

130/13 **FISH, THROW OVERBOARD UPON INSPECTION** c130 §13
on **[DATE OF OFFENSE:]**, being in a boat in the coastal waters, did throw or dump overboard the contents of a pail, bag, barrel or other receptacle, or did throw overboard fish, after having been requested or signalled by an officer authorized to enforce G.L. c.130, §13 to stand by for inspection, in violation of G.L. c.130, §13. (PENALTY: not less than \$100, not more than \$200; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

REGS OF THE DIV OF MARINE FISHERIES (c130 §17—§17A) — see 322 CMR §3.00—§12.00

130/18 **FISH PROPAGATION AREA, INTERFERE WITH** c130 §18
on **[DATE OF OFFENSE:]**: without right (1) did enter in or upon a building or other structure or an area of land, flats or water, set apart and used by or under authority of the Director of the Division of Marine Fisheries of the Department of Fish and Game for conducting scientific experiments or investigations or for the propagation or protection of fish; or (2) did fish in waters so set apart and used after such Director had caused printed notices of such occupation and use and the purposes thereof to be placed in a conspicuous position upon such building or other structure or adjacent to such area of land, flats or water; or (3) did injure or deface such building or other structure or a notice so posted; or (4) did injure or destroy property used in such experiments or investigations or for such purposes; or (5) did otherwise interfere therewith, in violation of G.L. c. 130, §18. (PENALTY: imprisonment not more than 6 months; or not less than \$50, not more than \$200; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/19/A **FISH, OBSTRUCT SPAWNING** c130 §19
on **[DATE OF OFFENSE:]**: (1) did hinder the passage through a fishway of salt water fish coming into fresh water to spawn; or (2) did molest or disturb the fish therein; or (3) did violate an order of the Director of the Division of Marine Fisheries of the Department of Fish and Game concerning such a fishway, in violation of G.L. c.130, §19. (PENALTY: imprisonment not more than 30 days; or not more than \$50; or both; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/19/B **FISHWAY, FAIL MAINTAIN MARINE** c130 §19
on **[DATE OF OFFENSE:]**, being a person who, on a brook, river or stream the waters of which flowed into the coastal waters, maintained a dam or other obstruction to the passage of salt water fish coming into fresh water to spawn, did refuse or neglect to keep open or maintain a fishway at the times prescribed by the Director of the Division of Marine Fisheries of the Department of Fish and Game, in violation of G.L. c.130, §19. (PENALTY: \$50 for each day or part thereof of such refusal or neglect; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/21 **FISHERY REPORT VIOLATION** c130 §21 (Effective 1/1/90)
on **[DATE OF OFFENSE:]**, being a fisherman, a wholesale or retail fish dealer, or a fish processor: (1) did refuse or fail to submit a statistical report required by the Director of the Division of Marine Fisheries of the Department of Fish and Game pursuant to G.L. c.130, §21; or (2) did knowingly file a false such report, in violation of G.L. c.130, §21. (PENALTY: not less than \$100, not more than \$1000; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/23 **POLLUTE/EXPLODE COASTAL WATERS** c130 §23 (Effective 10/17/72-8/3/04)
on **[DATE OF OFFENSE:]**: (1) did put, throw, discharge, or suffer or permit to be discharged or to escape, into the coastal waters oil, poisonous or other injurious substance or heated effluent which materially injures fish, fishspawn or seed therein; or (2) did take such fish by such means; or (3) did kill, destroy or take such fish in such waters by the use of dynamite or other explosives; or (4) did explode dynamite or other explosive in such waters, not being excepted by law, in violation of G.L. c.130, §23. (PENALTY: imprisonment not more than 1 year; or not less than \$150, not more than \$5000; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/23 **POLLUTE/EXPLODE COASTAL WATERS** c130 §23 (Effective 8/4/04)
on **[DATE OF OFFENSE:]**: (1) did put, throw, discharge, or suffer or permit to be discharged or to escape, into the coastal waters oil, poisonous or other injurious substance or heated effluent which materially injures fish, fishspawn or seed therein; or (2) did take such fish by such means; or (3) did kill, destroy or take such fish in such waters by the use of dynamite or other explosives; or (4) did explode dynamite or other explosive in such waters, not being excepted by law, in violation of G.L. c.130, §23. (PENALTY: imprisonment not more than 1 year; or not less than \$150, not more than \$25,000; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/27 **POLLUTE COASTAL WATERS** c130 §27
on **[DATE OF OFFENSE:]** did, himself or herself or by his or her agent or servant, permit the entrance or discharge into or on the coastal waters or their tributaries sewage, heated effluent or other substance injurious to public health or tending to contaminate a shellfish area or shellfish therein, or causing injury or damage to any fishing resource, not being excepted by law, in violation of G.L. c.130, §27. (PENALTY: imprisonment not more than 1 year; or not less than \$150, not more than \$5000; or both; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/29 **FISH WEIR/TRAP/POUND NET, UNAUTHORIZED** c130 §29
on **[DATE OF OFFENSE:]** did construct or maintain a weir, pound net or a fish trap in tidewater, without having been authorized to do so by the aldermen or city council of such city or the selectmen of such town, in violation of G.L. c.130, §29. (PENALTY: \$10 for each day or part thereof; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/30 **FISH WEIR/TRAP/POUND NET, UNNUMBERED** c130 §30
on **[DATE OF OFFENSE:]**, having constructed or maintained a weir, pound net or fish trap in tidewater after having received written authorization to do so from the aldermen or city council of such city or the selectmen of such town, did fail at all times while such structure was maintained to have it plainly marked with the number of such approval painted or printed on a sign or flag in figures at least 6 inches in height and conspicuously displayed on the inshore and offshore ends of such structure, in violation of G.L. c.130, §30. (PENALTY: not more than \$25; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/31 **LOBSTER/CRAB/FISH POT/CATCH, TAKE/INJURE** c130 §31
on **[DATE OF OFFENSE:]** did, without the consent of the owner, take, use, destroy, injure or molest a weir, pound net, fish trap, seine, set net or lobster or crab pot or other fishing gear, or a fish car or other contrivance used for the purpose of storing fish, or did take fish therefrom without the consent of the owner, in violation of G.L. c. 130, §31. (PENALTY: imprisonment for 2 months; or not less than \$500, not more than \$1000; or both; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/33/B **CATCHES REPORT VIOLATION** c130 §33
on **[DATE OF OFFENSE:]**: (1) being the owner of a boat, pound net, fish trap, weir, fyke net or similar contrivance, fishing pier, seine, drag or gill net, lobster or crab pot or trap or other fishing gear used for fishing purposes, knowingly and wilfully did fail prior to January 31 to make the annual written report required

by G.L. c.130, §33 to the Director of the Division of Marine Fisheries of the Department of Fish and Game, or did make a false report; or (2) being the owner of a fish car or other contrivance used for keeping fish, lobsters or edible crabs, knowingly and wilfully did fail to have his or her name and residence legibly marked thereon, in violation of G.L. c.130, §33. (PENALTY: not less than \$10, not more than \$100; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/34/B SMELTS TAKEN OUT OF SEASON c130 §34

on **[DATE OF OFFENSE:]**: (1) did between March 15th and the following June 15th catch or take a smelt from the waters of the Commonwealth; or (2) did buy, receive, sell, or offer or expose for sale, or have in his or her possession, a smelt so taken, in violation of G.L. c.130, §34. (PENALTY: imprisonment not more than 6 months; or \$1 for every such smelt; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/34/C SMELTS TAKEN OUT OF SEASON, SUBSQ. OFF. c130 §34

on **[DATE OF OFFENSE:]**: (1) did between March 15th and the following June 15th catch or take a smelt from the waters of the Commonwealth; or (2) did buy, receive, sell, or offer or expose for sale, or have in his or her possession, a smelt so taken, the defendant having previously been convicted of such an offense, in violation of G.L. c.130, §34. (PENALTY: imprisonment not more than 6 months; and \$1 for every such smelt; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/35/B SMELTS TAKEN NOT BY ANGLING c130 §35

on **[DATE OF OFFENSE:]** did take a smelt in a manner other than by angling, not being excepted by law, in violation of G.L. c.130, §35. (PENALTY: not less than \$10, not more than \$50, plus \$1 for each smelt so taken; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/35/C SMELTS TAKEN NOT BY ANGLING, ATTEMPT c130 §35

on **[DATE OF OFFENSE:]** did attempt to take a smelt in a manner other than by angling, and in such attempt did **[DESCRIPTION OF OVERT ACT:]**, not being excepted by law, in violation of G.L. c.130, §35. (PENALTY: not less than \$10, not more than \$50, plus \$1 for each smelt so taken; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/36/B SMELTS TAKEN FROM CLOSED AREA c130 §36

on **[DATE OF OFFENSE:]**: (1) did enter into a portion of a stream flowing into the coastal waters that had been closed by an order of the Director of the Division of Marine Fisheries of the Department of Fish and Game in order to protect smelt and their spawn during their spawning season, which order had been posted on or near such closed areas, giving the bounds thereof; or (2) did molest or disturb smelt or their spawn within such a closed area, in violation of G.L. c.130, §36. (PENALTY: imprisonment not more than 30 days; or not less than \$10, not more than \$50; or both; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/37/B LOBSTER/CRAB WITHOUT LICENSE c130 §37 & §38

on **[DATE OF OFFENSE:]**: (1) did fish for or catch lobsters or edible crabs in, or take them from, the coastal waters, or land them in the Commonwealth, or place, set, keep, maintain, supervise, lift, raise or draw in or from such waters, or cause to be placed, set, kept, maintained, supervised, lifted, raised or drawn in or from such waters, a pot, trap or other contrivance designed for, or adopted to, the taking of lobsters or edible crabs, without being licensed to do so pursuant to G.L. c.130, §38; or (2) did take lobsters from waters under the jurisdiction of the Commonwealth by spearing, dipping or dragging; or (3) in the waters of Gosnold in Dukes County did buoy such a pot, trap or other contrivance otherwise than separately and plainly, in violation of G.L. c.130, §37 and §38. (PENALTY: imprisonment not more than 3 months; or not less than \$200, not more than \$500; or both; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/38/B LOBSTER/CRAB LICENSE, FAIL EXHIBIT c130 §38

on **[DATE OF OFFENSE:]**, while acting pursuant to a license issued pursuant to G.L. c.130, §38, did fail to exhibit such permit upon the demand of an officer qualified to serve criminal process, in violation of G.L. c.130, §38. (PENALTY: imprisonment for not more than 1 month; or not less than \$25, not more than \$100; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/38/C LOBSTER/CRAB VIOLATION c130 §38

on **[DATE OF OFFENSE:]**, being the holder of a license issued pursuant to G.L. c.130, §38: (1) while acting pursuant to such permit, did use a buoy, pot, trap or lobster car that was not marked with his or her licensee number assigned by the Director of the Division of Marine Fisheries of the Department of Fish and Game, burned or cut into the surface thereof; or (2) did use a wooden lobster buoy in the coastal waters after January 1, 1974, in violation of G.L. c.130, §38. (PENALTY from §2: not more than 1 year; or not less than \$10, not more than \$5000; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/38A/B LOBSTER/CRAB VIOLATION c130 §38A

on **[DATE OF OFFENSE:]** did take or attempt to take lobsters or edible crabs from the coastal waters: (1) by diving, without displaying his or her lobster license number upon his or her air tank, and upon a floating marker in the area and in such form as required by G.L. c.130, §38A; or (2) with the aid and use of a boat, by means of pots, traps or other contrivances designed or adapted to the taking of lobsters or edible crabs without having first displayed the buoy colors used by him or her in accordance with his or her license on such boat in such form as required by §38A, in violation of G.L. c.130, §38A. (PENALTY: not less than \$100, not more than \$200; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/38B LOBSTER CATCH, FAIL REPORT COMMERCIAL c130 §38B

(Effective 4/13/93)

on **[DATE OF OFFENSE:]**: (1) being the holder of a commercial fishermen permit for the taking of lobsters in coastal waters, did fail to submit complete forms documenting his or her catch and sale of lobsters as required by the Director of the Division of Marine Fisheries of the Department of Fish and Game; or (2) did knowingly include false information in such a form; or (3) did knowingly include false information in an application for such a permit, in violation of G.L. c.130, §38B. (PENALTY: not less than \$500, not more than \$1000; and eligibility for permit suspended for up to 3 years.)

130/39/B LOBSTER/CRAB AT NIGHT c130 §39

on **[DATE OF OFFENSE:]** did tend, lift, raise or draw a lobster or crab pot or trap, or take lobsters or edible crabs from such a pot or trap, or catch or take lobsters from the coastal waters, during the period from one half hour after sunset until one half hour before sunrise, not being excepted by law, in violation of G.L. c.130, §39. (PENALTY: not less than \$10, not more than \$50; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/40/B CRABBING IN CLOSED SEASON c130 §40

(Effective thru 10/9/96)

on **[DATE OF OFFENSE:]** did take or catch edible crabs from the coastal waters between December 1st and the following March 31, in violation of G.L. c.130, §40. (PENALTY: not less than \$10, not more than \$50; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/40/B **CRABBING IN CLOSED SEASON** c130 §40 (Effective 10/10/96)
on **[DATE OF OFFENSE:]** did take or catch edible crabs from the coastal waters between January 1st and the following April 30, in violation of G.L. c.130, §40. (PENALTY: not less than \$10, not more than \$50; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/41/B **LOBSTER, TAKE EGG-BEARING** c130 §41 (thru 9/16/98)
on **[DATE OF OFFENSE:]**: (1) did take, sell or have in his or her possession a female lobster bearing eggs and did fail immediately to return such lobster alive to the waters from which it was taken; or (2) not being one who fishes for or takes lobsters as provided in G.L. c.130, §41A, did have in his or her possession a female lobster from which he or she knew eggs had been removed by means other than natural hatching, in violation of G.L. c.130, §41. (PENALTY: not less than \$50, not more than \$100 per lobster; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/41/B **LOBSTER, TAKE EGG-BEARING** c130 §41 (Effective 9/17/98)
on **[DATE OF OFFENSE:]** did take, sell or have in his or her possession a female lobster bearing externally attached eggs, in violation of G.L. c.130, §41. (PENALTY: not less than \$150, not more than \$500 per lobster; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/41/C **LOBSTER, TAKE EGG-BEARING, SUBSQ. OFF.** c130 §41 (thru 9/16/98)
on **[DATE OF OFFENSE:]**: (1) did take, sell or have in his or her possession a female lobster bearing eggs and did fail immediately to return such lobster alive to the waters from which it was taken; or (2) not being one who fishes for or takes lobsters as provided in G.L. c.130, §41A, did have in his or her possession a female lobster from which he or she knew eggs had been removed by means other than natural hatching, the defendant having previously been convicted of such an offense, in violation of G.L. c.130, §41. (PENALTY: imprisonment not less than 1 month, not more than 3 months; or not less than \$100, not more than \$200 per lobster; or both; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/41/C **LOBSTER, TAKE EGG-BEARING, SUBSQ. OFF.** c130 §41 (Effective 9/17/98)
on **[DATE OF OFFENSE:]** did take, sell or have in his or her possession a female lobster bearing externally attached eggs, the defendant having previously been convicted of such an offense, in violation of G.L. c.130, §41. (PENALTY: imprisonment not less than 60 days, not more than 6 months; or fine not less than \$500, not more than \$1000 per lobster; or both; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/41A/B **LOBSTER, TAKE EGG-BEARING** c130 §41A (thru 9/16/98)
on **[DATE OF OFFENSE:]**, being one who fishes for or takes lobsters, did have in his or her possession while engaged in or returning from fishing or while preparing to land or landing lobsters or delivering such lobsters to a dealer, a female lobster from which eggs had been removed by means other than natural hatching, having failed immediately to return such lobster alive to the waters from which it was taken, in violation of G.L. c.130, §41A. (PENALTY: not less than \$50, not more than \$100 per lobster; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/41A/B **LOBSTER, TAKE EGG-REMOVED** c130 §41A (Effective 9/17/98)
on **[DATE OF OFFENSE:]** did take, sell or have in his or her possession a female lobster from which the eggs had been removed by means other than natural hatching, in violation of G.L. c.130, §41A. (PENALTY: not less than \$250, not more than \$1000 per lobster; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/41A/C **LOBSTER, TAKE EGG-BEARING, SUBSQ. OFF.** c130 §41A (thru 9/16/98)
on **[DATE OF OFFENSE:]**, being one who fishes for or takes lobsters, did have in his or her possession while engaged in or returning from fishing or while preparing to land or landing lobsters or delivering such lobsters to a dealer, a female lobster from which eggs had been removed by means other than natural hatching, having failed immediately to return such lobster alive to the waters from which it was taken, the defendant having previously been convicted of such an offense, in violation of G.L. c.130, §41A. (PENALTY: imprisonment not less than 1 month, not more than 3 months; or not less than \$100, not more than \$200 per lobster; or both; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/41A/C **LOBSTER, TAKE EGG-REMOVED, SUBSQ. OFF.** c130 §41A (Effective 9/17/98)
on **[DATE OF OFFENSE:]** did take, sell or have in his or her possession a female lobster from which the eggs had been removed by means other than natural hatching, the defendant having previously been convicted of such an offense, in violation of G.L. c.130, §41A. (PENALTY: imprisonment not less than 90 days, not more than 1 year; or fine not less than \$1000, not more than \$2000 per lobster; or both; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/44/B **LOBSTER, SHORT** c130 §44 (Effective 1/1/89-10/30/96)
on **[DATE OF OFFENSE:]** did sell, offer for sale, or have in his or her possession for a period longer than was necessary for immediate measuring, or for a purpose other than legally disposing of the same, a lobster measuring less than three and eight-thirty-seconds inches in length, measured from the rear of the eye socket along a line parallel to the center line of the body shell to the rear end of the body shell, or such greater length as had been set by regulation of the Director of the Division of Marine Fisheries of the Department of Fisheries, Wildlife and Environmental Law Enforcement, with the approval of the Marine Fisheries Advisory Commission, in violation of G.L. c.130, §44. (PENALTY: not less than \$25, not more than \$50 per lobster; and lobsters shall be forfeited to the Division of Marine Fisheries; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/44/B **LOBSTER, SHORT** c130 §44 (Effective 10/31/96)
on **[DATE OF OFFENSE:]** did sell, offer for sale, or have in his or her possession for a period longer than was necessary for immediate measuring, or for a purpose other than legally disposing of the same, a lobster measuring less than three and eight-thirty-seconds inches in length, measured from the rear of the eye socket along a line parallel to the center line of the body shell to the rear end of the body shell, or such greater length as had been set by regulation of the Director of the Division of Marine Fisheries of the Department of Fish and Game, with the approval of the Marine Fisheries Advisory Commission, in violation of G.L. c.130, §44. (PENALTY: not less than \$100, not more than \$500 per lobster; and lobsters shall be forfeited to the Division of Marine Fisheries; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/44/C **LOBSTER, SHORT, SUBSQ. OFF.** c130 §44 (Effective 1/1/89-10/30/96)
on **[DATE OF OFFENSE:]** did sell, offer for sale, or have in his or her possession for a period longer than was necessary for immediate measuring, or for a purpose other than legally disposing of the same, a lobster measuring less than three and eight-thirty-seconds inches in length, measured from the rear of the eye socket along a line parallel to the center line of the body shell to the rear end of the body shell, or such greater length as had been set by regulation of the Director of the Division of Marine Fisheries of the Department of Fisheries, Wildlife and Environmental Law Enforcement, with the approval of the Marine Fisheries Advisory Commission, the defendant having previously been convicted of such an offense, in violation of G.L. c.130, §44. (PENALTY: imprisonment not less than 1 month, not more than 3 months; or not less than \$50, not more than \$100 per lobster; or both; and lobsters shall be forfeited to the Division of Marine Fisheries; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/44/C **LOBSTER, SHORT, SUBSQ. OFF.** c130 §44 (Effective 10/31/96)
on **[DATE OF OFFENSE:]** did sell, offer for sale, or have in his or her possession for a period longer than was necessary for immediate measuring, or for a purpose other than legally disposing of the same, a lobster measuring less than three and eight-thirty-seconds inches in length, measured from the rear of the eye socket along a line parallel to the center line of the body shell to the rear end of the body shell, or such greater length as had been set by regulation of the Director of the Division of Marine Fisheries of the Department of Fish and Game, with the approval of the Marine Fisheries Advisory Commission, the defendant having previously been convicted of such an offense, in violation of G.L. c.130, §44. (PENALTY: imprisonment not less than 1 month, not more than 3 months; or not less than \$500, not more than \$1000 per lobster; or both; and lobsters shall be forfeited to the Division of Marine Fisheries; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/47/B **LOBSTER CONTAINER IMPROP MARKED** c130 §47
on **[DATE OF OFFENSE:]**: (1) did deliver to a carrier for shipping one or more containers containing lobsters, or lobster meat after it had been taken from the shell, that had not been marked in a plain and legible manner on the outside thereof "Lobsters" or "Lobster Meat", as the case may be, in capital letters at least 1 inch in length, together with the full name and address of the shipper, and, in the case of such lobster meat, also with the words "removed under permit No. . . .", followed by the number of the permit under which such lobster meat was taken from the shell; or (2) being a carrier, did transport one or more containers containing lobsters or lobster meat that had not been so marked, not being excepted by law, in violation of G.L. c.130, §47. (PENALTY: not less than \$500, not more than \$1000; and containers, lobsters and lobster meat to be forfeited; §2: Division of Marine Fisheries may suspend license, permit or certificate).

