

**HOUSE . . . . . No.**

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**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 bill:

An Act relative to oil spills on public ways.

PETITION OF:

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

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1697 OF 2007-2008.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine

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### 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 flammable material which
- 3 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
- 4 penalty not to exceed \$10,000 for each such spill. Said penalty shall be in addition to liability for costs incurred by
- 5 the Commonwealth or any political subdivision thereof on cleaning and removing such spill. The superior court
- 6 department of the trial court shall have jurisdiction to enforce the provisions of this section. Any civil penalty
- 7 imposed under the provisions of this section shall be paid over to the treasury of the city or town wherein the spill
- 8 took place.