

# HOUSE . . . . . No. 18

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So much of the recommendations of the Department of the State Treasurer (House, No. 17) as relates to explosive bonds. Public Safety and Homeland Security.

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## The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to explosive bonds.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Notwithstanding any provision of the general or special laws to the contrary, in Chapter  
2 148, Section 19 of the General Laws, strike the words “approved by the treasurer thereof, for  
3 such penal sum, not exceeding ten thousand dollars,”;

4 And in said Chapter 148, Section 20A, strike the words “state treasurer in the penal sum  
5 of twenty thousand dollars, running to the commonwealth, with sureties approved by the state  
6 treasurer,” and substitute in lieu thereof “state fire marshal”.

7 Section 19. Before the issue of a permit to use an explosive in the blasting of rock or any  
8 other substance as prescribed by the department, the applicant for the permit shall file with the  
9 clerk of the city or town where the blasting is to be done a bond running to the city or town, with  
10 sureties as the marshal or the officer granting the permit shall determine to be necessary in order  
11 to cover the risk of damage that might ensue from the blasting or its keeping therefor; provided,  
12 that the marshal or the officer granting the permit may determine that a single and blanket bond  
13 in a penal sum not exceeding fifteen thousand dollars is sufficient to cover the risk of damage  
14 from all blasting operations of the applicant, either under the permit so issued or under future  
15 permits to use explosives in blasting operations. The bond shall be conditioned upon the payment  
16 of any loss, damage or injury resulting to persons or property by reason of such blasting or  
17 keeping. Such applicant shall pay to said clerk at the time of filing of the said bond the fee  
18 provided by clause (15) of section thirty-four of chapter two hundred and sixty-two.

19 Section 20A. If the applicant for a permit to use an explosive in the blasting of rock or  
20 any other substance desires to conduct blasting operations in more than one city or town in the  
21 commonwealth he may, instead of filing a bond with the clerk of each city or town in which such  
22 operations are to be conducted, file a bond with the state fire marshal and for such additional

23 penal sum as the marshal shall determine to be necessary to cover the losses, damages or injuries  
24 that might ensue to persons or property by reason thereof. The provisions of sections nineteen  
25 and twenty shall apply to said bond and actions thereon so far as applicable.