

HOUSE No. 461

By Mr. Jordan of Revere, petition of the Massachusetts Mayors' Association and Peter J. Jordan (mayor of Revere) that payment of the excise tax on motor vehicles be made a condition precedent to registration of such vehicles. Highways and Motor Vehicles.

The Commonwealth of Massachusetts

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

AN ACT TO REQUIRE PAYMENT OF MOTOR VEHICLE EXCISE TAX AS A CONDITION PRECEDENT TO REGISTRATION OF A MOTOR VEHICLE.

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
2 by inserting therein, after section 2 thereof, the
3 following section:—

4 *Section 2A. No Vehicle to be registered if Applicant*
5 *owes Overdue Motor Vehicle Excise Taxes.*— No motor
6 vehicle shall be registered to any person who has
7 failed to pay an excise tax on a motor vehicle regis-
8 tered under the provisions of chapter sixty A of the
9 General Laws, unless such excise tax shall have been
10 abated under the provisions of section two of the
11 provisions of chapter sixty A.

12 The registrar shall, in addition to other information
13 required in the application for registration, require a
14 statement by the applicant of any unpaid motor

15 vehicle taxes due from him to any city or town. The
16 registrar, upon receiving information that any such
17 motor vehicle excise remains unpaid, shall not issue
18 any registration of a motor vehicle to such applicant
19 unless and until such evidence shall be filed with
20 him and shall be satisfactory to him indicating that
21 all such motor vehicle excise taxes have been paid in
22 full, with all lawful interests and costs.

23 Chapter 60A of the General Laws is hereby further
24 amended by striking therefrom section 2A and sub-
25 stituting therefor the following section:—

26 *Section 2A. Suspension of Certificate of Registration*
27 *for Nonpayment of Excise Tax on Registered Motor*
28 *Vehicles.*— If an excise assessed on a motor vehicle
29 and payable under this chapter remains unpaid at
30 any time after its due date, the local tax collector or
31 the commissioner, as the case may be, shall forthwith
32 transmit to the registrar of motor vehicles, upon a
33 form approved by the commissioner, a notice of
34 such nonpayment, specifying the name and address
35 of the person to whom such tax was assessed, the
36 amount of the excise due and such information as to
37 the motor vehicle assessed as is also contained in the
38 notice transmitted by the registrar to the commissioner
39 under section two. The registrar shall forthwith
40 give such person written notice by mail, directed to
41 his last known address, that the certificate of registra-
42 tion of any motor vehicle registered to such person
43 will be suspended at the expiration of thirty days
44 from the date of mailing such notice unless within
45 said period there shall be filed with the registrar
46 evidence satisfactory to him that all such overdue
47 excise taxes have been paid, whether such taxes are
48 applicable to motor vehicles then registered in the

49 name of such person or to motor vehicles previously
50 registered by him as to which such excise taxes shall
51 not have been paid in full. Unless such evidence is
52 so filed with the registrar, he shall forthwith suspend
53 the certificate of registration of all motor vehicles
54 registered to such person. If such evidence shall
55 not have been filed within five days after any such
56 suspension, the registrar shall forthwith send notice
57 of such suspension to the company or companies
58 which issued or executed as surety any motor vehicle
59 liability policy or bond, both as defined in section
60 thirty-four A of chapter ninety covering any motor
61 vehicle registered to such person, and thereupon such
62 policy or bond shall be cancelled by operation of law.
63 The fact that a motor vehicle is being operated during
64 any such suspension of its certificate of registration
65 shall not be held to constitute it a trespasser upon the
66 highways. The registrar shall not terminate any
67 such suspension until such evidence of payment in
68 full of any such overdue excise tax shall have been
69 filed with him.

