

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Morrissey, Michael (SEN)

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 permitting persons to bring car damage arising from a pothole against the public entity into small claims court.

PETITION OF:

NAME:

Morrissey, Michael (SEN)

DISTRICT/ADDRESS:

Norfolk and Plymouth

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S00969 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT PERMITTING PERSONS TO BRING CAR DAMAGE ARISING FROM A POTHOLE
AGAINST THE PUBLIC ENTITY INTO SMALL CLAIMS COURT.

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

1 SECTION 1. Section 3 of Chapter 258 of the General Laws, under the 2002 Official
2 Edition, is hereby amended in line 6 after the word “county” by inserting the following words:-
3 “and except in the case where the damage to a claimant’s motor vehicle’s tire, rim or both is
4 caused by a state, county or municipal roadway shall be brought under sections 21 to 25 of
5 chapter 218 of the General Laws.”