

HOUSE No. 1607

The Commonwealth of Massachusetts

PRESENTED BY:

Jessica Ann Giannino

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 adoption of the accompanying bill:

An Act relative to oil spills on public ways.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|-----------------------------|---------------------|------------------|
| <i>Jessica Ann Giannino</i> | <i>16th Suffolk</i> | <i>2/10/2021</i> |

HOUSE No. 1607

By Ms. Giannino of Revere, a petition (accompanied by bill, House, No. 1607) of Jessica Ann Giannino 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. 3469 OF 2019-2020.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

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:

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

2 Section 37. Any commercial motor vehicle or trailer used to deliver gasoline, oil or other
3 flammable material which causes a spill in excess of 100 gallons on any way as defined in
4 section one of chapter 90 shall be subject to a civil penalty not to exceed \$25,000 for each such
5 spill. Said penalty shall be in addition to liability for costs incurred by the Commonwealth or any
6 political subdivision thereof on cleaning and removing such spill. The superior court department
7 of the trial court shall have jurisdiction to enforce the provisions of this section. Any civil
8 penalty imposed under the provisions of this section shall be paid over to the treasury of the city
9 or town wherein the spill took place.