HOUSE DOCKET, NO. 325 FILED ON: 1/14/2011

HOUSE . . . . . No. 487

The Commonwealth of Massachusetts

PRESENTED BY:

Kathi-Anne Reinstein

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to oil spills on public ways..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Kathi-Anne Reinstein	*16th Suffolk*

HOUSE DOCKET, NO. 325 FILED ON: 1/14/2011

HOUSE . . . . . No. 487

By Ms. Reinstein of Revere, a petition (accompanied by bill, House, No. 487) of Kathi-Anne Reinstein for legislation to impose a penalty for commercial motor vehicle oil spills on public ways. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *1685* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act relative to oil spills on public ways..

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

Chapter 85 of the General Laws is hereby amended by adding the following section:—

Section 37. Any commercial motor vehicle or trailer used to deliver gasoline, oil or other flammable material which causes a spill in excess of 100 gallons on any way as defined in section one of chapter 90 shall be subject to a civil penalty not to exceed $10,000 for each such spill. Said penalty shall be in addition to liability for costs incurred by the Commonwealth or any political subdivision thereof on cleaning and removing such spill. The superior court department of the trial court shall have jurisdiction to enforce the provisions of this section. Any civil penalty imposed under the provisions of this section shall be paid over to the treasury of the city or town wherein the spill took place.