130/51/B **LOBSTER, FALSE SALE OF** c130 §51
on **[DATE OF OFFENSE:]** did sell, or represent for the purpose of sale: (1) as a native lobster a lobster that had not been originally caught or taken in the coastal waters; or (2) as a lobster a crustacean that was not of the species known as *Homarus americanus*; or (3) as lobster meat that was not wholly from crustaceans of such species, in violation of G.L. c.130, §51. (PENALTY: not less than \$50, not more than \$500; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/66 **SHELLFISH MARK, MISUSE** c130 §66
on **[DATE OF OFFENSE:]**: (1) did wilfully injure, deface, destroy or remove a mark or bound used to define the extent of a shellfish license or grant; or (2) did place an unauthorized mark thereon; or (3) did tie or fasten a boat or vessel thereto, in violation of G.L. c.130, §66. (PENALTY: not less than \$3, not more than \$20; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/67/B **SHELLFISH LICENSED GROUNDS VIOL** c130 §67
on **[DATE OF OFFENSE:]**: (1) did work a dredge, oyster tongs or rakes, or other implement for the taking of shellfish upon shellfish grounds or beds covered by a license granted by G.L. c.130, §57 or corresponding provision of earlier laws; or (2) did disturb the growth of the shellfish thereon; or (3) did discharge a substance which might injure the shellfish upon such grounds or beds, without the consent of the licensee or transferee; or (4) while upon or sailing over such grounds or beds, did cast, haul, or have overboard a dredge, oyster tongs or rakes, or other implement for the taking of shellfish, without the consent of the licensee or transferee, in violation of G.L. c.130, §67. (PENALTY: imprisonment not more than 1 month; or not more than \$20; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/67/C **SHELLFISH LICENSED GROUNDS VIOL, SUBSQ.** c130 §67
on **[DATE OF OFFENSE:]**: (1) did work a dredge, oyster tongs or rakes, or other implement for the taking of shellfish upon shellfish grounds or beds covered by a license granted by G.L. c.130, §57 or corresponding provision of earlier laws; or (2) did disturb the growth of the shellfish thereon; or (3) did discharge a substance which might injure the shellfish upon such grounds or beds, without the consent of the licensee or transferee; or (4) while upon or sailing over such grounds or beds, did cast, haul, or have overboard a dredge, oyster tongs or rakes, or other implement for the taking of shellfish, without the consent of the licensee or transferee, the defendant having previously been convicted of such an offense, in violation of G.L. c.130, §67. (PENALTY: imprisonment not more than 6 months; or not more than \$50; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/68/B **SHELLFISH LICENSED GROUNDS VIOL** c130 §68
on **[DATE OF OFFENSE:]**: (1) did dig, take or carry away shellfish or shells between one half hour after sunset and one half hour before sunrise, from waters, flats or creeks as to which a license under G.L. c.130, §57 or corresponding provisions of earlier laws is outstanding; or (2) without the consent of the licensee or transferee did dig or take shellfish or shells from waters, flats or creeks described in a current license granted under G.L. c.130, §57 or corresponding provisions of earlier laws, in violation of G.L. c.130, §68. (PENALTY: imprisonment not less than 1 month, not more than 6 months; or not more than \$100; or both; and licensee shall forfeit license and shellfish remaining on licensed premises; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/69/B **QUAHAUGS/CLAMS, SHORT** c130 §69 (Effective 10/01/91)
on **[DATE OF OFFENSE:]** did take or have in his or her possession quahaugs less than one inch shell thickness (hinge width), or soft-shelled clams less than two inches in longest diameter, or oysters less than three inches in longest diameter, to the amount of more than five percent of any batch, not having a permit to do so, contrary to 322 Code Mass. Regs. §6.20 and in violation of G.L. c.130, §69. (PENALTY from §2: imprisonment not more than 1 year; or not less than \$10, not more than \$5000; or both; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/70/B **SCALLOPS, IMMATURE** c130 §70
on **[DATE OF OFFENSE:]**: (1) did take from the flats or coastal waters of the Commonwealth scallops other than adult scallops, as defined in G.L. c.130, §70; or (2) did sell or offer for sale or has in possession such scallops, in violation of G.L. c.130, §70. (PENALTY: imprisonment for 30 days; or not less than \$10, not more than \$50 fine; or both; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/71/B **SCALLOPS IN CLOSED SEASON** c130 §71
on **[DATE OF OFFENSE:]**: (1) did take scallops between April 1 and the following October 1 from the flats or coastal waters of the Commonwealth, other than as provided in G.L. c.130, §70 or §73; or (2) did buy or sell or have in possession scallops so taken, in violation of G.L. c.130, §71. (PENALTY: imprisonment for 30 days; or not less than \$10, not more than \$50; or both; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/72/B **SCALLOPS, EXCESS CATCH OF** c130 §72
on **[DATE OF OFFENSE:]** did take more than a total of 10 bushels of scallops, including shells, in one day, not having been authorized to do so by the Director of the Division of Marine Fisheries of the Department of Fish and Game under G.L. c.130, §70 and §73, in violation of G.L. c.130, §72. (PENALTY: imprisonment for 30 days; or not less than \$10, not more than \$50; or both; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/75/B **SHELLFISH IN CONTAMINATED AREA** c130 §75

on **[DATE OF OFFENSE:]**: (1) did dig or take shellfish from an area determined under provisions of G.L. c.130, §74 or §74A or corresponding provisions of earlier laws to be contaminated while such determination was in force; or (2) did knowingly transport or cause to be transported or have in his or her possession shellfish so dug or taken, without a permit or contrary to the provisions of such permit, during the period between one-half hour before sunrise and one-half hour after the following sunset, in violation of G.L. c.130, §75. (PENALTY: jail or house of correction not more than 2 years; or not less than \$500, not more than \$2000 or three times the value of such shellfish, whichever is greater; or both; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/75/C SHELLFISH IN CONTAMINATED AREA AT NIGHT c130 §75

on **[DATE OF OFFENSE:]**: (1) did dig or take shellfish from an area determined under provisions of G.L. c.130, §74 or §74A or corresponding provisions of earlier laws to be contaminated while such determination was in force; or (2) did knowingly transport or cause to be transported or have in his or her possession shellfish so dug or taken, without a permit or contrary to the provisions of such permit, during the period between one-half hour after sunset and one-half hour before the following sunrise, in violation of G.L. c.130, §75. (PENALTY: state prison not more than 3 years; or not less than \$500, not more than \$2000 or three times the value of such shellfish, whichever is greater; or both; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/75/D SHELLFISH IN CONTAMINATED AREA BY DEALER c130 §75

on **[DATE OF OFFENSE:]**: (1) did dig or take shellfish from an area determined under provisions of G.L. c.130, §74 or §74A or corresponding provisions of earlier laws to be contaminated while such determination was in force; or (2) did knowingly transport or cause to be transported or have in his or her possession shellfish so dug or taken, without a permit or contrary to the provisions of such permit, the defendant being a licensed wholesaler or retailer, in violation of G.L. c.130, §75. (PENALTY: imprisonment not more than 3 years; or not less than \$100, not more than \$10,000; or both; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/80/B FISHING, COMMERCIAL LICENSE VIOL c130 §80

(Effective 1/1/90)

on **[DATE OF OFFENSE:]**: (1) did fish for or take fish for commercial purposes in the coastal waters, or land raw fish in the Commonwealth, for the purpose of sale without being the holder of a commercial fisherman permit; or (2) did dig or take shellfish or marine worms for commercial purposes without being the holder of a commercial fisherman permit (shellfish) or a commercial fisherman permit that has been specially endorsed for the taking of such shellfish or marine worms; or (3) did for commercial purposes acquire, handle, store, distribute, process, fillet, ship or sell raw fish, in bulk or for resale, without having first obtained a wholesale dealer permit; or (4) being the holder of a wholesale dealer permit, did procure raw fish from a person who did not hold a valid commercial fisherman permit; or (5) did sell raw fish at retail without first obtaining a retail dealer permit issued jointly by the Division of Marine Fisheries of the Department of Fish and Game and by the Department of Public Health; or (6) did for commercial purposes shuck shellfish, or pack or repack shucked shellfish, or dig, take, pack or buy shellfish within the Commonwealth for shipment outside the Commonwealth, without the approval of the Director of such Division; or (7) did take or sell fish from a fishery regulated by the Director of such Division without a regulated marine fishery permit, not being excepted by law, in violation of G.L. c.130, §80. (PENALTY: imprisonment for not more than 3 years; or not less than \$10, not more than \$10,000; or both; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/81/B SHELLFISH SALES VIOLATION c130 §81

on **[DATE OF OFFENSE:]**: (1) did transport, or cause to be transported, into the Commonwealth for consumption as food shellfish taken or dug from areas outside the Commonwealth, not having been certified by the regulatory authority in the United States or foreign country under the uniform sanitation requirements of the cooperative program for the certification of interstate shellfish shippers; or (2) did sell, cause to be sold, or keep, offer or expose for sale for consumption, such shellfish, without having been so certified; or (3) did transport or cause to be transported within the Commonwealth shellfish for consumption as food in a container that did not bear a label or tag legibly marked with the name and address of the producer and of the shipper thereof and the numbers of such certificates, and the name of the place where and the date when taken; or (4) did counterfeit, alter, deface or tamper with such a label or tag, not being excepted by law, in violation of G.L. c.130, §81. (PENALTY: imprisonment not more than 3 years; or not less than \$100, not more than \$10,000; or both; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/82/B SHELLFISH LABELING VIOLATION c130 §82

on **[DATE OF OFFENSE:]**: (1) being a whole or retailer dealer in shellfish, or a person holding a victualler's license, did receive shellfish not bearing a label or tag legibly marked with the source of supply, the date when taken, either the certificate or permit number or the name and address of the producer or shipper, and any other information required by the Director of the Division of Marine Fisheries of the Department of Fish and Game; or (2) being a wholesale or retailer dealer in shellfish, or a person holding a victualler's license, did fail to keep in his or her place of business a record of the markings on such tag or label for sixty days after receipt of such shellfish, and to make such record open at all reasonable times to inspection by any representative of such Division or of the Department of Public Health; or (3) did fail to furnish such required label or tag; or (4) did furnish such a label or tag bearing false or misleading information; or (5) did counterfeit, alter, deface or tamper with any such label or tag, in violation of G.L. c.130, §82. (PENALTY: imprisonment not more than 3 years; or not less than \$100, not more than \$10,000; or both; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/92/B SCALLOPS SALES VIOLATION c130 §92

on **[DATE OF OFFENSE:]**: (1) did sell, exchange, transport or deliver, or offer or expose for sale, exchange or delivery, or have in his or her custody or possession with intent to sell, exchange, transport or deliver, scallops which had been soaked, or scallops not in the shell and not in a box, carton, tray or other container marked as required by G.L. c.130, §92; or (2) did falsely stamp, label or mark such a container; or (3) did falsely advertise such shellfish, in violation of G.L. c.130, §92. (PENALTY: imprisonment for 30 days; or not less than \$50, not more than \$500; or both; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/95/B FISHERY, DISTURB c130 §95

on **[DATE OF OFFENSE:]** did take, kill or haul onshore, or disturb, injure, hinder or obstruct, the passage of herring, alewives or other swimming marine food fish in a fishery created by a city or town, without its permission or that of its lessees, or in a fishery legally created by a corporation, without the permission of such corporation, or in a public fishery regulated and controlled by a city or town, contrary to its regulations, in violation of G.L. c.130, §95. (PENALTY: not less than \$5, not more than \$50; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/99 FISH, EXPORT IN OUT-OF-STATE VESSEL c130 §99

on **[DATE OF OFFENSE:]**: (1) did carry out of the Commonwealth in a vessel or smack owned outside the Commonwealth, fish other than oysters taken within the coastal waters, not being a common carrier; or (2) did in such a vessel or smack take fish within the coastal waters for the purpose of carrying them out of the Commonwealth, in violation of G.L. c.130, §99. (PENALTY: \$50; and fish to be forfeited to the Director of the Division of Marine Fisheries of the Department of Fish and Game.)

DIV OF MARINE FISHERIES REGULATIONS FOR STRIPPED BASS (c130 §100A) — see 322 CMR §6.07

130/100B/A **STRIPED BASS TAKEN NOT BY ANGLING** c130 §100B
on **[DATE OF OFFENSE:]** did take striped bass, with or by the use of a net, seine or other contrivance other than hook and line, within the jurisdiction of the Commonwealth, not being excepted by law, in violation of G.L. c.130, §100B. (PENALTY: imprisonment for 60 days; or not less than \$500, not more than \$1000; or both; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/100B/B **STRIPED BASS TAKEN NOT BY ANGLING, ATT** c130 §100B
on **[DATE OF OFFENSE:]** did attempt to take striped bass, with or by the use of a net, seine or other contrivance other than hook and line, within the jurisdiction of the Commonwealth, not being excepted by law, and in such attempt did **[DESCRIPTION OF OVERT ACT:]**, in violation of G.L. c.130, §100B. (PENALTY: imprisonment for 60 days; or not less than \$500, not more than \$1000; or both; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/100C/B **SHAD TAKEN NOT BY ANGLING** c130 §100C
on **[DATE OF OFFENSE:]** did take shad, with or by the use of a net, seine or other contrivance other than hook and line, within the jurisdiction of the Commonwealth, not being excepted by law, in violation of G.L. c.130, §100C. (PENALTY: not less than \$25, not more than \$50; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/100C/C **SHAD TAKEN NOT BY ANGLING, ATTEMPT** c130 §100C
on **[DATE OF OFFENSE:]** did attempt to take shad, with or by the use of a net, seine or other contrivance other than hook and line, within the jurisdiction of the Commonwealth, not being excepted by law, and in such attempt did **[DESCRIPTION OF OVERT ACT:]**, in violation of G.L. c.130, §100C. (PENALTY: not less than \$25, not more than \$50; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/100D/A **EELING VIOLATION** c130 §100D
on **[DATE OF OFFENSE:]**: (1) did take eels, *Anguilla rostrata*, by a contrivance other than by nets, pots, spears, or angling; or (2) did take or possess elvers or eels of a size less than 4 inches total length, in violation of G.L. c.130, §100D. (PENALTY: imprisonment not more than 30 days; or not less than \$100; or both; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/100D/B **EELING VIOLATION, ATTEMPTED** c130 §100D
on **[DATE OF OFFENSE:]** did attempt to take eels, *Anguilla rostrata*, by a contrivance other than by nets, pots, spears, or angling, and in such attempt did **[DESCRIPTION OF OVERT ACT:]**, in violation of G.L. c.130, §100D. (PENALTY: imprisonment not more than 30 days; or not less than \$100; or both; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/101A **GRAY SEAL, INJURE** c130 §101A
on **[DATE OF OFFENSE:]** did wilfully detain, hunt, kill or injure a gray seal (*halichoerus gryphus*, also called a Nantucket horsehead), in violation of G.L. c.130, §101A. (PENALTY: not more than \$500; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/102 **MARINE PLANTS, TAKE IMPROP** c130 §102
on **[DATE OF OFFENSE:]** did take by mechanical means Irish moss or kelp, marine plants or the species *chondrus crispus*, without the written approval of, and in accordance with the rules and regulations of, the Director of the Division of Marine Fisheries of the Department of Fish and Game, in violation of G.L. c.130, §102. (PENALTY from §2: imprisonment not more than 1 year; or not less than \$10, not more than \$5000; or both; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/103 **STARFISH/WINKLES/COCKLES, TAKE IMPROP** c130 §103
on **[DATE OF OFFENSE:]** did catch or take from the coastal waters starfish, or winkles and their egg strings, or cockles, and did fail to deposit them at some place above high water mark or at some suitable place designated by the selectmen of the town, in violation of G.L. c.130, §103. (PENALTY: \$5; and all permits or licenses under c.130 shall be void and not reissued for 6 months except with the approval of the Director of the Division of Marine Fisheries of the Department of Fish and Game; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

130/105 **WETLANDS ORDER, VIOLATE D.E.P.** c130 §105
on **[DATE OF OFFENSE:]** did **[DESCRIPTION OF OFFENSE:]**, and thereby did violate an order of the Commissioner of the Department of Environmental Protection regulating, restricting or prohibiting the altering or or polluting of coastal wetlands, in violation of G.L. c.130, §105. (PENALTY: imprisonment not more than 1 year; or not less than \$100, not more than \$25,000; or both; each day of violation constitutes a separate offense; §2: Division of Marine Fisheries may suspend license, permit or certificate.)

131/4/A **FISHWAY, FAIL MAINTAIN INLAND** c131 §4(14)
on **[DATE OF OFFENSE:]**: (1) did refuse or neglect to keep open or maintain a fishway in inland waters of the Commonwealth as had been prescribed by a written order of the Director of the Division of Fisheries and Wildlife of the Department of Fish and Game for the purpose of providing suitable passage for anadromous fish coming into fresh water to spawn; or (2) did violate a provision of G.L. c.131, §4(14) relative to a dam or obstruction for passage of anadromous fish, in violation of G.L. c.131, §4(14). (PENALTY from §90: \$50 for each day of such refusal or neglect; and may be ordered to pay restitution in amount set in §90.)

131/4/B **RIFLE OF IMPROPER CALIBER** c131 §4(15)
on **[DATE OF OFFENSE:]** did possess or use a rifle chambered to take larger than twenty-two long rifle ammunition in a place where birds or mammals may be found, in violation of an order of the Director of the Division of Fisheries and Wildlife of the Department of Fish and Game prohibiting such possession or use during the period from October 1 to the following April 1, which order had been published more than 48 hours previously in one or more newspapers circulated in the area, in violation of G.L. c.131, §4(15). (PENALTY: imprisonment not more than 6 months; or not less than \$100, not more than \$500.)

131/5/B **HUNT/FISH IN CLOSED SEASON** c131 §5 (Effective 10/14/93)
on **[DATE OF OFFENSE:]** did fish, hunt or trap, or have in his or her possession, a fish, bird, reptile, amphibian or mammal, or a carcass or part thereof, during a time other than open season as declared by the Director of the Division of Fisheries and Wildlife of the Department of Fish and Game, not being excepted by law in violation of G.L. c.131, §5. (PENALTY from §90: imprisonment not more than 30 days; or not less than \$50, not more than \$100; or both; plus not less than \$10, not more than \$50 for each bird or mammal unlawfully killed or possessed other than a deer, bear or turkey; and imprisonment not more than 6 months, or not less than \$300, not more than \$1000, or both, for each deer or turkey; and imprisonment not more than 6 months, or not less than \$1000, not more than \$5000, or both, for each bear; and may be ordered to pay restitution in amount set in §90; and bird, mammal or trap to be forfeited to the Director of the Office of Environmental Law Enforcement of the Executive Office of Environmental Affairs; §34: and any license, permit or certificate under c.131 revoked for 1 year.)

131/5C **HUNT/FISH, OBSTRUCT** c131 §5C (Effective 3/18/92)
on [DATE OF OFFENSE:] did obstruct, interfere with or otherwise prevent the lawful taking of fish or wildlife by another at the locale where such activity is taking place, in violation of G.L. c.131, §5C. (PENALTY from §90: imprisonment not more than 14 days; or not less than \$100, not more than \$500; or both.)

DIV OF FISHERIES & WILDLIFE REGS FOR PUBLIC FISHING GROUNDS (c131 §6) — see 321 CMR §3.00

DIV OF FISHERIES & WILDLIFE REGS FOR PUBLIC HUNTING GROUNDS (c131 §6) — see 321 CMR §4.07

DIV OF FISHERIES & WILDLIFE REGS FOR WILDLIFE SANCTUARIES (c131 §8) — see 321 CMR §7.01

131/10/B **HUNT IN WILDLIFE SANCTUARY** c131 §10 (Effective 10/14/93)
on [DATE OF OFFENSE:]: (1) did hunt, trap or take a bird or mammal within a wildlife sanctuary that had been established by an order of the Director of the Division of Fisheries and Wildlife of the Department of Fish and Game pursuant to G.L. c.131, §9; or (2) did enter such sanctuary with a firearm, trap, snare, or other device adapted to the killing, taking or injuring of birds and mammals; or (3) did take, molest, disturb or destroy the nest, eggs or young of such birds or mammals; or (4) did remove the eggs or young from such nest, not being excepted by law, in violation of G.L. c.131, §10. (PENALTY from §90: imprisonment not more than 30 days; or not less than \$50, not more than \$100; or both; plus not less than \$10, not more than \$50 for each bird or mammal unlawfully killed or possessed other than a deer, bear or turkey; and imprisonment not more than 6 months, or not less than \$300, not more than \$1000, or both, for each deer or turkey; and imprisonment not more than 6 months, or not less than \$1000, not more than \$5000, or both, for each bear; and may be ordered to pay restitution in amount set in §90; and bird, mammal or trap to be forfeited to the Director of the Office of Environmental Law Enforcement of the Executive Office of Environmental Affairs.)

131/11/B **HUNT/FISH WITHOUT LICENSE** c131 §11 (Effective 10/14/93)
on [DATE OF OFFENSE:], not being excepted by law: (1) being fifteen years of age or older, did fish in the inland waters of the Commonwealth without first having obtained a fishing license; or (2) did hunt or trap a bird or mammal without first having obtained a sporting, hunting or trapping license; or (3) did kill or possess a species of game bird or mammal for which a permit is required without having paid the established fee, in violation of G.L. c.131, §11. (PENALTY from §90: imprisonment not more than 30 days; or not less than \$50, not more than \$100; or both; plus not less than \$10, not more than \$50 for each bird or mammal unlawfully killed or possessed other than a deer, bear or turkey; and imprisonment not more than 6 months, or not less than \$300, not more than \$1000, or both, for each deer or turkey; and imprisonment not more than 6 months, or not less than \$1000, not more than \$5000, or both, for each bear; and may be ordered to pay restitution in amount set in §90; and bird, mammal or trap to be forfeited to the Director of the Office of Environmental Law Enforcement of the Executive Office of Environmental Affairs; §34: and any license, permit or certificate under c.131 revoked for 1 year.)

131/13/B **DEER/WATERFOWL, HUNT WITHOUT STAMP** c131 §13
on [DATE OF OFFENSE:]: (1) did hunt deer during the exclusive archery season on deer or during the exclusive primitive firearm season on deer without having obtained from the Director of the Division of Fisheries and Wildlife of the Department of Fish and Game, his or her authorized agents, or a city or town clerk, a stamp authorizing him or her so to hunt, and has attached it to the back of his or her hunting or sporting license in the manner provided by such Director; or (2) did hunt migratory waterfowl within the Commonwealth or its coastal waters during the open season on waterfowl without having obtained from such Director or such clerk a stamp authorizing him or her so to hunt, and has signed it across the face and carries it at all times upon the person while hunting migratory waterfowl, in violation of G.L. c.131, §13. (PENALTY from §90: imprisonment not more than 30 days; or not less than \$20, not more than \$50; or both; and may be ordered to pay restitution in amount set in §90; and any license, permit or certificate under c.131 revoked for 1 year.)

