourth part  
 contains a list of the principal rivers and  
 streams of the country. The fifth part  
 contains a list of the principal mountains and  
 hills of the country. The sixth part  
 contains a list of the principal lakes and  
 ponds of the country. The seventh part  
 contains a list of the principal forests of  
 the country. The eighth part contains a  
 list of the principal minerals of the  
 country. The ninth part contains a list  
 of the principal animals of the country.  
 The tenth part contains a list of the  
 principal plants of the country. The  
 eleventh part contains a list of the  
 principal birds of the country. The  
 twelfth part contains a list of the  
 principal insects of the country. The  
 thirteenth part contains a list of the  
 principal fishes of the country. The  
 fourteenth part contains a list of the  
 principal reptiles of the country. The  
 fifteenth part contains a list of the  
 principal mammals of the country. The  
 sixteenth part contains a list of the  
 principal birds of the country. The  
 seventeenth part contains a list of the  
 principal insects of the country. The  
 eighteenth part contains a list of the  
 principal fishes of the country. The  
 nineteenth part contains a list of the  
 principal reptiles of the country. The  
 twentieth part contains a list of the  
 principal mammals of the country.