

By Mr. Flaherty of Boston, petition of Richard E. McLaughlin (Registrar of Motor Vehicles) and Michael F. Flaherty for legislation to increase the penalties for certain motor vehicle law violations. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty.

AN ACT TO AMEND CERTAIN PENALTIES PROVIDED FOR PARTICULAR MOTOR VEHICLE LAW VIOLATIONS.

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 20 and inserting in place thereof the following: —
3 *Section 20.* A person convicted of a violation of any provision of
4 this chapter the punishment for which is not otherwise provided, or
5 of a violation of any rule or regulation of the registrar made under
6 authority of section thirty-one, or of a violation of a special speed
7 regulation lawfully made under authority of section eighteen, shall
8 be punished by a fine of twenty-five dollars for the first offense, not
9 less than thirty-five nor more than fifty dollars for a second offense,
10 and not less than seventy-five dollars nor more than one hundred
11 dollars for subsequent offenses committed during any twenty-four
12 month period; provided that if any person was so convicted by
13 reason of having operated a motor vehicle in excess of any speed
14 limit that has been duly established and posted in accordance with
15 the provisions of section eighteen, or by reason of having operated
16 a motor vehicle in excess of a rate of speed set forth in section
17 seventeen as prima facie evidence of a rate of speed greater than is
18 reasonable and proper, said fine shall be increased an additional
19 two dollars for each mile per hour the defendant operated his
20 vehicle in excess of either such posted speed or of such rate of
21 speed.

22 Any person convicted of a violation of the provisions of section
23 seventeen while operating any motor vehicle, trailer, semi-trailer or
24 semi-trailer unit under a permit issued under section thirty and
25 thirty A of chapter eighty-five and while the weight of such motor
26 vehicle, trailer, semi-trailer or semi-trailer unit exceeds the limits
27 provided in section nineteen A, exclusive of the additional limits
28 provided in such permit, shall be punished by a fine of not more
29 than fifty dollars for the first offense, not less than fifty dollars nor
30 more than seventy-five dollars for a second offense committed in
31 any twelve-month period, and not less than seventy-five nor more
32 than one hundred and fifty dollars for subsequent offenses com-
33 mitted in any twelve-month period, and complaints of such viola-
34 tions, notwithstanding any other provision of this section shall not
35 be placed on file by the court.

36 Any person convicted of operating or permitting the operation
37 of a school bus carrying passengers in excess of the number author-
38 ized under section seven B shall be punished by a fine of not more
39 than one hundred dollars or by imprisonment for not more than
40 thirty days, or both.

41 Any person convicted of violating any of the provisions of
42 section sixteen shall be punished by a fine of not less than fifty nor
43 more than one hundred dollars.

44 Any person convicted of operating a motor vehicle, trailer,
45 semi-trailer or semi-trailer unit in violation of section nineteen
46 shall be punished by a fine of not more than one hundred dollars
47 and that any person convicted of knowingly operating a motor
48 vehicle, trailer, semi-trailer or semi-trailer unit or any owner or
49 bailee convicted of requiring or permitting the operation thereof in
50 violation of section nineteen A or of the terms of any permit issued
51 under sections thirty and thirty A of chapter eighty-five shall be
52 punished by a fine of thirty dollars for each one thousand pounds
53 of weight of fraction thereof by which the weight on any axle or the
54 gross weight of such motor vehicle, trailer, semi-trailer or semi-
55 trailer unit as operated exceeds either that permitted by said sec-
56 tion nineteen A or by the permit issued for such motor vehicle,
57 trailer, semi-trailer or semi-trailer unit under sections thirty and
58 thirty A of chapter eighty-five, whichever is greater; provided,
59 however, that if the total of such excess weight is greater than ten

60 thousand pounds, the fine shall be sixty dollars for each one
61 thousand pounds or fraction thereof over said ten thousand
62 pounds; provided, further, that in a case of so-called irreducible
63 loads, if the owner or bailee of the motor vehicle, trailer, semi-trail-
64 er or semi-trailer unit, or his agent, servant or employee did not
65 have reasonable means or opportunity to ascertain the weight of
66 the load prior to applying for the permit, then the fine shall be ten
67 dollars for each one thousand pounds of weight by which the gross
68 weight of such motor vehicle, trailer, semi-trailer or semi-trailer
69 unit as operated exceeds either that permitted by said section
70 nineteen A or section thirty A or the gross weight specified in such
71 permit but in no event more than five hundred dollars.

72 A complaint against a person for a violation of section eleven or
73 section sixteen or section seventeen or of a regulation made under
74 section eighteen may be placed on file at the discretion of the court
75 if the violation appears to have been unintentional or if no person
76 or property could have been endangered thereby.

77 Upon a third or subsequent conviction in the same year of a
78 violation of section sixteen or section seventeen or of a regulation
79 made under section eighteen the registrar shall forthwith revoke
80 the license of the person so convicted, and no new license shall be
81 issued to such person for at least thirty days after the date of such
82 conviction, nor thereafter except in the discretion of the registrar.

The first part of the report deals with the general situation of the country and the progress of the various branches of industry and commerce. It is found that the country has made considerable progress in all these respects since the last report. The population has increased, and the various branches of industry and commerce have all shown a marked increase in activity. The progress has been the result of the various measures adopted by the Government, and the assistance rendered by the various branches of the community.

The second part of the report deals with the various branches of industry and commerce, and the progress of each. It is found that the various branches of industry and commerce have all shown a marked increase in activity since the last report. The progress has been the result of the various measures adopted by the Government, and the assistance rendered by the various branches of the community.

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