131/16/B **HUNT/FISH DUPLICATE LIC VIOL** c131 §16
on [DATE OF OFFENSE:]: (1) while knowingly having a valid license, permit or certificate issued under G.L. c.131, did obtain, have in possession or use a license, permit or certificate; or (2) while knowingly having a valid fishing, hunting, sporting or trapping license, did obtain for himself or herself, have in possession or use a license which purported to afford him or her any of the privileges of the original license for any part of the period for which such original license was valid, in violation of G.L. c.131, §16. (PENALTY from §90: imprisonment not more than 60 days; or not less than \$50, not more than \$100; or both; and any license, permit or certificate under c.131 revoked for 1 year.)

131/19 **FISH, IMPORT/INTRODUCE WITHOUT LICENSE** c131 §19
on [DATE OF OFFENSE:]: (1) did put into the inland waters of the Commonwealth a species of fish or spawn without having a valid license to do so issued under G.L. c.131, §23 or the written permission of the Director of the Division of Fisheries and Wildlife of the Department of Fish and Game; or (2) did bring or cause to be brought into the Commonwealth live fish or viable eggs of fish protected by G.L. c.131 without having a permit to do so from such Director, in violation of G.L. c.131, §19. (PENALTY from §90: imprisonment not more than 6 months; or not less than \$100, not more than \$500; or both; and any diseased fish to be forfeited to the Director of the Office of Environmental Law Enforcement of the Executive Office of Environmental Affairs.)

131/19A/B **WILD ANIMAL IMPORT VIOLATION** c131 §19A
on [DATE OF OFFENSE:]: (1) did bring or cause to be brought into the Commonwealth a live bird or mammal protected by G.L. c.131, or a member of the family sciuridae of the order rodentia, or a member of the order lagomorpha, or another member of the group vertebrata that is wild by nature; or (2) did liberate a bird or mammal or other such vertebrate; or (3) did import into or transport within the Commonwealth live foxes, without having first obtained a permit to do so from the Director of the Division of Fisheries and Wildlife of the Department of Fish and Game, and in accordance with the provisions of such permit, not being excepted by law, in violation of G.L. c.131, §19A. (PENALTY from §90: imprisonment not more than 6 months; or not less than \$100, not more than \$500; or both; and bird or animal to be forfeited to the Director of the Office of Environmental Law Enforcement of the Executive Office of Environmental Affairs.)

131/21A **HUNT BEAR WITH DOG OR BY BAITING** c131 §21A (Effective 11/5/96)
on [DATE OF OFFENSE:]: (1) did pursue or hunt bear or bobcat with the aid of a dog; or (2) did hunt bear by the aid of baiting, as defined in G.L. c.131, §21A; or (3) did knowingly hunt bear in a baited area, in violation of G.L. c.131, §21A. (PENALTY: imprisonment not more than 6 months; or not less than \$300, not more than \$1000; or both; and upon subsequent violation shall be barred forever from obtaining any hunting or dog training license or permit. §90: and may be ordered to pay restitution in amount set in §90; and mammal to be forfeited to the Director of the Office of Environmental Law Enforcement of the Executive Office of Environmental Affairs.)

131/22 **FISH/GAME SALE, IMPROPER** c131 §22 (Effective 10/14/93)
on [DATE OF OFFENSE:] did buy, sell, barter, exchange, offer or expose for sale, or have in possession for the purpose of sale, or deal in or trade with respect to, trout, salmon, horned pout, yellow perch, pickerel, white perch, great northern pike or muskellunge, wall-eyed pike, pike perch, or a member of the family centrarchidae (sunfish), taken from the waters of the Commonwealth, or black bass taken from waters within or outside the limits of the Commonwealth, or the bodies of dead or living birds or mammals, or parts thereof, other than those named in G.L. c.131, §5, or the bodies of dead or living

reptiles or amphibians, whenever or wherever taken or killed, other than as permitted by G.L. c.131, §23-§28, in violation of G.L. c.131, §22. (PENALTY from §90 for each deer or moose: not less than \$500, not more than \$2000; for each bear: not less than \$1000, not more than \$5000; for each other fish, bird or mammal: not less than \$50, not more than \$100; and bird or mammal to be forfeited to the Director of the Office of Environmental Law Enforcement of the Executive Office of Environmental Affairs.)

131/23/B FISH/WILD ANIMAL, DEAL WITHOUT LIC c131 §23

on **[DATE OF OFFENSE:]** did engage in the propagation, cultivation or maintenance of, or the dealing in, fish, or undomesticated birds, mammals, reptiles, or amphibians that are wild by nature, or parts thereof, as provided in G.L. c.131, §24, §25 or §47, without first having obtained a propagator's license or dealer's license, as the case may be, authorizing him or her to do so, in violation of G.L. c.131, §23. (PENALTY from G.L. §90: imprisonment not more than 30 days; or not less than \$20, not more than \$50; or both; and fish or animal to be forfeited to the Director of the Office of Environmental Law Enforcement of the Executive Office of Environmental Affairs.)

131/25/B ANIMAL, POSSESS WITHOUT LICENSE c131 §25

on **[DATE OF OFFENSE:]**: (1) did have in possession a live bird or mammal other than those named in G.L. c.131, §5, or a live reptile or amphibian, that was not purchased or received from a holder of a propagator's license or a dealer's license, other than in accordance with G.L. c.131, §4 and §23; or (2) being a person licensed under G.L. c.131, §23, did transfer a live bird, or the eggs thereof, or a live mammal, reptile or amphibian, to a person who was not licensed under §23, in violation of G.L. c.131, §25. (PENALTY from §90: imprisonment not more than 30 days; or not less than \$20, not more than \$50; or both; and bird or mammal to be forfeited to the Director of the Office of Environmental Law Enforcement of the Executive Office of Environmental Affairs.)

131/25C ANIMAL QUARANTINE VIOLATION c131 §25C

on **[DATE OF OFFENSE:]**: (1) did knowingly break or authorize or cause to be broken a quarantine imposed by an order or notice of the Director of the Division of Fisheries and Wildlife of the Department of Fish and Game pursuant to G.L. c.131, §25A; or (2) did knowingly remove a fish, bird, mammal, reptile or amphibian, or authorize or cause such to be removed, from a building, place or enclosure where it was quarantined or isolated, contrary to such an order or notice of quarantine or isolation; or (3) did knowingly place or cause or authorize to be placed another fish, bird, mammal, reptile or amphibian within a building, place or enclosure where a fish, bird, mammal, reptile or amphibian was quarantined, or in contact therewith, contrary to such an order or notice of quarantine; or (4) did knowingly conceal, sell, remove or transport, or knowingly cause or authorize to be concealed, sold, removed or transported, a fish, bird, mammal, reptile or amphibian, knowing or having reasonable cause to believe that it was afflicted with a contagious or infectious disease or parasite; or (5) did knowingly authorize or permit such a fish, bird, mammal, reptile or amphibian to go at large or be released to the wilds within the Commonwealth; or (6) did knowingly bring or authorize or permit to be brought into the Commonwealth a fish, bird, mammal, reptile or amphibian which was afflicted with or had been exposed to a contagious or infectious disease or parasite, in violation of G.L. c.131, §25C. (PENALTY: imprisonment not more than 6 months; or not less than \$100, not more than \$500; or both.)

131/26/B ANIMAL, SELL WITHOUT ID TAG c131 §26

on **[DATE OF OFFENSE:]**: (1) being a dealer purchasing or dealing in birds or mammals subject to G.L. c.131, §26, did offer the same for sale without having previously attached to the body of each bird or mammal or part thereof a numbered tag as provided in §25; or (2) being a dealer purchasing or dealing in a fish subject to §26, did offer the same for sale without having previously attached to each container thereof such identification mark as had been prescribed by rule or regulation of the Director of the Division of Fisheries and Wildlife of the Department of Fish and Game, in violation of G.L. c.131, §26. (PENALTY from §90: imprisonment not more than 30 days; or not less than \$20, not more than \$50; or both; and bird or mammal to be forfeited to the Director of the Office of Environmental Law Enforcement of the Executive Office of Environmental Affairs.)

131/27/B TAXIDERMIST VIOLATION c131 §27

on **[DATE OF OFFENSE:]**, being a taxidermist: (1) did receive, mount, tan, cure or otherwise preserve a fish, bird or mammal, or part thereof, which was not lawfully taken, without the person presenting such specimen having presented a permit therefor obtained by the Director of the Division of Fisheries and Wildlife of the Department of Fish and Game; or (2) did have presented to him or her a fish, bird or mammal, or part thereof, which was not lawfully taken, and failed to report the presentation of such specimen to such Director within 24 hours; or (3) did fail to keep an accurate account of all dealings subject to G.L. c.131, §27, including the names and addresses of all persons from whom any fish, bird or mammal, or parts thereof, had been obtained, and how and where they were taken, and to make such records open for inspection at all reasonable times pursuant to §27, in violation of G.L. c.131, §27. (PENALTY from §90: imprisonment not more than 30 days; or not less than \$20, not more than \$50; or both; and bird or mammal to be forfeited to the Director of the Office of Environmental Law Enforcement of the Executive Office of Environmental Affairs.)

131/28/B ANIMAL FUR VIOLATION c131 §28

on **[DATE OF OFFENSE:]**: (1) did purchase or receive the skins or pelts of a fur-bearing mammal without having obtained a fur buyer's license from the Director of the Division of Fisheries and Wildlife of the Department of Fish and Game; or (2) being a common carrier or his or her agent, did receive within the Commonwealth a skin or pelt that was not marked as required; or (3) did wilfully remove, mutilate or destroy some part of a tag or identification attached to a container in which such skins were being shipped; or (4) being a licensee under G.L. c.131, §28, did fail to keep the accurate account required by §28 of all dealings subject to §28 and to make such records open for inspection at all reasonable times pursuant to §28, in violation of G.L. c.131, §28. (PENALTY from §90: imprisonment not more than 60 days; or not less than \$50, not more than \$100; or both; and skin or pelt to be forfeited to the Director of the Office of Environmental Law Enforcement of the Executive Office of Environmental Affairs.)

DIV OF FISHERIES & WILDLIFE REGS FOR NETTING CARP/SUCKERS (c131 §30) — see 321 CMR §4.02

131/32/B LICENSE UNDER c.131 VIOLATION c131 §32

(Effective 1/4/90)

on **[DATE OF OFFENSE:]**: (1) did loan or transfer a license, permit or certificate issued under G.L. c.131; or (2) did fail to produce for examination a license, permit or certificate issued under G.L. c.131 upon the demand of an officer authorized by G.L. c.131, §32 or the owner or lessee of land upon which the privileges of the license, permit or certificate were being exercised; or (3) did falsely make a representation or statement for the purpose of procuring a license, permit or certificate under G.L. c.131, in violation of G.L. c.131, §32. (PENALTY from §90: imprisonment not more than 30 days; or not less than \$50, not more than \$100; or both; and any license, permit or certificate under c.131 revoked for 1 year.)

131/33/B LICENSE UNDER c.131, ALTER/FORGE c131 §33

on **[DATE OF OFFENSE:]**: (1) did alter, forge or counterfeit a license, permit, permit application, certificate, tag or seal issued under G.L. c.131 or a rule or regulation made thereunder; or (2) did possess or use such an altered, forged or counterfeited license, permit, permit application, certificate, tag or seal; or (3) did procure or attempt to procure such a license, permit, permit application, certificate, tag or seal by fraud or false statements; or (4) did use or attempt to use such a license, permit, permit application, certificate, tag or seal of another; or (5) did loan or allow another person to use his or her license, permit, permit application, certificate, tag or seal, in violation of G.L. c.131, §33. (PENALTY from §90: imprisonment not more than 60 days; or not less than \$50, not more than \$100; or both; and any license, permit or certificate under c.131 revoked for 1 year.)

131/35 **HUNT/FISH LICENSE, FAIL SURRENDER** c131 §35
on **[DATE OF OFFENSE:]** did fail to surrender his or her sporting, hunting, fishing or trapping license on demand of an officer empowered to enforce G.L. c.131, in violation of G.L. c.131, §35. (PENALTY from §90: imprisonment not more than 30 days; or not less than \$50, not more than \$100; or both.)

131/36/B **HUNT/FISH ON POSTED PROPERTY** c131 §36 (Effective 10/14/93)
on **[DATE OF OFFENSE:]** did fish, hunt or trap on private land without permission of the owner or tenant thereof, after such owner or tenant had conspicuously posted thereon notices which bore the name of such owner or tenant and which stated that fishing, hunting or trapping on such land, as the case may be, was prohibited, in violation of G.L. c.131, §36. (PENALTY from §90: imprisonment not more than 30 days; or not less than \$50, not more than \$100; or both; plus not less than \$10, not more than \$50 for each bird or mammal unlawfully killed or possessed other than a deer, bear or turkey; and imprisonment not more than 6 months, or not less than \$300, not more than \$1000, or both, for each deer or turkey; and imprisonment not more than 6 months, or not less than \$1000, not more than \$5000, or both, for each bear; and may be ordered to pay restitution in amount set in §90; and bird, mammal or trap to be forfeited to the Director of the Office of Environmental Law Enforcement of the Executive Office of Environmental Affairs.)

DIV OF FISHERIES & WILDLIFE REGS FOR TRAPPING OF BIRDS BY FARMERS (c131 §38) — see 321 CMR §2.09

131/39A **BERKSHIRE WATERSHED VIOLATION** c131 §39A
on **[DATE OF OFFENSE:]**, in a city or town in the County of Berkshire that had accepted the provisions of G.L. c.131, §39A, did **[DESCRIPTION OF VIOLATION:]**, contrary to a written order of the hearing authority of such city or town imposing on a regulated activity, as defined in §39A, reasonable conditions deemed necessary to protect watershed resources or natural scenic qualities against significant adverse effect, in violation of G.L. c.131, §39A. (PENALTY: imprisonment not more than 6 months; or not more than \$1000; or both; each day of violation constitutes a separate offense.)

131/40 **WETLANDS VIOLATION, COASTAL/TIDAL** c131 §40
on **[DATE OF OFFENSE:]**: (1) did remove, fill, dredge or alter a bank, fresh water wetland, coastal wetland, beach, dune, flat, marsh, meadow or swamp bordering on the ocean or on an estuary, creek, river, stream, pond or lake, or land under such waters, or land subject to tidal action, coastal storm flowage, or flooding, without having filed a written notice of intention and received and complied with a final written order, determination or notification issued by the municipal conservation commission, board of selectmen or mayor, or the Department of Conservation and Recreation, or did cause, suffer or allow such activity; or (2) did leave in place unauthorized fill, or otherwise fail to restore illegally altered land to its original condition; or (3) after having acquired real estate upon which work had been done in violation of G.L. c.131, §40 or an order issued thereunder, did fail forthwith to comply with such order and restore such real estate to its condition prior to such violation; or (4) did fail to comply with an enforcement order issued pursuant to §40; or (5) did undertake work proposed in a notice of intention without having recorded in the registry of deeds or in the registry section of the Land Court the final order, determination or notification with respect to such work; or (6) at a site where work was being done which was subject to §40, did fail to post a sign displaying the Department of Conservation and Recreation file number in such manner as required by §40, in violation of G.L. c.131, §40. (PENALTY: imprisonment not more than 2 years; or not more than \$25,000; or both; or civil penalty of not more than \$25,000; and may be ordered to restore property to its original condition and take other actions deemed necessary to remedy such violations; each day of violation constitutes a separate offense.)

131/40A **WETLANDS VIOLATION, INLAND** c131 §40A
on **[DATE OF OFFENSE:]** did **[DESCRIPTION OF VIOLATION:]**, contrary to an order of the Commissioner of the Department of Environmental Protection regulating, restricting or prohibiting dredging, filling, removing or otherwise altering or polluting inland wetlands, or forbidding the placement of any obstruction or encroachment along a waterway or flood-prone area without authorization by such Commissioner, which order had been adopted, recorded and mailed pursuant to G.L. c.131, §40A, in violation of G.L. c.131, §40A. (PENALTY: imprisonment not more than 1 year; or not less than \$100, not more than \$25,000; or both; or civil penalty of not more than \$25,000; each day of violation constitutes a separate offense.)

131/42 **TRASH DEPOSITED IN INLAND WATERS** c131 §42
on **[DATE OF OFFENSE:]**: (1) did put, throw, discharge or permit to be discharged or to escape into inland waters of the Commonwealth waste or other material, in violation of G.L. c.131, §40 or of some provision of the Massachusetts Clean Water Act, G.L. c.21, §26 et seq., which might directly or indirectly have injured or killed the fish or fish spawn therein; or (2) did alter or manipulate, or permit to be altered or manipulated, the flows or water levels in inland waters of the Commonwealth to an extent that directly or indirectly injured or killed the fish or fish spawn therein, not being excepted by G.L. c.131, §42, in violation of G.L. c.131, §48. (PENALTY from §90: imprisonment not more than 2 years; or not less than \$100, not more than \$5000; or both; and may be ordered to pay restitution in amount set in §90.)

131/43 **POISON MAMMAL/BIRD** c131 §43
on **[DATE OF OFFENSE:]** did place poison for the purpose of killing a mammal or bird without having a permit therefor, not being excepted by law, in violation of G.L. c.131, §43. (PENALTY from §90: imprisonment not more than 2 years; or not less than \$100, not more than \$5000; or both; and may be ordered to pay restitution in amount set in §90.)

131/44/B **TRASH DEPOSITED BY HUNTER/FISHER** c131 §44
on **[DATE OF OFFENSE:]**, while engaged in hunting, fishing or trapping, did deposit or cause to be deposited garbage, paper, refuse, bottles, cans, rubbish or trash on public or private property without permission of the owner, tenant or lessee of such property, in violation of G.L. c.131, §44. (PENALTY from §90: imprisonment not more than 30 days; or not less than \$20, not more than \$50; or both.)

131/45 **GREAT POND, MUNICIPAL REGUL FOR** c131 §45
on **[DATE OF OFFENSE:]** did **[DESCRIPTION OF VIOLATION:]**, in violation of a rule or regulation of the city or town of **[NAME OF MUNICIPALITY:]** relative to hunting, fishing and boating on a great pond, adopted pursuant to G.L. c.131, §45. (PENALTY from §90: imprisonment not more than 30 days; or not less than \$20, not more than \$50; or both; and may be ordered to pay restitution in amount set in §90.)

131/47/B **POND, ENCLOSE/FISH IMPROP** c131 §47 (Effective 1/4/90)
on **[DATE OF OFFENSE:]**: (1) being the riparian proprietor of a natural pond other than a great pond, or of an artificial pond, or of a nonnavigable stream, did enclose the waters thereof within the limits of his or her own premises without furnishing a suitable passage for all anadromous fish naturally frequenting such waters to spawn; or (2) being a riparian proprietor, did enclose the waters of such a pond or stream for the purpose of artificial propagation, cultivation and maintenance of fish, other than shiners as authorized in G.L. c.131, §52, without having procured a propagator's license under §23; or (3) did take, or did attempt to take, fish from a natural pond other than a great pond, or of an artificial pond, or of a nonnavigable stream, where fish were lawfully propagated or maintained under authority of a license under G.L. c.131, without the written consent of the proprietor or lessee thereof, in violation of G.L. c.131, §47. (PENALTY from §90: imprisonment not more than 30 days; or not less than \$50, not more than \$100; or both; and not less than \$10, not more than \$50 for each fish; and may be ordered to pay restitution in amount set in §90.)

131/48 **POND/RESERVOIR, DRAIN WITHOUT NOTICE** c131 §48

on **[DATE OF OFFENSE:]**, there being then no emergency, did drain a pond, reservoir or other body of water, other than a body of water used for irrigation or insect control purposes or for flooding cranberry bogs or for public water supply, to an extent dangerous to fish life therein, without having at least 10 days prior to such draining notified in writing the Director of the Division of Fisheries and Wildlife of the Department of Fish and Game of such intention, and thereby enabled such Director to salvage the fish in such body of water prior to the draining thereof, in violation of G.L. c.131, §48. (PENALTY from §90: imprisonment not more than 60 days; or not less than \$50, not more than \$100; or both; and may be ordered to pay restitution in amount set in §90.)

DIV OF FISHERIES & WILDLIFE REGS FOR INTERSTATE PONDS (c131 §49) — see 321 CMR §4.04—§4.06

131/50/B **FISH OTHER THAN BY ANGLING** c131 §50 (Effective 1/4/90)

on **[DATE OF OFFENSE:]** did take or attempt to take fish in inland waters in a manner other than by angling, not being excepted by law, in violation of G.L. c.131, §50. (PENALTY from §90: imprisonment not more than 30 days; or not less than \$50, not more than \$100; or both; and not less than \$10, not more than \$50 for each fish; and may be ordered to pay restitution in amount set in §90.)

131/51/B **TROUT FISH OTHER THAN BY ANGLING** c131 §51 (Effective 1/4/90)

on **[DATE OF OFFENSE:]** did take brook, brown or rainbow trout in coastal waters of the Commonwealth other than by angling, in violation of G.L. c.131, §51. (PENALTY from §90: imprisonment not more than 30 days; or not less than \$50, not more than \$100; or both; and not less than \$10, not more than \$50 for each fish; and may be ordered to pay restitution in amount set in §90.)

131/52/B **BAIT FISH VIOLATION** c131 §52

on **[DATE OF OFFENSE:]** did take shiners, minnows, killifish, sculpin, sticklebacks or suckers in the inland waters of the Commonwealth for sale, or by a method not permitted by G.L. c.131, §52, in violation of G.L. c.131, §52. (PENALTY from §90: imprisonment not more than 30 days; or not less than \$20, not more than \$50; or both; and may be ordered to pay restitution in amount set in §90.)

131/52A/B **EELING VIOLATION, COMMERCIAL** c131 §52A

on **[DATE OF OFFENSE:]**: (1) did take eels commercially in inland waters, other than ponds having a diked opening to the sea, without being a licensed fisherman and possessing a license to do so for the purpose of sale; or (2) did take for commercial purposes, or attempt to take, with or by the use of an artificial lure, a fish of the species *Anguilla rostrata*, the North American eel; or (3) did take for commercial purposes eelers, or eels less than 4 inches in length, in the inland waters of the Commonwealth, in violation of G.L. c.131, §52A. (PENALTY from §90: imprisonment not more than 30 days; or not less than \$20, not more than \$50; or both; and may be ordered to pay restitution in amount set in §90.)

DIV OF FISHERIES & WILDLIFE REGS FOR COMMERCIAL EELING (c131 §52A) — see 321 CMR §4.03

131/53/B **FISH INLAND WATER WITH FLOATS** c131 §53 (Effective 1/4/90)

on **[DATE OF OFFENSE:]** did fish with floats, that is, devices floating with a line and hook attached, baited with natural or artificial bait and not under the direct control of the hand of the person fishing, otherwise known as toggle fishing, in an inland water of the Commonwealth, in violation of G.L. c.131, §53. (PENALTY from §90: imprisonment not more than 30 days; or not less than \$50, not more than \$100; or both; and not less than \$10, not more than \$50 for each fish; and may be ordered to pay restitution in amount set in §90.)

131/54/B **FISH INLAND WATER BY IMPROP METHOD** c131 §54 (Effective 1/4/90)

on **[DATE OF OFFENSE:]** did draw, set, stretch or use a fish trap, gill net, drag net, set net, purse net, seine or trawl, or set or use more than 2 hooks for fishing, or in the case of ice fishing 5 hooks, in an inland water, or aid in so doing, not being excepted by law, in violation of G.L. c.131, §54. (PENALTY from §90: imprisonment not more than 30 days; or not less than \$50, not more than \$100; or both; and not less than \$10, not more than \$50 for each fish; and may be ordered to pay restitution in amount set in §90; and net to be forfeited to the Director of the Office of Environmental Law Enforcement of the Executive Office of Environmental Affairs; and any license, permit or certificate under c.131 revoked for 1 year.)

131/57/B **HUNT ON SUNDAY VIOLATION** c131 §57 (Effective 10/14/93)

on **[DATE OF OFFENSE:]** did on Sunday hunt a bird or mammal, or carry on his or her person a rifle, shotgun, bow and arrow, pistol or revolver, in a place where birds or mammals might be found, other than as provided in G.L. c.131, §4, §31 and §37, not being excepted by law, in violation of G.L. c.131, §57. (PENALTY from §90: imprisonment not more than 30 days; or not less than \$50, not more than \$100; or both; plus not less than \$10, not more than \$50 for each bird or mammal unlawfully killed or possessed other than a deer, bear or turkey; and imprisonment not more than 6 months, or not less than \$300, not more than \$1000, or both, for each deer or turkey; and imprisonment not more than 6 months, or not less than \$1000, not more than \$5000, or both, for each bear; and may be ordered to pay restitution in amount set in §90; and bird, mammal or trap to be forfeited to the Director of the Office of Environmental Law Enforcement of the Executive Office of Environmental Affairs; §34: and any license, permit or certificate under c.131 revoked for 1 year.)

131/58/B **FIREARM, DISCHARGE NEAR HWAY** c131 §58 (Effective 1/4/90)

on **[DATE OF OFFENSE:]** did discharge a firearm or release an arrow upon or across, or within 150 feet of, a state or hard surfaced highway, in violation of G.L. c.131, §58. (PENALTY from §90: imprisonment not more than 30 days; or not less than \$50, not more than \$100; or both; and any license, permit or certificate under c.131 revoked for 1 year.)

131/58/D **FIREARM WITHIN 500 FT OF DWELLING** c131 §58 (Effective 1/4/90)

on **[DATE OF OFFENSE:]** did possess a loaded firearm or hunt by any means on the land of another within 500 feet of a dwelling in use, not being so authorized by the owner or occupant thereof, in violation of G.L. c.131, §58. (PENALTY from §90: imprisonment not more than 30 days; or not less than \$50, not more than \$100; or both.)

131/59/B **HUNT ON PUBL LAND WITHOUT PERMIT** c131 §59 (Effective 10/14/93)

on **[DATE OF OFFENSE:]** did hunt, or in some manner molest or destroy, a bird or mammal within the boundaries of a reservation, park or common, or land owned or leased by the Commonwealth or a political subdivision thereof, or land held in trust for public use, without a permit to do so issued by the authorities or persons having the control and charge of such reservations, parks, commons or other lands, in violation of G.L. c.131, §59. (PENALTY from §90: imprisonment not more than 30 days; or not less than \$50, not more than \$100; or both; plus not less than \$10, not more than \$50 for each bird or mammal unlawfully killed or possessed other than a deer, bear or turkey; and imprisonment not more than 6 months, or not less than \$300, not more than \$1000, or both, for each deer or turkey; and imprisonment not more than 6 months, or not less than \$1000, not more than \$5000, or both, for each bear; and may be ordered to pay restitution in amount set in §90; and bird, mammal or trap to be forfeited to the Director of the Office of Environmental Law Enforcement of the Executive Office of Environmental Affairs.)

131/60/A **HUNTING INJURY, FAIL REPORT** c131 §60

on [DATE OF OFFENSE:]: (1) while engaged in hunting or target shooting, did cause injury or death to another person by reason of the use of any firearm, bow and arrow, or other weapon or article, and did fail immediately to report the same to the state or local police; or (2) being a person who had knowledge of such injury or death, did fail immediately to report the same to the state or local police, in violation of G.L. c.131, §60. (PENALTY from §90: imprisonment not more than 6 months; or not less than \$100, not more than \$500; or both; and any hunting or sporting license to be forfeited for 5 years.)

131/60/B **HUNTING WEAPON, PERSONAL INJURY WITH** c131 §60

on [DATE OF OFFENSE:], while engaged in hunting or target shooting, did use a firearm, bow and arrow, or other weapon or article in a careless or negligent manner so as to cause bodily injury or death to another, in violation of G.L. c.131, §60. (PENALTY from §90: imprisonment not more than 6 months; or not less than \$100, not more than \$500; or both; and any hunting or sporting license to be forfeited for 5 years.)

131/61 **HUNTING WEAPON, PROPERTY DAMAGE WITH** c131 §61

on [DATE OF OFFENSE:] did use a firearm, bow and arrow or other weapon or article in a careless or negligent manner so as to cause damage to property or livestock of another while engaged in hunting, fishing, trapping or target shooting, in violation of G.L. c.131, §61. (PENALTY from §90: imprisonment not more than 60 days; or not less than \$50, not more than \$100; or both; and liable in tort for damages; and any license, permit or certificate under c.131 revoked for 1 year.)

131/62/A **HUNT WHILE UNDER INFLUENCE OF DRUGS** c131 §62

(Effective 10/14/93)

on [DATE OF OFFENSE:], while engaged in hunting or target shooting, did hunt or carry a firearm, bow and arrow or other weapon while under the influence of drugs, in violation of G.L. c.131, §62. (PENALTY from §90: imprisonment not more than 30 days; or not less than \$50, not more than \$100; or both; plus not less than \$10, not more than \$50 for each bird or mammal unlawfully killed or possessed other than a deer, bear or turkey; and imprisonment not more than 6 months, or not less than \$300, not more than \$1000, or both, for each deer or turkey; and imprisonment not more than 6 months, or not less than \$1000, not more than \$5000, or both, for each bear; and imprisonment not more than 6 months, or not less than \$300, not more than \$1000, or both, for each turkey; and may be ordered to pay restitution in amount set in §90; and bird, mammal or trap to be forfeited to the Director of the Office of Environmental Law Enforcement of the Executive Office of Environmental Affairs; §34: and any license, permit or certificate under c.131 revoked for 1 year.)

131/62/B **HUNT WHILE UNDER INFLUENCE OF LIQUOR** c131 §62

(Effective 10/14/93)

on [DATE OF OFFENSE:], while engaged in hunting or target shooting, did hunt or carry a firearm, bow and arrow or other weapon while under the influence of intoxicating liquor, in violation of G.L. c.131, §62. (PENALTY from §90: imprisonment not more than 30 days; or not less than \$50, not more than \$100; or both; plus not less than \$10, not more than \$50 for each bird or mammal unlawfully killed or possessed other than a deer, bear or turkey; and imprisonment not more than 6 months, or not less than \$300, not more than \$1000, or both, for each deer or turkey; and imprisonment not more than 6 months, or not less than \$1000, not more than \$5000, or both, for each bear; and may be ordered to pay restitution in amount set in §90; and bird, mammal or trap to be forfeited to the Director of the Office of Environmental Law Enforcement of the Executive Office of Environmental Affairs; §34: and any license, permit or certificate under c.131 revoked for 1 year.)

131/63 **SHOTGUN/RIFLE IN MV/PLANE/BOAT, LOADED** c131 §63

on [DATE OF OFFENSE:], not being excepted by law, did have in his or her possession or under his or her control a loaded shotgun or rifle: (1) in or on a motor vehicle or aircraft, other than upon land owned or occupied by him or her; or (2) in a motor boat, not being so authorized by the Director of the Division of Fisheries and Wildlife of the Department of Fish and Game in regulations related to the hunting of migratory waterfowl; or (3) in a motor vehicle, aircraft or motorboat while not on property owned or occupied by him or her, which shotgun or rifle he or she failed to display for inspection upon the demand of an officer authorized to enforce G.L. c.131, in violation of G.L. c.131, §63. (PENALTY from §90: imprisonment not more than 60 days; or not less than \$50, not more than \$100; or both; and any license, permit or certificate under c.131 revoked for 1 year.)

131/64 **HUNT WITH AUTOMATIC WEAPON** c131 §64

(Effective 11/4/93)

on [DATE OF OFFENSE:]: (1) did use for hunting purposes a type of full automatic firearm, machine gun or submachine gun, or a crossbow; or (2) did use a tracer or incendiary ammunition for hunting or outdoor target shooting purposes other than on a skeet, trap or target range, in violation of G.L. c.131, §64. (PENALTY from §90: imprisonment not more than 60 days; or not less than \$50, not more than \$100; or both; and may be ordered to pay restitution in amount set in §90; and bird or mammal to be forfeited to the Director of the Office of Environmental Law Enforcement of the Executive Office of Environmental Affairs; and any license, permit or certificate under c.131 revoked for 1 year.)

131/65/B **HUNT FROM VEHICLE/BOAT** c131 §65

on [DATE OF OFFENSE:]: (1) did hunt a bird or mammal by the aid or use of a motor vehicle, snowmobile, helicopter or other aircraft; or (2) did hunt a bird by the aid or use of a boat or floating device propelled by sail steam naphtha, gasoline, electricity, compressed air or similar motive power other than when such boat or floating device was beached, resting at anchor, or fastened within or tied immediately alongside of a fixed hunting blind; or (3) did, for the purpose of taking or killing a wild bird, place or cause to be placed grain upon the shores or foreshores of or in or upon waters within the Commonwealth, not being excepted by law, in violation of G.L. c.131, §65. (PENALTY from §90: imprisonment not more than 1 year; or not less than \$50, not more than \$1000; or both; and may be ordered to pay restitution in amount set in §90; and bird or mammal to be forfeited to the Director of the Office of Environmental Law Enforcement of the Executive Office of Environmental Affairs; and any license, permit or certificate under c.131 revoked for 1 year.)

131/65A **INTERNET HUNTING** c131 §65A(b)

(Effective 10/31/07)

on [DATE OF OFFENSE:] did: (1) engage in online shooting or spearing, as defined in G.L. c. 131, § 65A(a), of a bird, mammal, reptile or fish; or (2) own or operate a shooting range, site, gallery or other facility in the Commonwealth utilized for online shooting or spearing; or (3) create, maintain or utilize an Internet web site, or a service or business via some other means, from a location within the Commonwealth for the operation of online shooting or spearing; or (4) possess or confine a bird, mammal, reptile or fish to promote or for use in online shooting or spearing; or (5) import into or export out of the Commonwealth a bird, mammal, reptile or fish, or the remains thereof, injured or killed by online shooting or spearing, in violation of G.L. c. 131, § 65A. (PENALTY: house of correction not more than 2½ years; or not more than \$2500 fine; or both.)

131/66/B **SHOTGUN SHELLS IN CLOSED SEASON** c131 §66

on [DATE OF OFFENSE:] did have in his or her possession a shotgun shell loaded with a rifled slug, single ball, buckshot, BB shot or air rifle shot in a place where birds or mammals might be found, outside of the prescribed open season when deer may be hunted lawfully with a shotgun, and outside of a skeet, trap or target range between sunrise and sunset, in violation of G.L. c.131, §66. (PENALTY from §90: imprisonment not more than 1 year; or not less than \$50, not more than \$1000; or both; and any license, permit or certificate under c.131 revoked for 1 year.)

131/67/B **AMMUNITION OF UNLAWFUL CALIBER** c131 §67

on [DATE OF OFFENSE:] did use or possess where birds or mammals might be found a rifle chambered to take larger than twenty-two long rifle ammunition,

or a revolver or pistol chambered to take larger than thirty-eight caliber ammunition, between the hours of one half hour after sunset to one half hour before sunrise of any day throughout the year, in violation of G.L. c.131, §67. (PENALTY from §90: imprisonment not more than 1 year; or not less than \$50, not more than \$1000; or both; and any license, permit or certificate under c.131 revoked for 1 year.)

DIV OF FISHERIES & WILDLIFE REGS FOR BOWS & ARROWS (c131 §69) — see 321 CMR §3.01

131/68 HUNT BY ARTIFICIAL LIGHT c131 §68

on **[DATE OF OFFENSE:]**: (1) did hunt a bird or mammal other than raccoon or opossum by the aid or use of an artificial light; or (2) did hunt a bird with a swivel or pivot gun, in violation of G.L. c.131, §68. (PENALTY from §90: imprisonment not more than 6 months; or not less than \$100, not more than \$500; or both; and may be ordered to pay restitution in amount set in §90; and bird, mammal, weapon and equipment to be forfeited to the Director of the Office of Environmental Law Enforcement of the Executive Office of Environmental Affairs; and any license, permit or certificate under c.131 revoked for 1 year.)

131/69 BOW & ARROW, HUNT WITH IMPROP c131 §69

(Effective 10/14/93)

on **[DATE OF OFFENSE:]** did carry or use while hunting a bow and arrow that did not meet requirements set by rules and regulations of the Director of the Division of Fisheries and Wildlife of the Department of Fish and Game, in violation of G.L. c.131, §69. (PENALTY from §90: imprisonment not more than 30 days; or not less than \$50, not more than \$100; or both; plus not less than \$10, not more than \$50 for each bird or mammal unlawfully killed or possessed other than a deer, bear or turkey; and imprisonment not more than 6 months, or not less than \$300, not more than \$1000, or both, for each deer or turkey; and imprisonment not more than 6 months, or not less than \$1000, not more than \$5000, or both, for each bear; and may be ordered to pay restitution in amount set in §90; and bird, mammal or trap to be forfeited to the Director of the Office of Environmental Law Enforcement of the Executive Office of Environmental Affairs.)

131/70/B HUNT BY IMPROPER MEANS c131 §70

on **[DATE OF OFFENSE:]**, during the open season when deer may be hunted lawfully with a shotgun: (1) did hunt a bird or mammal with a rifle, revolver or pistol or by the aid of a dog; or (2) did have in his or her possession or under his or her control in a wood or field a rifle, revolver or pistol, or a dog, in violation of G.L. c.131, §70. (PENALTY from §90: imprisonment not more than 60 days; or not less than \$50, not more than \$100; or both; and may be ordered to pay restitution in amount set in §90; and bird or mammal to be forfeited to the Director of the Office of Environmental Law Enforcement of the Executive Office of Environmental Affairs; and any license, permit or certificate under c.131 revoked for 1 year.)

131/71/B HUNTER ORANGE VIOLATION c131 §71

(Effective 1/4/90)

on **[DATE OF OFFENSE:]**, during the open season when deer may be hunted lawfully with a shotgun, did hunt or enter the woodlands of the Commonwealth for the purpose of hunting without wearing in a conspicuous manner on his or her chest, back and head a minimum of 500 square inches of clothing or material of a hunter orange color meeting requirements established by rules and regulations of the Director of the Division of Fisheries and Wildlife of the Department of Fish and Game, in violation of G.L. c.131, §71. (PENALTY from §90: imprisonment not more than 30 days; or not less than \$50, not more than \$100; or both.)

131/72/B DEER TAGGING VIOLATION c131 §72

(Effective 10/14/93)

on **[DATE OF OFFENSE:]**: (1) did possess a deer tag detached from his or her hunting or sporting license and not affixed to a deer and did fail to surrender such deer tag to an officer empowered to enforce the provisions of G.L. c.131, §72; or (2) did take a deer into possession by hunting in open season and did fail to affix a deer tag to the deer, in violation of G.L. c.131, §72. (PENALTY from §90: imprisonment not more than 30 days; or not less than \$50, not more than \$100; or both; plus imprisonment not more than 6 months, or not less than \$300, not more than \$1000, or both, for each deer unlawfully killed or possessed; and may be ordered to pay restitution in amount set in §90; and deer or trap to be forfeited to the Director of the Office of Environmental Law Enforcement of the Executive Office of Environmental Affairs; §34: and any license, permit or certificate under c.131 revoked for 1 year.)

131/73 MOOSE, HUNT c131 §73

(Effective 10/14/93)

on **[DATE OF OFFENSE:]** did hunt a moose, in violation of G.L. c.131, §73. (PENALTY from §90: imprisonment not more than 6 months; or not less than \$500, not more than \$2000; or both; and may be ordered to pay restitution in amount set in §90; and moose or trap to be forfeited to the Director of the Office of Environmental Law Enforcement of the Executive Office of Environmental Affairs; §34: and any license, permit or certificate under c.131 revoked for 1 year.)

131/74 BIRD NEST/EGGS, DISTURB c131 §74

on **[DATE OF OFFENSE:]** did take, disturb or destroy a nest or eggs of a bird other than an English sparrow, crow, jay or starling, in violation of G.L. c.131, §74. (PENALTY from §90 for each bird taken, killed or removed, and each nest or egg taken, disturbed, molested or destroyed: imprisonment not more than 30 days; or not less than \$20, not more than \$50; or both; and may be ordered to pay restitution in amount set in §90; and bird to be forfeited to the Director of the Office of Environmental Law Enforcement of the Executive Office of Environmental Affairs.)

131/75 TURKEY, HUNT/POSSESS WILD c131 §75

on **[DATE OF OFFENSE:]**, not being excepted by law: (1) did hunt or knowingly and unlawfully have in his or her possession a wild turkey; or (2) did take, molest, disturb, destroy or unlawfully have in his or her possession the nest of eggs of a wild turkey, in violation of G.L. c.131, §75. (PENALTY from §90 for each wild turkey knowingly and unlawfully had in possession, and for each nest or egg thereof taken, molested, disturbed, destroyed, or unlawfully had in possession: imprisonment not more than 6 months; or not less than \$100, not more than \$500; or both; and may be ordered to pay restitution in amount set in §90; and bird to be forfeited to the Director of the Office of Environmental Law Enforcement of the Executive Office of Environmental Affairs; and any license, permit or certificate under c.131 revoked for 1 year.)

131/75A/B BIRD OF PREY, HUNT c131 §75A

on **[DATE OF OFFENSE:]**, without a permit or authorization from the Director of the Division of Fisheries and Wildlife of the Department of Fish and Game: (1) did hunt or have in his or her possession an eagle, osprey, hawk, owl, kit, falcon or vulture; or (2) did take, molest, disturb, destroy or have in his or her possession the nest or eggs of such a bird, in violation of G.L. c.131, §75A. (PENALTY from §90: imprisonment not more than 6 months; or not less than \$100, not more than \$500; or both; and may be ordered to pay restitution in amount set in §90; and bird to be forfeited to the Director of the Office of Environmental Law Enforcement of the Executive Office of Environmental Affairs; and shall not be issued any license, permit or certificate under c.131 for 3 years.)

131/76/B MAMMAL, REMOVE IMPROP c131 §76

on **[DATE OF OFFENSE:]** did remove or attempt to remove a mammal from a hole in a tree or in the ground, stone wall, or from within or under any ledge, stone or log, not the excepted by law, in violation of G.L. c.131, §76. (PENALTY from §90 for each bird or mammal taken, killed or removed: imprisonment not more than 30 days; or not less than \$20, not more than \$50; or both; and may be ordered to pay restitution in amount set in §90; and mammal to be forfeited to the Director of the Office of Environmental Law Enforcement of the Executive Office of Environmental Affairs.)

131/77/B **HUNT WITH FERRET/FITCH** c131 §77 (Effective 12/21/67-3/5/96)
on **[DATE OF OFFENSE:]**: (1) did take or attempt to take a bird or mammal by the aid or use of a ferret or fitchew, commonly known as a fitch (mustela putorium euro); or (2) did have in his or her possession or use a ferret or fitchew without a permit authorizing him or her to do so from, and in accordance with any conditions prescribed by, the Director of the Division of Fisheries and Wildlife of the Department of Fisheries, Wildlife and Environmental Law Enforcement, not being excepted by law, in violation of G.L. c.131, §77. (PENALTY from §90: imprisonment not more than 30 days; or not more than \$100; or both; and may be ordered to pay restitution in amount set in §90; and ferret/fitchew and bird or mammal to be forfeited to the Director of the Division of Environmental Law Enforcement of such Department.)

131/77/B **FERRET VIOLATION** c131 §77 (Effective 3/6/96)
on **[DATE OF OFFENSE:]**: (1) did possess a ferret as a household pet, that had not been neutered or spayed and received inoculations against distemper and rabies and any other inoculations required by the Director of the Division of Fisheries and Wildlife of the Department of Fish and Game; or (2) did possess a ferret for breeding purposes without having in effect a license to do so from such Director; or (3) did offer for sale or trade the offspring of a ferret which had been possessed by a recognized research institution for breeding and research purposes; or (4) did hunt for, catch, kill or cause or permit the hunting of a vertebrate animal with or through the use of a ferret; or (5) did liberate a ferret or allow a ferret to escape into the wild; or (6) did sell a ferret in a pet shop, as defined in G.L. c. 129, §1, that had not been neutered or spayed and received inoculations against distemper and rabies and any other inoculations required by such Director, in violation of G.L. c.131, §77. (PENALTY from §90: imprisonment not more than 30 days; or not more than \$100; or both; and may be ordered to pay restitution in amount set in §90; and ferret and hunted animal to be forfeited to the Director of the Office of Environmental Law Enforcement of the Executive Office of Environmental Affairs.)

131/77A **WILD CANID/FELID HYBRID VIOLATION** c131 §77A (Effective 4/10/94)
on **[DATE OF OFFENSE:]** did possess, sell, trade, breed, import, export or release a wild canid hybrid or wild felid hybrid, as such terms are defined in G.L. c.131, §77A, contrary to a rule or regulation of the Division of Fisheries and Wildlife of the Department of Fish and Game, in violation of G.L. c.131, §77A. (PENALTY from §90: not less than \$100, not more than \$500.)

131/79/B **TRAP/NET/SNARE BIRD/MAMMAL** c131 §79
on **[DATE OF OFFENSE:]**, other than as permitted by G.L. c.131, §4, §5, §37, §38 and §83: (1) did erect, set, use, locate, repair, tend or maintain a trap, net or snare for the purpose of taking or killing a bird or mammal; or (2) did take a bird or mammal by such means, in violation of G.L. c.131, §79. (PENALTY from §90: imprisonment not more than 6 months; or not less than \$100, not more than \$500; or both; and may be ordered to pay restitution in amount set in §90; and trap, snare, net, and bird or mammal to be forfeited to the Director of the Office of Environmental Law Enforcement of the Executive Office of Environmental Affairs.)

131/80/B **TRAP, UNREGISTERED** c131 §80 (Effective 10/14/93)
on **[DATE OF OFFENSE:]** did place, set, maintain, possess, or tend on the land of another a trap which was not registered in accordance with the provisions of G.L. c.131, §80, in violation of G.L. c.131, §80. (PENALTY from §90: imprisonment not more than 30 days; or not less than \$50, not more than \$100; or both; plus not less than \$10, not more than \$50 for each bird or mammal unlawfully killed or possessed other than a deer, bear or turkey; and imprisonment not more than 6 months, or not less than \$300, not more than \$1000, or both, for each deer or turkey; and imprisonment not more than 6 months, or not less than \$1000, not more than \$5000, or both, for each bear; and may be ordered to pay restitution in amount set in §90; and bird, mammal or trap to be forfeited to the Director of the Office of Environmental Law Enforcement of the Executive Office of Environmental Affairs; §34: and any license, permit or certificate under c.131 revoked for 1 year.)

131/80A/B **TRAP, LEHOLD** c131 §80A (Effective 7/1/75-11/4/96)
on **[DATE OF OFFENSE:]** did for the capture of fur-bearing mammals use, set, place or maintain: (1) a steel jaw leghold trap on land, other than in or under buildings on land owned, leased or rented by him or her; or (2) a steel jaw leghold trap in water that was not set in such manner that all reasonable care was taken to insure that the mammal died by drowning in a minimum length of time; or (3) some other device that was set in such manner that it would knowingly cause continued suffering to such mammal caught therein, or which was not designed to kill such mammal at once or take it alive unhurt, not being the holder of a special permit to use such trap, and in accordance with any rules or regulations, issued by the Director of the Division of Fisheries and Wildlife of the Department of Fisheries, Wildlife and Environmental Law Enforcement, in violation of G.L. c.131, §80A. (PENALTY: imprisonment not more than 30 days; or not less than \$50, not more than \$100; or both; and may be ordered to pay restitution in amount set in §90; and trap and mammal to be forfeited to the Director of the Division of Environmental Law Enforcement of the Department of Fisheries, Wildlife and Environmental Law Enforcement.)

131/80A/B **TRAP, UNLAWFUL** c131 §80A (Effective 11/5/96)
on **[DATE OF OFFENSE:]** did use, set, place, maintain, manufacture or possess a trap for the purpose of capturing fur-bearing mammals other than a common type mouse or rat trap, net, or box or cage type trap, as such terms are defined in G.L. c.131, §80A, as permitted by law, in violation of G.L. c.131, §80A. (PENALTY for each day of violation for each unlawful trap: imprisonment not more than 6 months; or not less than \$300, not more than \$1000; or both; and upon subsequent violation "shall be barred forever from obtaining a trapping license and a problem animal control permit." §90: may be ordered to pay restitution in amount set in §90; and trap and mammal to be forfeited to the Director of the Office of Environmental Law Enforcement of the Executive Office of Environmental Affairs.)

131/82/B **DEER, ALLOW DOG TO MOLEST** c131 §82 (Effective 10/14/93)
on **[DATE OF OFFENSE:]**, being a person owning, keeping or possessing a dog: (1) did allow, permit or consent to such dog chasing, hunting, molesting, attacking or killing a deer; or (2) did fail to restrain such dog from running at large in a city or town in which there was then in effect an order to restrain all dogs from running at large, issued by the Director of the Division of Fisheries and Wildlife of the Department of Fish and Game to prevent dogs from chasing, hunting, molesting, attacking or killing deer, and which had been published in one or more newspapers circulated in such city or town more than 48 hours previously, in violation of G.L. c.131, §82. (PENALTY from §90: imprisonment not more than 30 days; or not less than \$50, not more than \$100; or both; plus imprisonment not more than 6 months, or not less than \$300, not more than \$1000, or both, for each deer unlawfully killed or possessed; and may be ordered to pay restitution in amount set in §90; and deer to be forfeited to the Director of the Office of Environmental Law Enforcement of the Executive Office of Environmental Affairs; and any license, permit or certificate under c.131 revoked for 1 year.)

131/83 **SPARROW/STARLING, BLOCK EXTERMINATION OF** c131 §83 (Effective 1/4/90)
on **[DATE OF OFFENSE:]**: (1) did wilfully resist an officer in charge of public buildings in a city, or an officer who had been designated and appointed by the selectmen in a town, who was using means or appliances, other than poison, to effectively exterminate English sparrows and starlings in such city or town; or (2) did knowingly interfere with the means used by such officer for such purpose, in violation of G.L. c.131, §83. (PENALTY from §90: imprisonment not more than 30 days; or not less than \$50, not more than \$100; or both; and not less than \$10, not more than \$50 for each bird.)

131/84 **HOMING PIGEON, INTERFERE WITH** c131 §84 (Effective 1/4/90)

on **[DATE OF OFFENSE:]**, not being its owner or his or her authorized agent: (1) did detain, hunt, injure or in some way interfere with a homing or carrier pigeon; or (2) did remove an identification mark, ban or other thing from such a pigeon, in violation of G.L. c.131, §84. (PENALTY from §90: imprisonment not more than 30 days; or not less than \$50, not more than \$100; or both; and not less than \$10, not more than \$50 for each bird.)

131/85 **ANIMAL, IMPORT/EXPORT IMPROP** c131 §85 (Effective 10/14/93)

on **[DATE OF OFFENSE:]**: (1) did transport or cause to be transported into or out of the Commonwealth fish, reptiles, amphibians, birds or mammals protected by G.L. c.132 which had been unlawfully taken or killed therein; or (2) did transport or cause to be transported into the Commonwealth fish, reptiles, amphibians, birds or mammals which had been taken or killed, or were possessed, contrary to the laws of some state or foreign nation, in violation of G.L. c.131, §85. (PENALTY from §90: imprisonment not more than 30 days; or not less than \$50, not more than \$100; or both; plus not less than \$10, not more than \$50 for each bird or mammal unlawfully killed or possessed other than a deer, bear or turkey; and imprisonment not more than 6 months, or not less than \$300, not more than \$1000, or both, for each deer or turkey; and imprisonment not more than 6 months, or not less than \$1000, not more than \$5000, or both, for each bear; and may be ordered to pay restitution in amount set in §90; and bird, mammal or trap to be forfeited to the Director of the Office of Environmental Law Enforcement of the Executive Office of Environmental Affairs; §34: deer violations result in any license, permit or certificate under c.131 being revoked for 1 year.)

131/86 **EXPERIMENT/PROPAGATION, INTERFERE WITH** c131 §86

on **[DATE OF OFFENSE:]**: (1) did without right enter in or upon a building or other structure, or an area of land, flats or water, set apart and used by or under authority of the Director of the Division of Fisheries and Wildlife of the Department of Fish and Game for conducting scientific experiments or investigations or for propagation, after such Director had caused printed notices of such occupation and use and the purposes thereof to be placed in a conspicuous position upon such building or structure, or adjacent to any such area; or (2) did fish in waters so set apart and used; or (3) did injure or deface such building or structure or any such posted notice, or injure or destroy property used in such experiments or investigations or for such purposes, or otherwise interfere with, in violation of G.L. c.131, §86. (PENALTY from §90: imprisonment not more than 1 year; or not less than \$50, not more than \$1000; or both; and may be ordered to pay restitution in amount set in §90.)

131/90A **HUNTING LICENSE, FAIL RETURN SUSPENDED** c131 §90A

on **[DATE OF OFFENSE:]**, being a person whose privilege to hunt, trap or fish had been suspended or revoked in some jurisdiction of the United States or Canada because of an offense which was determined by the Director of the Division of Fisheries and Wildlife of the Department of Fish and Game to constitute a violation of G.L. c.131, §§ 10, 13, 22, 61, 62, 64, 65, 68, 69, 73, 74, 75, 75A, 79, 80, 80A or 82, did fail immediately to return his or her Massachusetts license to hunt, trap or fish to such Division, in violation of G.L. c.131, §90A. (PENALTY: not less than \$50, not more than \$200.)

DIV OF FORESTS & PARKS REGS FOR FORESTS/PARKS (c132A §7) — see 304 CMR §12.00—\$20.00

131A/2/A **ENDANGERED SPECIES, POSSESS/SELL/BUY** c131A §2 (Effective 7/1/92)

on **[DATE OF OFFENSE:]** did take, possess, transport, export, process, sell, offer for sale, buy, offer to buy, or as a common or contract carrier knowingly transport or receive for shipment, a plant or animal species listed as endangered, threatened or of special concern or listed under the Federal Endangered Species Act, not being excepted by other provisions of G.L. c.131A, in violation of G.L. c.131A, §2 or the rules and regulations promulgated thereunder. (PENALTY from §6(a): imprisonment not more than 90 days; or not less than \$500; or both.)

131A/2/B **ENDANGERED SPECIES, POSSESS/SELL/BUY, SUBSQ. OFF.** c131A §2 (Effective 7/1/92)

on **[DATE OF OFFENSE:]** did take, possess, transport, export, process, sell, offer for sale, buy, offer to buy, or as a common or contract carrier knowingly transport or receive for shipment, a plant or animal species listed as endangered, threatened or of special concern or listed under the Federal Endangered Species Act, not being excepted by other provisions of G.L. c.131A, the defendant having previously been convicted of such an offense, in violation of G.L. c.131A, §2 or the rules and regulations promulgated thereunder. (PENALTY from §6(a): imprisonment not more than 180 days; or not less than \$5000; or both.)

131A/2/C **ENDANGERED SPECIES HABITAT, ALTER** c131A §2 (Effective 7/1/92)

on **[DATE OF OFFENSE:]** did alter significant habitat, as such terms are defined in G.L. c.131A, §1, not being excepted by other provisions of G.L. c.131A, in violation of G.L. c.131A, §2 or the rules and regulations promulgated thereunder. (PENALTY from §6(b): imprisonment not more than 90 days; or not less than \$1000, not more than \$10,000; or both. "In addition or as an alternative to such penalties," the defendant "may be ordered to restore the significant habitat to its prior condition.")

131A/2/D **ENDANGERED SPECIES HABITAT, ALTER, SUBSQ. OFF.** c131A §2 (Effective 7/1/92)

on **[DATE OF OFFENSE:]** did alter significant habitat, as such terms are defined in G.L. c.131A, §1, not being excepted by other provisions of G.L. c.131A, the defendant having previously been convicted of such an offense, in violation of G.L. c.131A, §2 or the rules and regulations promulgated thereunder. (PENALTY from §6(b): imprisonment not more than 180 days; or not less than \$10,000, not more than \$20,000; or both. "In addition or as an alternative to such penalties," the defendant "may be ordered to restore the significant habitat to its prior condition.")

132/12/A **PEST CONTROL, INTERFERE WITH** c132 §12 (Effective thru 4/12/09)

on **[DATE OF OFFENSE:]** did wilfully resist or obstruct the Chief Superintendent of the Bureau of Shade Tree Management and Pest Control in the Department of Conservation and Recreation, a local superintendent of shade tree management and pest control, or an employee or authorized agent of either of them, while such person was engaged in suppressing a public nuisance referred to in G.L. c.132, §11, in violation of G.L. c.132, §12. (PENALTY: not more than \$25.)

132/12/B **PEST CONTROL REGULATION VIOLATION** c132 §12 (Effective 11/9/56-4/12/09)

on **[DATE OF OFFENSE:]** did knowingly **[DESCRIPTION OF OFFENSE:]**, in violation of a rule, regulation or quarantine issued by the Chief Superintendent of the Bureau of Shade Tree Management and Pest Control in the Department of Conservation and Recreation and approved in writing by the Commissioner of the Department of Conservation and Recreation, in violation of G.L. c.132, §12. (PENALTY: not more than \$25.)

132/34 **STATE FOREST REGULATION VIOLATION** c132 §34

on **[DATE OF OFFENSE:]** did **[DESCRIPTION OF OFFENSE:]**, in violation of a rule or regulation of the Commissioner of Conservation and Recreation relative to hunting and fishing or other uses of acquired for state forests, adopted pursuant to G.L. c.132, §34. (PENALTY: not more than \$25.)

132/43 **FOREST CUTTING PLAN, FAIL FILE/FOLLOW** c132 §43 (Effective 3/31/83)

on **[DATE OF OFFENSE:]**, not being exempt from G.L. c.132, §42-§43 under the provisions of §44: (1) being an owner of land, did cut forest products on land devoted to forest purposes, or cause such products to be cut, without having given written notice of such intention and a proposed cutting plan to the

Director of the Division of State Parks and Recreation of the Department of Conservation and Recreation or his or her agent as provided by G.L. c.132, §42; or (2) either as land or stumpage owner or independent contractor, did fail to follow the plan of operations approved or not disapproved by such Director or his or her agent, in violation of G.L. c.132, §43. (PENALTY: not more than \$100 "for each acre of land on which cutting occurred in violation of, or in the absence of, said plan and final work order except as provided by" §42.)

132/46 **FOREST CUTTING, UNLICENSED COMMERCIAL** c132 §46 (Effective 3/31/83)
on **[DATE OF OFFENSE:]**, being a person, firm or corporation engaged in the business of harvesting timber or other forest products for hire or profit, did cut such products on land devoted to forest purposes and for purposes not exempted by G.L. c.132, §44 without having in effect a license to do so from the Director of the Division of State Parks and Recreation of the Department of Conservation and Recreation, in violation of G.L. c.132, §46. (PENALTY: not more than \$500.)

132/48 **FORESTER, UNLICENSED** c132 §48 (Effective 4/4/94)
on **[DATE OF OFFENSE:]** did hold himself or herself out as a forester and engage in the practice of forestry, as defined in G.L. c.132, §47, without being licensed to do so in accordance with G.L. c.132, §49, in violation of G.L. c.132, §48. (PENALTY: not less than \$500, not more than \$1000.)

132A/7 **STATE RECREATION AREA REGUL VIOLATION** c132A §7
on **[DATE OF OFFENSE:]** did **[DESCRIPTION OF OFFENSE:]**, in violation of a rule or regulation of the Commissioner of the Department of Conservation and Recreation for the government and use of property under the control of the Division of State Parks and Recreation, adopted pursuant to G.L. c.132A, §7. (PENALTY: not more than \$20.)

132B/6 **PESTICIDE, IMPROP DISTRIBUTE** c132B §6 (Effective 9/25/87)
beginning on **[FIRST DATE OF OFFENSE:]** and continuing through **[LAST DATE OF OFFENSE:]** knowingly: (1) did distribute a pesticide, as defined in G.L. c.132B, §2, that was not registered pursuant to the provisions of G.L. c.132B, §7; or (2) did distribute a pesticide classified by the Department of Agricultural Resources as being for restricted use to a person not appropriately certified to use that pesticide; or (3) did distribute a pesticide that was adulterated or misbranded or a device, as defined in G.L. c.132B, §2, that was misbranded; or (4) did distribute a pesticide that was not in the registrant's or the producer's unbroken, unopened, and sealed container; or (5) did distribute a pesticide that did not conform to some requirement of its registration or permit; or (6) did distribute a pesticide in containers that were unsafe due to damage or design; or (7) did detach, alter, deface, or destroy, a label or labeling provided for in G.L. c.132B or in regulations adopted thereunder; or (8) did add some substance to, or take some substance from, a pesticide in a manner that might defeat the purposes of G.L. c.132B or regulations adopted thereunder; or (9) did distribute, handle, dispose of, discard, or store some pesticide or pesticide container in such manner as to cause injury to humans, vegetation, crops, livestock, wildlife, beneficial insects, to cause damage to the environment, or to pollute or contaminate a water supply, waterway, groundwater or waterbody; or (10) did act in the capacity of, or advertise as, or assume to act as a licensed pesticide dealer without currently being so licensed; or (11) possessing a pesticide dealer license, did violate or allow to be violated some term, condition, restriction or provision of such license; or (12) did purchase or use a pesticide that was not registered by such department under the provisions of §7, not being exempted by law, in violation of G.L. c.132B, §6. (PENALTY from §14 for each day of violation: imprisonment not more than 1 year; or not more than \$25,000; or both.)

132B/6A **PESTICIDE, IMPROP USE, SUBSQ. OFF.** c132B §6A (Effective 9/25/87)
beginning on **[FIRST DATE OF OFFENSE:]** and continuing through **[LAST DATE OF OFFENSE:]** knowingly: (1) did use a registered pesticide in a manner that was inconsistent with its labeling or other restrictions imposed by the Department of Agricultural Resources; or (2) did use a pesticide which was the subject of an experimental use permit inconsistently with the terms and conditions of such permit; or (3) being certified or licensed as a pesticide applicator, did violate some provision, condition, term or restriction of his or her certification or license; or (4) not being an appropriately certified private applicator, an appropriately certified commercial applicator, or a competent individual acting under the direct supervision of an appropriately certified applicator, did use a pesticide that had been classified by such Department as being for restricted use, the defendant having previously knowingly committed such an offense, in violation of G.L. c.132B, §6A. (PENALTY from §14 for each day of violation: imprisonment not more than 6 months; or not more than \$1000; or both.)

132B/6B **PESTICIDE USE, UTILITY FL NOTIFY OF, SUBSQ. OFF.** c132B §6B (Effective 9/25/87)
beginning on **[FIRST DATE OF OFFENSE:]** and continuing through **[LAST DATE OF OFFENSE:]**, being a gas, electric, telephone or other utility company licensed to do business in this Commonwealth, did knowingly spray, release, deposit, or apply a herbicide to land which it owned or as to which it held an easement or similar right and over which it maintained power, high tension or other lines, without first notifying, by registered mail, the mayor, city manager or chairman of the board of selectmen and the conservation commission in the city or town where such land lies twenty-one days prior to such spraying, the defendant having previously knowingly committed such an offense, in violation of G.L. c.132B, §6B. (PENALTY from §14 for each day of violation: imprisonment not more than 6 months; or not more than \$1000; or both.)

132B/14/A **PESTICIDE ORDER VIOLATION, SUBSQ. OFF.** c132B §14 (Effective 9/25/87)
beginning on **[FIRST DATE OF OFFENSE:]** and continuing through **[LAST DATE OF OFFENSE:]** did knowingly **[DESCRIPTION OF OFFENSE:]**, in violation of an order issued under the provisions of G.L. c.132B, the defendant having previously knowingly committed such an offense. (PENALTY from §14 for each day of violation: imprisonment not more than 2 years; or not more than \$25,000; or both.)

132B/14/B **PESTICIDE REGULATION VIOLATION, SUBSQ. OFF.** c132B §14 (Effective 9/25/87)
beginning on **[FIRST DATE OF OFFENSE:]** and continuing through **[LAST DATE OF OFFENSE:]** did knowingly **[DESCRIPTION OF OFFENSE:]**, in violation of a regulation adopted under the provisions of G.L. c.132B, the defendant having previously knowingly committed such an offense. (PENALTY from §14 for each day of violation: imprisonment not more than 6 months; or not more than \$1000; or both.)

135/8 **POLICE CUSTODY, IMPROP USE PROPERTY IN** c135 §8 (Effective 5/27/79)
on **[DATE OF OFFENSE:]** did use or dispose of property which had been stolen, lost, abandoned or taken from a person under arrest and which had come into the possession of a member of a police department of a city or town by virtue of his or her office, other than as provided in G.L. c.135, §7-§8, in violation of G.L. c.135, §8. (PENALTY: not less than \$50, not more than \$100; and forfeiture of such property.)

136/2 **SUNDAY ENTERTAINMENT, PLAY/WATCH UNLIC** c136 §2 (Effective 1/27/82)
on **[DATE OF OFFENSE:]**, a Sunday, was present at or did engage in dancing other than folk or square dancing, or a game, sport, fair, exposition, play, entertainment or public diversion for which a charge in the form of the payment or collection of money or other valuable consideration was made for the privilege of being present thereat or engaging therein, and for which a license had not been granted under the provisions of G.L. c.128A, §2, not being exempted by G.L. c.136, §4, in violation of G.L. c.136, §2. (PENALTY: not more than \$50.)

136/3 **SUNDAY ENTERTAINMENT, SPONSOR UNLIC** c136 §3 (Effective 1/27/82)

on **[DATE OF OFFENSE:]**, a Sunday, did offer to view, did set up, establish or maintain, or attempt to set up, establish or maintain, or promote or assist in such attempt, or promote, or aid, abet or participate in offering to view, in setting up, establishing or maintaining, or act as proprietor, manager or person in charge of, dancing or some game, sport, fair, exposition, play, entertainment or public diversion for which a charge in the form of the payment of money or other valuable consideration was made for the privilege of being present thereat or engaging therein, and for which a license had not been granted under the provisions of G.L. c.128A, §2, not being exempted by G.L. c.136, §4, in violation of G.L. c.136, §3. (PENALTY: not more than \$50.)

136/5/A SUNDAY BLUE LAWS VIOLATION c136 §5

on **[DATE OF OFFENSE:]**, a Sunday, did keep open his or her shop, warehouse, factory or other place of business, or sell foodstuffs, goods, wares, merchandise or real estate, or did some manner of labor, business or work, other than works of necessity and charity, not being exempted by G.L. c.136, §6, in violation of G.L. c.136, §5. (PENALTY: not more than \$100 for each unlawful act or sale.)

136/5/B SUNDAY BLUE LAWS VIOLATION, SUBSQ. OFF. c136 §5

on **[DATE OF OFFENSE:]**, a Sunday, did keep open his or her shop, warehouse, factory or other place of business, or sell foodstuffs, goods, wares, merchandise or real estate, or did some manner of labor, business or work, other than works of necessity and charity, not being exempted by G.L. c.136, §6, the defendant having previously been convicted of such an offense, in violation of G.L. c.136, §5. (PENALTY: not less than \$50, not more than \$200 for each unlawful act or sale.)

136/6 EMPLOYER SUNDAY OVERTIME VIOLATION c136 §6

on **[DATE OF OFFENSE:]**: (1) did fail to compensate one or more employees engaged in work performed on a Sunday pursuant to the provisions of G.L. c.136, §6, clause (25), (27) or (50) at a rate that was less than one and one-half times the employee's regular rate, not being excepted by law; or (2) did require an employee to perform such work on a Sunday; or (3) did discriminate, dismiss, discharge, reduce in hours or otherwise penalize an employee for refusing to work for a retail establishment on Sunday, in violation of G.L. c.136, §6. (PENALTY from G.L. c.149, §180A: not more than \$1000.)

136/13 EMPLOYER HOLIDAY OVERTIME VIOLATION c136 §6

on **[DATE OF OFFENSE:]**: (1) did fail to compensate one or more employees engaged in work performed on January 1, November 11, or the second Monday in October pursuant to the provisions of G.L. c.136, §13, second par., at a rate that was less than one and one-half times the employee's regular rate, or such larger sum as had been determined by contract, not being excepted by law; or (2) did require an employee to perform such work on such holiday; or (3) did discriminate, dismiss, discharge, reduce in hours or otherwise penalize an employee for refusing to work for a retail establishment on such holiday, in violation of G.L. c.136, §13. (PENALTY from G.L. c.149, §180A: not more than \$1000.)

138/2 LIQUOR, SELL/MAKE/STORE/TRANSPORT UNLAW c138 §2

on **[DATE OF OFFENSE:]** did manufacture with intent to sell, sell, expose or keep for sale, store, transport, import or export alcoholic beverages or alcohol, in a manner not authorized by G.L. c.138, to wit: **[DESCRIPTION OF OFFENSE:]**, not being excepted by law, in violation of G.L. c.138, §2. (PENALTY: imprisonment not more than 1 year; or not less than \$100, not more than \$1000; or both.)

138/16 LIQUOR, ADULTERATE c138 §16

on **[DATE OF OFFENSE:]**, being the holder of a license issued pursuant to G.L. c.138, §12-§15, did directly or through some agent, employee or other person, dilute or change or in some manner tamper with an alcoholic beverage authorized to be sold under such license so as to change its composition or alcoholic content, in violation of G.L. c.138, §16. (PENALTY: not less than \$200, not more than \$500; and suspension of liquor license by local licensing authority for not less than 6 months.)

138/18 LIQUOR, IMPORT UNLAWFULLY c138 §18

on **[DATE OF OFFENSE:]** did ship alcoholic beverages into this Commonwealth without being licensed to do so as a wholesaler and importer pursuant to G.L. c.138, §18, in violation of G.L. c.138, §18. (PENALTY from §62: imprisonment not less than 1 month, not more than 1 year; or not less than \$50, not more than \$500; or both.)

138/18A/A LIQUOR AGENT/BROKER VIOLATION c138 §18A

on **[DATE OF OFFENSE:]**, being licensed pursuant to G.L. c.138, §18A to act as agent, broker, or solicitor for a specified individual, corporation or partnership in another state or foreign country engaged in the business of manufacturing, importing or selling alcoholic beverages, and on behalf of such principal, solicit orders for such beverages from holders of licenses under G.L. c.138, §18, did **[DESCRIPTION OF OFFENSE:]**, in violation of G.L. c.138, §18A. (PENALTY from §2: imprisonment not more than 1 year; or not less than \$100, not more than \$1000; or both.)

138/18A/B LIQUOR AGENT/BROKER, UNLICENSED c138 §18A

on **[DATE OF OFFENSE:]** did act as agent, broker, or solicitor for an individual, corporation or partnership in another state or foreign country engaged in the business of manufacturing, importing or selling alcoholic beverages, and on behalf of such principal, to solicit orders for such beverages from holders of licenses under G.L. c.138, §18, without being licensed to do so pursuant to G.L. c.138, §18A, in violation of G.L. c.138, §18A. (PENALTY from §2: imprisonment not more than 1 year; or not less than \$100, not more than \$1000; or both.)

138/19A LIQUOR SALESPERSON WITHOUT PERMIT c138 §19A

(Effective 3/31/91)

on **[DATE OF OFFENSE:]**, being employed as a salesperson for a licensee under G.L. c.138, §19A, §§ 18, 18A, 19B or 19C, or being employed as a salesperson for a licensee under G.L. c.138, §18 and also being an officer, shareholder or partner of such licensee, did solicit orders for alcoholic beverages from a licensee under G.L. c.138 to whom his or her employer was authorized to sell such beverages, without having in effect a permit to do so issued pursuant to G.L. c.138, §19A, in violation of G.L. c.138, §19A. (PENALTY from §2: imprisonment not more than 1 year; or not less than \$100, not more than \$1000; or both.)

138/20A LIQUOR, STORE/WAREHOUSE WITHOUT PERMIT c138 §20A

on **[DATE OF OFFENSE:]** did receive alcoholic beverages for the purpose of storing and warehousing them in a public warehouse, without having in effect a permit to do so issued pursuant to G.L. c.138, §19A, in violation of G.L. c.138, §20A. (PENALTY from §2: imprisonment not more than 1 year; or not less than \$100, not more than \$1000; or both.)

138/21 LIQUOR, BUY/SELL/POSSESS UNTAXED c138 §21

on **[DATE OF OFFENSE:]** did knowingly purchase, sell or possess alcoholic beverages or alcohol not manufactured in, produced in or imported into this Commonwealth by a licensed manufacturer, a winegrower, a holder of a wholesaler's and importer's license, a licensee under G.L. c.138, §76, a railroad or car corporation or the owner or operator of a vessel or shipping company licensed under G.L. c.138, §13, a person holding a permit for importation under

G.L. c.138, §22A, or a person specifically exempted by G.L. c.138, §2, in violation of G.L. c.138, §21. (PENALTY: in addition to any other penalties provided for violation of any provisions of G.L. c.138, a fine equal to double the amount of the excise which would have been payable by a licensee subject to this section if such alcoholic beverages or alcohol had been imported or sold by such licensee.)

138/22 **LIQUOR, TRANSPORT UNLAWFULLY** c138 §22 (Effective 10/25/74)
on **[DATE OF OFFENSE:]** did knowingly transport within this Commonwealth an alcoholic beverage or alcohol other than as authorized by G.L. c.138, §22, in violation of G.L. c.138, §22. (PENALTY: imprisonment not more than 6 months; or not more than \$2500; or both.)

138/25 **LIQUOR BUSINESS PRACTICES, UNLAWFUL** c138 §25 (Effective 3/30/69)
on **[DATE OF OFFENSE:]**: (1) being a licensee under G.L. c.138, did lend or borrow money to or from some other licensee under G.L. c.138; or (2) being such a licensee, did receive or extend credit for alcoholic beverages sold or delivered to a licensee engaged in the sale of alcoholic beverages other than in the usual course of business and for a period of not more than sixty days; or (3) being a manufacturer, wholesaler or importer of alcoholic beverages, or a winegrower not holding a license under G.L. c.138, §12, did acquire, retain or own some interest in the business of a licensee under §12; or (4) being a winegrower licensed under §12, did acquire, retain or own some interest in the business of some other licensee under §12; or (5) being a manufacturer of alcoholic beverages or a winegrower, did acquire, retain or own some interest in the business of a licensee under G.L. c.138, §15; or (6) being a licensee under G.L. c.138, did sell or deliver alcoholic beverages to a licensee whose name was posted on the delinquent list maintained by the Alcoholic Beverages Control Commission, other than for payment in cash on or before delivery; or (7) being such a licensee who was posted on such delinquent list, did purchase or accept delivery of an alcoholic beverage other than for payment in cash on or before delivery, in violation of G.L. c.138, §25. (PENALTY: not more than \$5000.)

138/25D **LIQUOR PRICE, FALSE STATEMENT OF** c138 §25D
on **[DATE OF OFFENSE:]** did make a false statement in an affirmation made and filed pursuant to G.L. c.138, §25D(a) or (b), in violation of G.L. c.138, §25D. (PENALTY: imprisonment not more than 6 months; or not more than \$10,000; or both.)

138/30G **LIQUOR SALE BY PURPORTED DRUGGIST** c138 §30G
on **[DATE OF OFFENSE:]**, not being a registered pharmacist, having procured a license for the sale of alcoholic beverages pursuant to G.L. c.138, §30A in the name of a registered pharmacist who was dead, or in the name of a registered pharmacist by borrowing, hiring or purchasing the use of such pharmacist's certificate, and being himself or herself the owner or manager of such place, did personally or by his or her servants sell alcoholic beverages, in violation of G.L. c.138, §30G. (PENALTY: imprisonment not less than 1 month, not more than 6 months; and not less than \$50, not more than \$500; and G.L. c.279, §11 (permitting either fine or imprisonment of a first offender) is inapplicable.)

138/32 **LIQUOR, PEDDLE FROM VEHICLE** c138 §32
on **[DATE OF OFFENSE:]**, being the holder of a license or permit under G.L. c.138, did personally or through an agent or employee go from town to town or from place to place in the same town selling, bartering, hawking or peddling, or exposing or carrying for sale, barter, hawking or peddling, alcoholic beverages from a vehicle, in violation of G.L. c.138, §32. (PENALTY: imprisonment not more than 6 months; or not more than \$200; or both.)

138/33/A **LIQUOR SALE DURING POLLING HOURS** c138 §33
on **[DATE OF OFFENSE:]**, a day on which a state or municipal election, caucus or primary was held in such city or town, during polling hours: (1) being a licensee under G.L. c.138, §15, did sell or deliver an alcoholic beverage; or (2) being a registered pharmacist acting under §29 or a licensee under §30A, did sell an alcoholic beverage or alcohol without a physician's prescription, the local licensing authorities not having issued an order that such requirement was not in effect, in violation of G.L. c.138, §33. (PENALTY from §62: imprisonment not less than 1 month, not more than 1 year; or not less than \$50, not more than \$500; or both.)

138/33/B **LIQUOR SALE ON SUNDAY/HOLIDAY** c138 §33
on **[DATE OF OFFENSE:]**, being a licensee under G.L. c.138 and not being excepted by G.L. c.138, §§ 33A or 33B, did sell an alcoholic beverage or alcohol on a day or at a time when such sales by such licensees were forbidden by G.L. c.138, §33, in violation of G.L. c.138, §33. (PENALTY from §62: imprisonment not less than 1 month, not more than 1 year; or not less than \$50, not more than \$500; or both.)

138/34 **LIQUOR TO PERSON UNDER 21, SELL/DELIVER** c138 §34 (Effective 10/14/88-8/3/2000)
on **[DATE OF OFFENSE:]**: (1) did make a sale or delivery of an alcoholic beverage or alcohol to a person under twenty-one years of age, either for his own use or for the use of his parent or some other person; or (2) being a patron of an establishment licensed under G.L. c.138, §12 or §15, did deliver or procure to be delivered in a public room or area of such establishment if licensed under §§ 12, 15, 19B, 19C or 19D, or in some area of such establishment if licensed under §§ 15, 19B, 19C or 19D, an alcoholic beverage or alcohol to or for use by a person who he or she knew or had reason to believe to be under twenty-one years of age; or (3) did procure an alcoholic beverage or alcohol for a person under twenty-one years of age in an establishment licensed under §12; or (4) did procure an alcoholic beverage or alcohol for a person under twenty-one years of age who was not his or her child, ward or spouse in an establishment licensed under §§ 15, 19B, 19C or 19D, in violation of G.L. c.138, §34. (PENALTY: imprisonment not more than 6 months; or not more than \$2000; or both.)

138/34 **LIQUOR TO PERSON UNDER 21, SELL/DELIVER** c138 §34 (Effective 8/4/2000)
on **[DATE OF OFFENSE:]**: (1) did make a sale or delivery of an alcoholic beverage or alcohol to a person under 21 years of age, either for his or her own use or for the use of his or her parent or some other person; or (2) being a patron of an establishment licensed under G.L. c.138, §§ 12 or 15, did deliver or procure to be delivered in a public room or area of such establishment if licensed under §§ 12, 15, 19B, 19C or 19D, or in some area of such establishment if licensed under §§ 15, 19B, 19C or 19D, an alcoholic beverage or alcohol to or for use by a person who he or she knew or had reason to believe to be under 21 years of age; or (3) did procure an alcoholic beverage or alcohol for a person under 21 years of age in an establishment licensed under §12; or (4) did procure an alcoholic beverage or alcohol for a person under 21 years of age who was not his or her child, ward or spouse in an establishment licensed under §§ 15, 19B, 19C or 19D; or (5) did furnish, as defined in G.L. c. 138, § 34, an alcoholic beverage or alcohol for a person under 21 years of age, by knowingly or intentionally supplying, giving or providing to, or allowing, a person under 21 years of age other than his or her child or grandchild to possess an alcoholic beverage on premises or property that he or she owned or controlled, in violation of G.L. c.138, §34. (PENALTY: imprisonment not more than 1 year; or not more than \$2000; or both.)

138/34A/A **LIQUOR, ASSIST PERSON UNDER 21 PURCHASE** c138 §34A (Effective 9/22/88-5/26/94)
on **[DATE OF OFFENSE:]**: (1) did knowingly make a false statement as to the age of a person who was under twenty-one years of age in order to procure a sale or delivery of an alcoholic beverage or alcohol to such person, either for the use of such person or some other person; or (2) did induce a person under twenty-one years of age to make a false statement as to his or her age in order to procure a sale or delivery of such an alcoholic beverage or alcohol to such person, in violation of G.L. c.138, §34A. (PENALTY: fine of \$300.)

138/34A/A **LIQUOR, ASSIST PERSON UNDER 21 PURCHASE** c138 §34A (Effective 5/27/94-11/3/98)
on **[DATE OF OFFENSE:]**: (1) did knowingly make a false statement as to the age of a person who was under twenty-one years of age in order to procure a sale or delivery of an alcoholic beverage or alcohol to such person, either for the use of such person or some other person; or (2) did induce a person under twenty-one years of age to make a false statement as to his or her age in order to procure a sale or delivery of such an alcoholic beverage or alcohol to such person, in violation of G.L. c.138, §34A. (PENALTY: fine of \$300; and RMV shall suspend drivers license for 90 days.)

138/34A/A **LIQUOR, ASSIST PERSON UNDER 21 PURCHASE** c138 §34A (Effective 11/4/98)
on **[DATE OF OFFENSE:]**: (1) did knowingly make a false statement as to the age of a person who was under twenty-one years of age in order to procure a sale or delivery of an alcoholic beverage or alcohol to such person, either for the use of such person or some other person; or (2) did induce a person under twenty-one years of age to make a false statement as to his or her age in order to procure a sale or delivery of such an alcoholic beverage or alcohol to such person, in violation of G.L. c.138, §34A. (PENALTY: fine of \$300. CLERK-MAGISTRATE MUST REPORT CONVICTION TO THE REGISTRAR OF MOTOR VEHICLES, who shall suspend drivers license for 180 days.)

138/34A/B **LIQUOR, PERSON UNDER 21 ATTEMPT PROCURE** c138 §34A (Effective 9/22/88-5/26/94)
on **[DATE OF OFFENSE:]**, being a person under twenty-one years of age, did attempt to purchase an alcoholic beverage or alcohol, or did make arrangements with some person to purchase or in some way procure such beverages, or did willfully misrepresent his or her age, or in some way alter, deface or otherwise falsify his or her identification offered as proof of age, with the intent of purchasing alcoholic beverages, either for his or her own use or for the use of some other person, and in such attempt did **[DESCRIPTION OF OVERT ACT:]**, in violation of G.L. c.138, §34A. (PENALTY: fine of \$300.)

138/34A/B **LIQUOR, PERSON UNDER 21 ATTEMPT PROCURE** c138 §34A (Effective 5/27/94-11/3/98)
on **[DATE OF OFFENSE:]**, being a person under twenty-one years of age, did attempt to purchase an alcoholic beverage or alcohol, or did make arrangements with some person to purchase or in some way procure such beverages, or did willfully misrepresent his or her age, or in some way alter, deface or otherwise falsify his or her identification offered as proof of age, with the intent of purchasing alcoholic beverages, either for his or her own use or for the use of some other person, and in such attempt did **[DESCRIPTION OF OVERT ACT:]**, in violation of G.L. c.138, §34A. (PENALTY: fine of \$300; and RMV shall suspend drivers license for 90 days.)

138/34A/B **LIQUOR, PERSON UNDER 21 ATTEMPT PROCURE** c138 §34A (Effective 11/4/98)
on **[DATE OF OFFENSE:]**, being a person under twenty-one years of age, did attempt to purchase an alcoholic beverage or alcohol, or did make arrangements with some person to purchase or in some way procure such beverages, or did willfully misrepresent his or her age, or in some way alter, deface or otherwise falsify his or her identification offered as proof of age, with the intent of purchasing alcoholic beverages, either for his or her own use or for the use of some other person, and in such attempt did **[DESCRIPTION OF OVERT ACT:]**, in violation of G.L. c.138, §34A. (PENALTY: fine of \$300. CLERK-MAGISTRATE MUST REPORT CONVICTION TO THE REGISTRAR OF MOTOR VEHICLES, who shall suspend drivers license for 180 days.)

138/34A/C **LIQUOR, PERSON UNDER 21 PROCURE** c138 §34A (Effective 9/22/88-5/26/94)
on **[DATE OF OFFENSE:]**, being a person under twenty-one years of age, did purchase an alcoholic beverage or alcohol, or did make arrangements with some person to purchase or in some way procure such beverages, or did willfully misrepresent his or her age, or in some way alter, deface or otherwise falsify his or her identification offered as proof of age, with the intent of purchasing alcoholic beverages, either for his or her own use or for the use of some other person, in violation of G.L. c.138, §34A. (PENALTY: fine of \$300.)

138/34A/C **LIQUOR, PERSON UNDER 21 PROCURE** c138 §34A (Effective 5/27/94-11/3/98)
on **[DATE OF OFFENSE:]**, being a person under twenty-one years of age, did purchase an alcoholic beverage or alcohol, or did make arrangements with some person to purchase or in some way procure such beverages, or did willfully misrepresent his or her age, or in some way alter, deface or otherwise falsify his or her identification offered as proof of age, with the intent of purchasing alcoholic beverages, either for his or her own use or for the use of some other person, in violation of G.L. c.138, §34A. (PENALTY: fine of \$300; and RMV shall suspend drivers license for 90 days.)

138/34A/C **LIQUOR, PERSON UNDER 21 PROCURE** c138 §34A (Effective 11/4/98)
on **[DATE OF OFFENSE:]**, being a person under twenty-one years of age, did purchase an alcoholic beverage or alcohol, or did make arrangements with some person to purchase or in some way procure such beverages, or did willfully misrepresent his or her age, or in some way alter, deface or otherwise falsify his or her identification offered as proof of age, with the intent of purchasing alcoholic beverages, either for his or her own use or for the use of some other person, in violation of G.L. c.138, §34A. (PENALTY: fine of \$300. CLERK-MAGISTRATE MUST REPORT CONVICTION TO THE REGISTRAR OF MOTOR VEHICLES, who shall suspend drivers license for 180 days.)

138/34B **LIQUOR ID CARD/LICENSE, FALSE/MISUSE** c138 §34B (Effective 8/4/89)
on **[DATE OF OFFENSE:]**: (1) did transfer, alter or deface a liquor purchase identification card or motor vehicle license; or (2) did make, use, carry, sell or distribute a false liquor purchase identification card or motor vehicle license; or (3) did use the liquor purchase identification card or motor vehicle license of another; or (4) did furnish false information in obtaining such a liquor purchase identification card or motor vehicle license, in violation of G.L. c.138, §34B. (PENALTY: imprisonment not more than 3 months; or not more than \$200. G.L. c.90, §22[e]: CLERK-MAGISTRATE MUST REPORT CONVICTION TO THE REGISTRAR OF MOTOR VEHICLES, who shall revoke license, right to operate or registration for 1 year.)

138/34B/B **LIQUOR LICENSING AUTH, REFUSE ID SELF TO** c138 §34B (Effective 6/22/94)
on **[DATE OF OFFENSE:]**, being present in a premises licensed under G.L. c.138, upon request of an agent of the Alcoholic Beverages Control Commission or the local licensing authorities, as defined in G.L. c.138, §1, to state his or her name, age and address: (1) did refuse to state his or her name, age or address; or (2) did state a false name, age or address, or a name or address which was not his or her name or address in ordinary use, in violation of G.L. c.138, §34B. (PENALTY: not more than \$500. G.L. c.90, §22[e]: CLERK-MAGISTRATE MUST REPORT CONVICTION TO THE REGISTRAR OF MOTOR VEHICLES, who shall revoke license, right to operate or registration for 1 year.)

138/34C/A **LIQUOR, PERSON UNDER 21 POSSESS** c138 §34C (Effective 10/9/92-5/26/94)
on **[DATE OF OFFENSE:]**, being under twenty-one years of age and not accompanied by a parent or legal guardian, did knowingly possess, transport or carry on his or her person alcohol or an alcoholic beverage, not being between the ages of eighteen and twenty-one and doing so in the course of his or her employment, in violation of G.L. c.138, §34C. (PENALTY: not more than \$50; and Registry of Motor Vehicles may suspend drivers license for not more than 3 months if defendant operated on a public way or a way to which the public had a right of access as invitees or licensees.)

138/34C/A **LIQUOR, PERSON UNDER 21 POSSESS** c138 §34C (Effective 5/27/94)
on **[DATE OF OFFENSE:]**, being under twenty-one years of age and not accompanied by a parent or legal guardian, did knowingly possess, transport or carry on his or her person alcohol or an alcoholic beverage, not doing so in the course of his or her employment while between the ages of eighteen and

twenty-one, in violation of G.L. c.138, §34C. (PENALTY: not more than \$50. CLERK-MAGISTRATE MUST REPORT CONVICTION TO THE REGISTRAR OF MOTOR VEHICLES, who shall suspend drivers license for 90 days.)

138/34C/B **LIQUOR, PERSON UNDER 21 POSSESS, SUBSQ.** c138 §34C (Effective 10/9/92-5/26/94)
on [DATE OF OFFENSE:], being under twenty-one years of age and not accompanied by a parent or legal guardian, did knowingly possess, transport or carry on his or her person alcohol or an alcoholic beverage, not being between the ages of eighteen and twenty-one and doing so in the course of his or her employment, the defendant having previously been convicted of such an offense, in violation of G.L. c.138, §34C. (PENALTY: not more than \$150; and Registry of Motor Vehicles may suspend drivers license for not more than 3 months if defendant operated on a public way or a way to which the public had a right of access as invitees or licensees.)

138/34C/B **LIQUOR, PERSON UNDER 21 POSSESS, SUBSQ.** c138 §34C (Effective 5/27/94)
on [DATE OF OFFENSE:], being under twenty-one years of age and not accompanied by a parent or legal guardian, did knowingly possess, transport or carry on his or her person alcohol or an alcoholic beverage, not doing so in the course of his or her employment while between the ages of eighteen and twenty-one, the defendant having previously been convicted of such an offense, in violation of G.L. c.138, §34C. (PENALTY: not more than \$150. CLERK-MAGISTRATE MUST REPORT CONVICTION TO THE REGISTRAR OF MOTOR VEHICLES, who shall suspend drivers license for 90 days.)

138/34D/A **LIQUOR PENALTIES NOTICE, REMOVE** c138 §34D (Effective 9/1/82)
on [DATE OF OFFENSE:] did unlawfully remove a copy of the penalties set forth in G.L. c.90, §24(1) for driving under the influence or in G.L. c.90, §24I for operating a motor vehicle while drinking from an open container of alcohol, which copy had been prepared by the Alcoholic Beverages Control Commission and posted pursuant to G.L. c.138, §34D by the owner or person in charge of an establishment which sells alcoholic beverages, in violation of G.L. c.138, §34D. (PENALTY: fine of \$50.)

138/34D/B **LIQUOR PENALTIES, ESTABLISHMENT FL POST** c138 §34D (Effective 9/1/82)
on [DATE OF OFFENSE:]: (1) being the owner or person in charge of an establishment which sells alcoholic beverages to be drunk on the premises, did fail to post conspicuously a copy of the penalties set forth in G.L. c.90, §24(1) for driving under the influence; or (2) being the owner or person in charge of an establishment which sells alcoholic beverages not to be drunk on the premises, did fail to post conspicuously a copy of the penalties set forth in G.L. c.90, §24I for operating a motor vehicle while drinking from an open container of alcohol, which copy had been prepared by the Alcoholic Beverages Control Commission, in violation of G.L. c.138, §34D. (PENALTY: not more than \$50.)

138/46 **LIQUOR SEIZURE WITHOUT WARRANT** c138 §46
on [DATE OF OFFENSE:], being a sheriff, deputy sheriff, city marshal, chief of police, deputy chief of police, deputy or assistant marshal, police officer or constable, did search for or seize alcoholic beverages in a dwelling without a search warrant duly committed to him or her, in violation of G.L. c.138, §46. (PENALTY: not less than \$5, not more than \$100.)

138/61 **LIQUOR CLUB, UNLICENSED** c138 §61
on [DATE OF OFFENSE:] did keep or maintain, or assist in keeping or maintaining, a building or place used by a club for the purpose of selling, distributing or dispensing alcoholic beverages to their members or others, without being licensed to do so, in violation of G.L. c.138, §61. (PENALTY: imprisonment not less than 3 months, not more than 1 year; or not less than \$50, not more than \$500; or both.)

138/62 **LIQUOR VIOLATION** c138 §62
on [DATE OF OFFENSE:] did [DESCRIPTION OF OFFENSE:], in violation of G.L. c.138, § [SECTION OF CHAPTER 138 VIOLATED:]. (PENALTY from §62: imprisonment not less than 1 month, not more than 1 year; or not less than \$50, not more than \$500; or both.)

138/63A **LIQUOR INSPECTOR, OBSTRUCT** c138 §63A
on [DATE OF OFFENSE:]: (1) did hinder or delay an authorized investigator of the Alcoholic Beverages Control Commission or an investigator, inspector or other authorized agent of a local licensing authority in the performance of his or her duties; or (2) did refuse to admit to or did lock out such an investigator, inspector or agent from a place which such investigator, inspector or agent is authorized to inspect; or (3) did refuse to give to such investigator, inspector or agent such information as was required for the proper enforcement of G.L. c.138, in violation of G.L. c.138, §63A. (PENALTY: imprisonment not more than 2 months; or not less than \$50, not more than \$200; or both.)

138/68 **LIQUOR SALE DURING RIOT** c138 §68
on [DATE OF OFFENSE:], personally or by his or her agents or servants, did sell, give away or deliver alcoholic beverages on licensed premises in violation of an order of the mayor of such city or the selectmen of such town in the case of riot or great public excitement, in violation of G.L. c.138, §68. (PENALTY: fine of \$200; and liquor license shall be revoked by licensing authority.)

138/69 **LIQUOR SALE TO INTOXICATED PERSON** c138 §69
on [DATE OF OFFENSE:] did sell or deliver an alcoholic beverage to an intoxicated person on a premises licensed under G.L. c.138, in violation of G.L. c.138, §69. (PENALTY from §62: imprisonment not less than 1 month, not more than 1 year; or not less than \$50, not more than \$500; or both.)

139/4 **PROSTITUTION NUISANCE, MAINTAIN** c139 §4-§5
on [DATE OF OFFENSE:] did keep or maintain as a nuisance a building, part of a building, tenement or place used for prostitution, assignation or lewdness, or a place within or upon which acts of prostitution, assignation or lewdness were held or occurred, in violation of G.L. c.139, §4-§5. (PENALTY from §5: imprisonment not less than 3 months, not more than 3 years; or not less than \$100, not more than \$1000.)

139/14 **GAMBLING NUISANCE, MAINTAIN** c139 §14-§15
on [DATE OF OFFENSE:] did keep or maintain as a common nuisance a building, place or tenement which was resorted to for illegal gaming, or which was used for the illegal keeping or sale of alcoholic beverages, as defined G.L. c.138, §1, in violation of G.L. c.139, §§ 14-15. (PENALTY from §15: imprisonment not less than 3 months, not more than 1 year; or not less than \$50, not more than \$100.)

139/20 **NUISANCE, AID/PERMIT** c139 §20 (Effective 10/23/85)
on [DATE OF OFFENSE:]: (1) did knowingly let premises owned by him or her, or under his or her control, for the purposes of prostitution, assignation, lewdness, illegal gaming, or the illegal keeping or sale of alcoholic beverages, as defined G.L. c.138, §1, or the housing of a premises which was licensed under G.L. c.138, §12 and on or in such premises alcoholic beverages were habitually served to persons who were intoxicated or alcoholic beverages were served to persons whom the operators of such premises knew or had reason to know would operate a motor vehicle under the influence of intoxicating liquor in violation of G.L. c.90, §24(1) or the illegal keeping, sale or manufacture of controlled substances, as defined in G.L. c.90C, §1; or (2) did knowingly permit

such premises, while under his or her control, to be used for such purposes; or (3) after due notice of any such use did omit to take all reasonable measures to eject therefrom the persons occupying the same as soon as it could lawfully be done, in violation of G.L. c.139, §20. (PENALTY: imprisonment not less than 3 months, not more than 1 year; or not less than \$100, not more than \$1000; or both.)

140/2/A LICENSE IN VIOL C.140, ISSUE c140 §2

on **[DATE OF OFFENSE:]**, being an alderman, member of a licensing board or selectman, did sign a license granted contrary to the provisions of G.L. c.140, in violation of G.L. c.140, §2. (PENALTY: not more than \$50.)

140/2/B LICENSE IN VIOL C.140, ISSUE, 3RD OFF. c140 §2

on **[DATE OF OFFENSE:]**, being an alderman, member of a licensing board or selectman, did sign a license granted contrary to the provisions of G.L. c.140, the defendant having previously been twice convicted of such an offense, in violation of G.L. c.140, §2. (PENALTY from §21: imprisonment not more than 3 months; and not more than \$50.)

140/7 INNKEEPER REFUSE TO RECEIVE TRAVELER c140 §7

on **[DATE OF OFFENSE:]**, being an innholder, did refuse upon request to receive and make suitable provision for a stranger or traveler, in violation of G.L. c.140, §7. (PENALTY: not more than \$50.)

140/12/A RESTAURANT, DEFRAUD c140 §12

(Effective 9/28/72)

on **[DATE OF OFFENSE:]**, with intent to cheat or defraud, did procure food or beverage from a common victualler without paying therefor and without having an express agreement for credit, in violation of G.L. c.140, §7. (PENALTY: imprisonment not more than 3 months; or not more than \$500.)

140/12/B INNKEEPER, DEFRAUD, OVER \$100 c140 §12

(Effective 1/4/86)

on **[DATE OF OFFENSE:]**, with intent to cheat or defraud the owner or keeper thereof: (1) did put up at a hotel, motel, inn, lodging house or boarding house and, without having an express agreement for credit, procure food, entertainment or accommodation without paying therefor; or (2) did obtain credit at a hotel, motel, inn, lodging house or boarding house for such food, entertainment or accommodation by means of a false show of baggage or effects brought thereto; or (3) did remove or cause to be removed baggage or effects from a hotel, motel, or inn while a lien existed thereon for the proper charges due from the defendant for fare and board furnished therein, the value of such food, entertainment or accommodation having exceeded one hundred dollars, in violation of G.L. c. 140, §12. (PENALTY: jail or house of correction not more than 2 years; or not more than \$600.)

140/12/C INNKEEPER, DEFRAUD, UNDER \$100 c140 §12

(Effective 1/4/86)

on **[DATE OF OFFENSE:]**, with intent to cheat or defraud the owner or keeper thereof: (1) did put up at a hotel, motel, inn, lodging house or boarding house and, without having an express agreement for credit, procure food, entertainment or accommodation without paying therefor; or (2) did obtain credit at a hotel, motel, inn, lodging house or boarding house for such food, entertainment or accommodation by means of a false show of baggage or effects brought thereto; or (3) did remove or cause to be removed baggage or effects from a hotel, motel, or inn while a lien existed thereon for the proper charges due from the defendant for fare and board furnished therein, the value of such food, entertainment or accommodation not having exceeded one hundred dollars, in violation of G.L. c. 140, §12. (PENALTY: imprisonment not more than 1 year; or not more than \$1000.)

140/18/A INNKEEPER FAIL POST NAME c140 §18

on **[DATE OF OFFENSE:]**, being an innholder, did fail to have a board or sign affixed to his or her house, shop, cellar or store, or in a conspicuous place near the same, with his or her name legibly inscribed thereon in large letters and the business for which he or she was licensed inscribed thereon, in violation of G.L. c.140, §18. (PENALTY: forfeiture of \$20.)

140/18/B INNKEEPER FAIL POST NAME, 3RD OFF. c140 §18

on **[DATE OF OFFENSE:]**, being an innholder, did fail to have a board or sign affixed to his or her house, shop, cellar or store, or in a conspicuous place near the same, with his or her name legibly inscribed thereon in large letters and the business for which he or she was licensed inscribed thereon, the defendant having previously been twice convicted of such an offense, in violation of G.L. c.140, §18. (PENALTY from §21: imprisonment not more than 3 months; and forfeiture of \$20.)

140/18/C RESTAURANT OWNER NOT DISPLAY NAME c140 §18

on **[DATE OF OFFENSE:]**, being a common victualler, did fail to have a board or sign affixed to his or her house, shop, cellar or store, or in a conspicuous place near the same, with his or her name legibly inscribed thereon in large letters and the business for which he or she was licensed inscribed thereon, in violation of G.L. c.140, §18. (PENALTY: forfeiture of \$20.)

140/18/D RESTAURANT OWNER NOT DISPLAY NAME, 3RD OFF. c140 §18

on **[DATE OF OFFENSE:]**, being a common victualler, did fail to have a board or sign affixed to his or her house, shop, cellar or store, or in a conspicuous place near the same, with his or her name legibly inscribed thereon in large letters and the business for which he or she was licensed inscribed thereon, the defendant having previously been twice convicted of such an offense, in violation of G.L. c.140, §18. (PENALTY from §21: imprisonment not more than 3 months; and forfeiture of \$20.)

140/20/A INNKEEPER, UNLICENSED c140 §20

on **[DATE OF OFFENSE:]** did assume to be an innholder without being licensed as such under G.L. c.140, in violation of G.L. c.140, §20. (PENALTY: forfeiture of \$100.)

140/20/B INNKEEPER, UNLICENSED, 3RD OFF. c140 §20

on **[DATE OF OFFENSE:]** did assume to be an innholder without being licensed as such under G.L. c.140, the defendant having previously been twice convicted of such an offense, in violation of G.L. c.140, §20. (PENALTY from §21: imprisonment not more than 3 months; and forfeiture of \$100.)

140/20/C RESTAURANT, UNLICENSED c140 §20

on **[DATE OF OFFENSE:]** did assume to be a common victualler without being licensed as such under G.L. c.140, in violation of G.L. c.140, §20. (PENALTY: forfeiture of \$100.)

140/20/D RESTAURANT, UNLICENSED, 3RD OFF. c140 §20

on **[DATE OF OFFENSE:]** did assume to be a common victualler without being licensed as such under G.L. c.140, the defendant having previously been twice convicted of such an offense, in violation of G.L. c.140, §20. (PENALTY from §21: imprisonment not more than 3 months; and forfeiture of \$100.)

140/21C/A SOFT DRINKS, UNLIC SALE OF c140 §21C
beginning on **[FIRST DATE OF OFFENSE:]** and continuing through **[LAST DATE OF OFFENSE:]**, not being licensed to keep open a place of business for the retail sale of beverages derived wholly or in part from cereals or substitutes therefor and containing less than one-half of one per cent of alcohol, unfermented grape juice, ginger ale, root beer, sarsaparilla, pop, artificial mineral waters, carbonated waters or beverages, natural fruit juices, and other so-called soft drinks, did keep open his or her place of business for the retail sale of such a beverage, in violation of G.L. c.140, §21C. (PENALTY for each day of violation: \$50.)

140/21C/B SOFT DRINKS, UNLIC SALE OF, 2ND OFF. c140 §21C (Effective 4/3/79)
beginning on **[FIRST DATE OF OFFENSE:]** and continuing through **[LAST DATE OF OFFENSE:]**, not being licensed to keep open a place of business for the retail sale of beverages derived wholly or in part from cereals or substitutes therefor and containing less than one-half of one per cent of alcohol, unfermented grape juice, ginger ale, root beer, sarsaparilla, pop, artificial mineral waters, carbonated waters or beverages, natural fruit juices, and other so-called soft drinks, did keep open his or her place of business for the retail sale of such a beverage, the defendant having previously been convicted of such an offense, in violation of G.L. c.140, §21C. (PENALTY for each day of violation: \$100.)

140/21C/C SOFT DRINKS, UNLIC SALE OF, 3RD OFF. c140 §21C (Effective 4/3/79)
beginning on **[FIRST DATE OF OFFENSE:]** and continuing through **[LAST DATE OF OFFENSE:]**, not being licensed to keep open a place of business for the retail sale of beverages derived wholly or in part from cereals or substitutes therefor and containing less than one-half of one per cent of alcohol, unfermented grape juice, ginger ale, root beer, sarsaparilla, pop, artificial mineral waters, carbonated waters or beverages, natural fruit juices, and other so-called soft drinks, did keep open his or her place of business for the retail sale of such a beverage, the defendant having previously been twice convicted of such an offense, in violation of G.L. c.140, §21C. (PENALTY for each day of violation: \$1000.)

140/21C/D SOFT DRINKS, UNLIC SALE OF, 4TH OFF. c140 §21C (Effective 4/3/79)
beginning on **[FIRST DATE OF OFFENSE:]** and continuing through **[LAST DATE OF OFFENSE:]**, not being licensed to keep open a place of business for the retail sale of beverages derived wholly or in part from cereals or substitutes therefor and containing less than one-half of one per cent of alcohol, unfermented grape juice, ginger ale, root beer, sarsaparilla, pop, artificial mineral waters, carbonated waters or beverages, natural fruit juices, and other so-called soft drinks, did keep open his or her place of business for the retail sale of such a beverage, the defendant having previously been convicted of such an offense three or more times, in violation of G.L. c.140, §21C. (PENALTY for each day of violation: \$5000.)

140/21F/A ORGANIZATION DISPENSE FOOD, UNLIC c140 §21F
on **[DATE OF OFFENSE:]**, being an officer or employee of a club, society, association or other organization, did dispense or cause to be dispensed food or beverage on its premises, such organization not then being licensed to do so under G.L. c.140, §21E, in violation of G.L. c.140, §21F. (PENALTY: not more than \$100.)

140/21F/B ORGANIZATION DISPENSE FOOD, UNLIC, 3RD OFF. c140 §21F
on **[DATE OF OFFENSE:]**, being an officer or employee of a club, society, association or other organization, did dispense or cause to be dispensed food or beverage on its premises, such organization not then being licensed to do so under G.L. c.140, §21E, the defendant having twice previously been convicted of such an offense, in violation of G.L. c.140, §21F. (PENALTY: imprisonment not more than 3 months; and not more than \$100.)

140/24 LODGING HOUSE, UNLICENSED c140 §24
on **[DATE OF OFFENSE:]** did conduct a lodging house without a license, in violation of G.L. c.140, §24. (PENALTY: imprisonment not more than 3 months; or not less than \$100, not more than \$500; or both. §32: CLERK-MAGISTRATE MUST REPORT CONVICTION TO THE MUNICIPAL LICENSING AUTHORITIES.)

140/26 INNHOLDER PERMIT IMMORAL CONDUCT c140 §26
on **[DATE OF OFFENSE:]**, being licensed as a lodging house keeper under G.L. c.140, §22-§31, or as an innholder, or under G.L. c.140, §32A-§32E, or being in actual charge, management or control of such lodging house, inn or premises for which such license was issued, did knowingly permits the property under his or her control to be used for the purpose of immoral solicitation, immoral bargaining or immoral conduct, in violation of G.L. c.140, §26. (PENALTY: imprisonment not less than 6 months, not more than 1 year; or not less than \$500, not more than \$1000; or both. §32: CLERK-MAGISTRATE MUST REPORT CONVICTION TO THE MUNICIPAL LICENSING AUTHORITIES.)

140/27 HOTEL REGISTER, FAIL KEEP c140 §27
on **[DATE OF OFFENSE:]**, being an innholder, or a lodging house keeper required to do so under G.L. c.140, §28, or a person who was conducting, controlling, managing or operating a recreational camp, overnight camp or cabin, motel or manufactured housing community: (1) did fail to keep or cause to be kept, in permanent form, a register in which was recorded the true name or name in ordinary use and the residence of every person engaging or occupying a private room averaging less than 400 square feet floor area, excepting a private dining room not containing a bed or couch, or opening into a room containing a bed or couch, for any period of the day or night in any part of the premises controlled by such licensee, together with a true and accurate record of the room assigned to such person and of the day and hour when such room was assigned; or (2) did fail to retain such register for a period of at least one year after the date of the last entry therein; or (3) did fail to open such register to the inspection of the licensing authorities, their agents and the police, in violation of G.L. c.140, §27. (PENALTY: imprisonment not more than 3 months; or not less than \$100, not more than \$500; or both. §32: CLERK-MAGISTRATE MUST REPORT CONVICTION TO THE MUNICIPAL LICENSING AUTHORITIES.)

140/29 HOTEL REGISTER, FALSE/NO ENTRY IN c140 §29
on **[DATE OF OFFENSE:]**: (1) did write or cause to be written, or being in charge of a register did knowingly permit to be written, in a register in a lodging house or hotel, recreational camp, overnight camp, cabin, motel or trailer camp, some other or different name or designation than the true name or name in ordinary use of the person registering or causing himself or herself to be registered therein; or (2) did occupy such room without having so registered or caused himself or herself to be registered, in violation of G.L. c.140, §29. (PENALTY: not less than \$10, not more than \$25. §32: CLERK-MAGISTRATE MUST REPORT CONVICTION TO THE MUNICIPAL LICENSING AUTHORITIES.)

140/32E/A MOTEL/CAMP, UNLICENSED c140 §32E (Effective 3/30/92)
on **[DATE OF OFFENSE:]** did conduct, control, manage or operate a camp, motel or cabin subject to G.L. c.140, §32A-§32C which was not licensed under §32B, in violation of G.L. c.140, §32E. (PENALTY: not less than \$10, not more than \$100.)

140/32E/B TRAILER PARK, UNLICENSED c140 §32E (Effective 8/13/93)
beginning on **[FIRST DATE OF OFFENSE:]** and continuing through **[LAST DATE OF OFFENSE:]** did conduct, control, manage or operate a manufactured housing community subject to G.L. c.140, §32A-§32C, which was not licensed under §32A-§32B and was not managed or operated in compliance with §32A-

§32S, in violation of G.L. c.140, §32E. (PENALTY per day in which such violation occurs or continues: \$100.)

140/32G **TRAILER PARK LICENSE FEES, FAIL PAY** c140 §32G (Effective 3/30/92)
on [DATE OF OFFENSE:]; did willfully fail to deposit with the collector of taxes [NUMBER OF UNPAID LICENSE FEES:]; license fees that had been collected pursuant to G.L. c.140, §32B or §32G, in violation of G.L. c.140, §32G. (PENALTY: not less than \$10, not more than \$100 for each fee so collected and not deposited.)

140/32I **TRAILER PARK REGISTER, FAIL KEEP** c140 §32I (Effective 3/30/92)
on [DATE OF OFFENSE:]; being the holder of a license for a manufactured housing community, did willfully and knowingly: (1) fail to keep or cause to be kept, in permanent form, a register in which was recorded the true name or name in ordinary use, address and registration of each owner and occupant of a manufactured home or motor vehicle renting space at such park, the date of entering and the date of leaving such manufactured home or motor vehicle; or (2) fail to retain such register for a period of at least one year after the date of the last entry; or (3) fail to open such register to the inspection of the licensing authorities, their agents and the police, in violation of G.L. c.140, §32I. (PENALTY: not less than \$5, not more than \$100.)

140/37 **LODGING HOUSE REGISTER, FAIL KEEP** c140 §37
on [DATE OF OFFENSE:]; being the keeper of a public lodging house: (1) did fail to enter the name and address of each lodger, together with the time of his or her arrival and departure; or (2) did fail to open such register to the inspection of the police, in violation of G.L. c.140, §37. (PENALTY from §40: \$100.)

140/38 **LODGING HOUSE, DENY POLICE ACCESS TO** c140 §38
on [DATE OF OFFENSE:]; being the keeper of a public lodging house, did fail when so required by an officer of the building department, of the health department, or of the police department, to give such officer free access to such house and every part thereof, in violation of G.L. c.140, §38. (PENALTY from §40: \$100.)

140/39 **LODGING HOUSE, UNLICENSED** c140 §39
on [DATE OF OFFENSE:]; (1) did keep or hold himself or herself out as keeping a public lodging house without being duly licensed to do so; or (2) was concerned or financially interested in a public lodging house, the keeper of which was not so licensed, in violation of G.L. c.140, §39. (PENALTY: not more than \$100.)

140/46B **EMPLOYMENT AGENCY, UNLICENSED** c140 §46B (Effective 12/13/66)
on [DATE OF OFFENSE:]; (1) did open, keep, maintain, carry on, or advertise an employment agency, without having been issued a license therefor by the Commissioner of Labor and Industries pursuant to G.L. c.140, §46D, not being the holder of a license validly issued pursuant to §180C; or (2) did fail to post such license in a conspicuous place in each employment agency conducted by him or her, in violation of G.L. c.140, §46B. (PENALTY from §46R: house of correction not more than 1 year; or not more than \$500; or both.)

140/46E **EMPLOYMENT AGENCY LICENSE VIOLATION** c140 §46E (Effective 12/13/66)
on [DATE OF OFFENSE:]; (1) did assign or transfer a license issued under G.L. c.140, §46D without the prior written approval of the Commissioner of the Department of Labor and Industries; or (2) did change the location of an employment agency without the prior written consent of such Commissioner and having endorsed such change of location upon the license; or (3) did establish or keep an employment agency at more than one location without having obtained a license for each such location, in violation of G.L. c.140, §46E. (PENALTY from §46R: house of correction not more than 1 year; or not more than \$500; or both.)

140/46H **EMPLOYMENT AGENCY RECORDKEEPING VIOL** c140 §46H (Effective 12/13/66)
on [DATE OF OFFENSE:]; being a licensee under G.L. c.140, §46A-§46R: (1) did fail to keep information in the form required by G.L. c.140, §46H in a register or other record-keeping device approved by the Commissioner of Labor and Industries; or (2) did fail to retain such a register for three years following the date of the last entry therein; or (3) did fail to keep complete and accurate written records of all receipts and income received or derived directly from the operation of such employment agency; or (4) did fail to communicate with at least one of the persons given as reference by an applicant for domestic or household work and to keep on file the result of such communication for at least three years; or (5) being a recruiting domestic employment agency, did fail to furnish the Commissioner on the first Wednesday of one or more months, in writing, the information required by §46H with respect to each out-of-state resident engaged as a domestic or household employee and placed by that agency during the preceding month, in violation of G.L. c.140, §46H. (PENALTY from §46R: not more than \$25.)

140/46I **EMPLOYMENT AGENCY RECORDKEEPING VIOL** c140 §46I (Effective 12/13/66)
on [DATE OF OFFENSE:]; being an employment agency: (1) did fail to furnish in writing to each applicant for employment the information or material required by G.L. c.140, §46I; or (2) did fail to retain the original or duplicate original copy of each contract executed between it and each applicant and a duplicate receipt for any charges to the applicant for three years following the date on which such contract was executed or the payment was made; or (3) did fail to make such copies and duplicate receipts available for inspection by the Commissioner of Labor and Industries or his or her duly authorized agent or inspector, upon request, in violation of G.L. c.140, §46I. (PENALTY from §46R: not more than \$25.)

140/46J **EMPLOYMENT AGENCY RECRUITMENT VIOL** c140 §46J (Effective 12/13/66)
on [DATE OF OFFENSE:]; being a recruiting domestic agency: (1) did fail to furnish the Commissioner of Labor and Industries a list of the names and addresses of all emigrant agents from whom it accepts job applicants; or (2) did accept applicants from other than a duly licensed emigrant agent who was required to be licensed in the place in which such agent recruited such employees; or (3) did arrange for the transportation of an applicant for employment from within the United States and into this Commonwealth to the city or town where such agency is licensed to conduct business, other than by duly licensed common carriers of passengers; or (4) having brought from within the United States into this Commonwealth an applicant for employment who was not placed in employment the day he or she arrived at the office of such employment agency, did fail to provide at its own expense suitable lodging and meals for such applicant from the time he or she reported at such agency until he or she was placed, or was returned to the place from which recruited, or was given the option of returning to such place; or (5) did fail to provide the return fare and reasonable allowance for one day's meals to an applicant for employment which it had brought from within the United States into this Commonwealth, who was not placed in employment, or who was placed in employment that terminated within thirty days thereafter, and who was without employment and desired to return to the place from which he or she was recruited; or (6) having brought an applicant for employment from within the United States into this Commonwealth, did fail to give such applicant the written statement required by G.L. c.140, §46J, and to keep a copy of such statement on file endorsed with the date, and by whom, such statement was given to the applicant, in violation of G.L. c.140, §46J. (PENALTY from §46R: house of correction not more than 1 year; or not more than \$500; or both.)

140/46K **EMPLOYMENT AGENCY PROHIBITED PRACTICE** c140 §46K (Effective 12/13/66)
on [DATE OF OFFENSE:]; being an employment agency: (1) did publish or cause to be published false, fraudulent or misleading information, representation,

promise, notice or advertisement; or (2) did use advertising or written or printed matter that did not contain the name and address of such agency and language which clearly showed that the advertiser was a person who conducted an employment agency; or (3) did direct an applicant to an employer for the purpose of obtaining employment without having first obtained a recent bona fide order therefor; or (4) did send or cause to be sent a person for prospective employment which the defendant knew or reasonably should have known would be in violation of state or federal laws governing minimum wages or child labor or compulsory education; or (5) did send or cause to be sent a person to a place which the defendant knew or reasonably should have known was maintained for immoral or illicit purposes, or send or cause to be sent a female to a place which the defendant knew or should have known permitted persons known to be prostitutes, gamblers or procurers or intoxicated persons to frequent such place; (6) did compel a person to enter such agency for any purpose by use of force or otherwise; or (7) did require applicants for employees or employment to subscribe to a publication or incidental service or contribute to the cost of advertising; or (8) did refuse to return on demand of an applicant baggage or personal property belonging to such applicant; or (9) did send or cause to be sent an applicant to a place which the defendant knew or should have known was on strike without telling the applicant of such strike; or (10) did solicit, persuade, induce or attempt to induce an employee to leave an employment for the purpose of securing a new fee from such employee; or (11) did divide or share or offer to divide or share service fees with employer clients; or (12) did solicit, persuade, induce or attempt to induce an employer to create a vacancy by discharge, in violation of G.L. c.140, §46K. (PENALTY from §46R: house of correction not more than 1 year; or not more than \$500; or both.)

140/46L EMPLOYMENT AGENCY FEE VIOLATION c140 §46L (Effective 12/13/66)
on **[DATE OF OFFENSE:]**, being an employment agency: (1) did charge to or accept from an applicant a fee or other consideration, other than in accordance with the terms of a written contract with a job applicant and where such agency had been responsible for referring such job applicant to an employer or such employer to a job applicant and where as a result thereof such job applicant had been employed by such employer; or (2) did charge or accept a fee for the registration of applicants for employees or employment; or (3) did charge a job applicant a total fee that exceeded the appropriate amount set forth in G.L. c.140, §46L; or (4) did require an employee to pay a fee at a rate faster than four equal installments each of which was payable at the end of the first four pay periods following the employment or within a period of eight weeks, whichever was shorter, in violation of G.L. c.140, §46L. (PENALTY from §46R: house of correction not more than 1 year; or not more than \$500; or both.)

140/46M EMPLOYMENT AGENCY FAIL RETURN EXCESS FEE c140 §46M (Effective 9/12/66)
on **[DATE OF OFFENSE:]**, being an employment agency which had collected, received or retained a fee, deposit or other payment contrary to or in excess of the provisions of G.L. c.140, §46L, did fail to return the excess portion thereof within seven days of the receipt of a demand therefor, in violation of G.L. c.140, §46M. (PENALTY from §46R: house of correction not more than 1 year; or not more than \$500; or both.)

140/46N EMPLOYMENT AGENCY CONTRACT VIOLATION c140 §46N (Effective 9/12/66)
on **[DATE OF OFFENSE:]**, being an employment agency other than one recruiting domestic employees: (1) did fail to contract in writing with an applicant (employee) for services in securing employment for the payment by the applicant of a service fee, in an amount mutually agreed upon between the applicant and such employment agency; or (2) did fail to file with the Commissioner of Labor and Industries for approval a sample copy of such agreement; or (3) did fail verbally to make clear to an applicant the terms and conditions of such contract, with particular emphasis upon the fee to be paid for services to be rendered; or (4) did fail to give an applicant a copy of the contract he or she had entered into or was to enter into with such employment agency in compliance with the requirements of G.L. c.140, §46N; or (5) did fail to give an applicant a copy of the schedule of service charges in compliance with the requirements of §46N; or (6) did fail to retain a copy of such service charges signed by an applicant; or (7) did charge a fee that was in excess of that permitted by G.L. c.140, §46N; or (8) did supply an applicant for employment knowing that such employee was to be paid at a rate less than the greater of the applicable minimum wage or the applicable collective bargain rate for that position, in violation of G.L. c.140, §46N. (PENALTY from §46R: house of correction not more than 1 year; or not more than \$500; or both.)

140/46O EMPLOYMENT AGENCY FEE REFUND VIOLATION c140 §46O (Effective 9/12/66)
on **[DATE OF OFFENSE:]**, being an employment agency, did fail to make a refund of all or some portion of the fee paid by an applicant for employment as required by G.L. c.140, §46O, in violation of G.L. c.140, §46O. (PENALTY from §46R: house of correction not more than 1 year; or not more than \$500; or both.)

140/46P EMPLOYMENT AGENCY FAIL POST STATUTE c140 §46P (Effective 12/13/66)
on **[DATE OF OFFENSE:]**, being an employment agency, did fail to post in a conspicuous place in such agency a copy of G.L. c.140, §46A-§46O which was printed in large type in languages in which persons commonly doing business with such office can understand, and which contained the name and address of the commissioner charged with the enforcement of such sections, in violation of G.L. c.140, §46P. (PENALTY from §46R: not more than \$25.)

140/46R EMPLOYMENT AGENCY INFORMATION, DISCLOSE c140 §46R (Effective 12/13/66)
on **[DATE OF OFFENSE:]** did disclose information that had been secured pursuant to G.L. c.140, §46A-§46Q, without the authority of the Commissioner of Labor and Workforce Development or pursuant to his or her rules or regulations, or as otherwise required or authorized by law, in violation of G.L. c.140, §46R. (PENALTY: imprisonment not more than 6 months; or not more than \$100; or both.)

140/47 COFFEE HOUSE, UNLICENSED c140 §47
on **[DATE OF OFFENSE:]**, in **[MUNICIPALITY WHERE OFFENSE OCCURRED:]**, a city or town which had accepted G.L. c.140, §47, or corresponding provisions of earlier laws, by a vote of the city council or by vote of the town at a town meeting, did maintain a coffee house, so called, or tea house or place of resort for refreshment where the principal business was or purported to be the sale of coffee or tea as a beverage, without a license therefor granted by the licensing authorities being in effect, in violation of G.L. c.140, §47. (PENALTY: not more than \$100.)

140/51 MASSAGE/BATHS, UNLICENSED c140 §51
on **[DATE OF OFFENSE:]** did practice massage, or conduct an establishment for the giving of vapor, pool, shower or other baths for hire or reward, or did advertise or hold himself or herself out as being engaged in the business of massage or the giving of such baths without having in effect a license therefor from the board of health of the municipality where such occupation was to be carried on, not being excepted by law, in violation of G.L. c.140, §51. (PENALTY from §53: imprisonment not more than 6 months; or not more than \$100; or both.)

140/53/A MASSAGE/BATHS BOH REGULATION VIOLATION c140 §53
on **[DATE OF OFFENSE:]** did **[DESCRIPTION OF OFFENSE:]**, in violation of a rule or regulation of the Board of Health of **[NAME OF MUNICIPALITY:]** made under authority of G.L. c.140, §53, in violation of G.L. c.140, §53. (PENALTY: imprisonment not more than 6 months; or not more than \$100; or both.)

140/53/B MASSAGE/BATHS INSPECTION, OBSTRUCT c140 §53
on **[DATE OF OFFENSE:]** did prevent or hinder a member of the police force of a municipality from entering and inspecting a premises in that municipality used for massage or the giving of vapor baths, in violation of G.L. c.140, §53. (PENALTY: imprisonment not more than 6 months; or not more than \$100; or both.)

140/55 **JUNK DEALER, UNLICENSED** c140 §55
on **[DATE OF OFFENSE:]**: (1) did act as a collector of, dealer in or keeper of a shop for the purchase, sale or barter of junk, old metals or second hand articles without a license, or in some other place or manner than that designated in the defendant's license or after notice to the defendant that such license had been revoked; or (2) did violate a rule, regulation or restriction adopted pursuant to G.L. c.140, §54, in violation of G.L. c.140, §55. (PENALTY: forfeiture of \$20.)

140/56A **SHOOTING GALLERY, UNLICENSED** c140 §56A (Effective 8/25/51)
on **[DATE OF OFFENSE:]** did conduct a shooting gallery, to wit: a public resort equipped with appliances for target shooting, without being licensed to do so pursuant to G.L. c.140, §56A, in violation of G.L. c.140, §56A. (PENALTY: not more than \$100.)

c140 §57 — see 140/68

140/58 **USED CAR DEALER REPAIR FACILITIES VIOL** c140 §58
on **[DATE OF OFFENSE:]** did **[DESCRIPTION OF OFFENSE:]**, in violation of a rule or regulation of the Registrar of Motor Vehicles defining sufficient repair facilities for holders of a used car dealer's license, adopted pursuant to G.L. c.140, §58. (PENALTY from §69: imprisonment not more than 1 year; or not more than \$500; or both. CLERK-MAGISTRATE MUST REPORT CONVICTION TO THE REGISTRAR OF MOTOR VEHICLES, and Registrar may suspend or revoke registration.)

140/60 **USED CAR REGULATIONS VIOLATION** c140 §60
on **[DATE OF OFFENSE:]** did **[DESCRIPTION OF OFFENSE:]**, in violation of a rule or regulation of the Registrar of Motor Vehicles relative to the purchase, sale or exchange of second hand motor vehicles or parts thereof, adopted pursuant to G.L. c.140, §60. (PENALTY from §69: imprisonment not more than 1 year; or not more than \$500; or both. CLERK-MAGISTRATE MUST REPORT CONVICTION TO THE REGISTRAR OF MOTOR VEHICLES, and Registrar may suspend or revoke registration.)

140/61 **USED CAR DEALER FAIL RETAIN VEH/PARTS** c140 §61 (Effective thru 3/4/97)
on **[DATE OF OFFENSE:]**, being a licensee under class 2 or 3 of G.L. c.140, §58, did fail to retain on the premises for 4 days one or more second hand motor vehicles or parts thereof purchased or taken in exchange or left on the premises for the purpose of sale, exchange or assembly, not having received the waiver notice provided for in G.L. c.140, §64, in violation of G.L. c.140, §61. (PENALTY from §69: imprisonment not more than 1 year; or not more than \$500; or both. CLERK-MAGISTRATE MUST REPORT CONVICTION TO THE REGISTRAR OF MOTOR VEHICLES, and Registrar may suspend or revoke registration.)

140/62 **USED CAR DEALER FAIL KEEP REGISTER** c140 §62
on **[DATE OF OFFENSE:]**, being a licensee pursuant to G.L. c.140, §58-§59, did fail to keep a book on the licensed premises, in such form as was approved by the Registrar of Motor Vehicles, and containing for each purchase, sale, exchange, or receipt for the purpose of sale of a second hand motor vehicle or parts thereof the information required by G.L. c.140, §62, in violation of G.L. c.140, §62. (PENALTY from §69: imprisonment not more than 1 year; or not more than \$500; or both. CLERK-MAGISTRATE MUST REPORT CONVICTION TO THE REGISTRAR OF MOTOR VEHICLES, and Registrar may suspend or revoke registration.)

140/67 **USED CAR DEALER OBSTRUCT POLICE** c140 §67
on **[DATE OF OFFENSE:]**: (1) being a licensee under G.L. c.140, §59, or a clerk, agent or other person in charge of the licensed premises, did refuse to admit thereto an officer authorized to enter the same; or (2) being a licensee under G.L. c.140, §59, or a clerk, agent or other person in charge of the licensed premises, did fail to exhibit to such officer on demand all such motor vehicles, parts thereof, and books, papers and inventories relating thereto; or (3) did wilfully hinder, obstruct or prevent such an officer from entering the premises or from making the examination authorized in G.L. c.140, §66, in violation of G.L. c.140, §67. (PENALTY: imprisonment not more than 1 year; or not more than \$200; or both. § 69: CLERK-MAGISTRATE MUST REPORT CONVICTION TO THE REGISTRAR OF MOTOR VEHICLES, and Registrar may suspend or revoke registration.)

140/67A **USED CAR DEALER FAIL REMOVE PLATES** c140 §67A (Effective 6/27/66)
on **[DATE OF OFFENSE:]**, being licensed under G.L. c.140, §54 or §59, did fail before junking or authorizing the junking of a motor vehicle, to remove therefrom the registration number plates and the vehicle identification plates, and forward them forthwith to the Registrar of Motor Vehicles, in violation of G.L. c.140, §67A. (PENALTY from §69: imprisonment not more than 1 year; or not more than \$500; or both. CLERK-MAGISTRATE MUST REPORT CONVICTION TO THE REGISTRAR OF MOTOR VEHICLES, and Registrar may suspend or revoke registration; licensing authority shall suspend or revoke license until Registrar consents to reinstatement.)

140/68 **USED CAR SALES, UNLICENSED** c140 §68 (Effective 7/11/80)
on **[DATE OF OFFENSE:]**: (1) not being licensed, or after notice that such license had been revoked or suspended, did carry on or was concerned in a business for which a license was required by G.L. c.140, §57; or (2) being so licensed, did carry on or was concerned in such business in some other place or manner than that designated in such license, in violation of G.L. c.140, §68. (PENALTY: imprisonment not more than 1 year; or not less than \$200, not more than \$1000; or both. CLERK-MAGISTRATE MUST REPORT ANY SECOND OR SUBSEQUENT CONVICTION TO THE ATTORNEY GENERAL "for action under" G.L. c.93A, §6. §69: CLERK-MAGISTRATE MUST REPORT CONVICTION TO THE REGISTRAR OF MOTOR VEHICLES, and Registrar may suspend or revoke registration.)

140/71 **PAWNBROKER REDEMPTION VIOLATION** c140 §71
on **[DATE OF OFFENSE:]**, being a licensed pawnbroker: (1) did fail to retain an article which had been deposited in pawn within him or her on the premises of such business for at least 4 months after the date of deposit, if not of a perishable nature, or for at least 1 month, if perishable; or (2) did sell such an article that was not of a perishable nature after such applicable time without having sent a written notice of the intended sale by registered mail to the person entitled to the payment of any surplus from such sale, addressed to his or her residence, as appearing in the records of such pawnbroker, not less than 10 days prior to such sale; or (3) after selling such an article and having applied the proceeds of such sale in satisfaction of the debt or demand and the expense of such notice and sale, did fail to pay over any surplus to the person entitled thereto on demand, in violation of G.L. c.140, §71. (PENALTY from §72: not more than \$50.)

140/72 **PAWNBROKER USURY VIOLATION** c140 §72
on **[DATE OF OFFENSE:]**, being a licensed pawnbroker, did charge or receive a greater rate of interest on a loan than that fixed by the authority which had issued such license pursuant to G.L. c.140, §70, in violation of G.L. c.140, §72. (PENALTY: not more than \$50.)

140/74 **PAWNBROKER OBSTRUCT OFFICER** c140 §74
on **[DATE OF OFFENSE:]**: (1) being a licensed pawnbroker, clerk, agent or other person in charge of such premises, did refuse to admit thereto an officer

authorized to enter the same; or (2) being a licensed pawnbroker, clerk, agent or other person in charge of such premises, did fail to exhibit to such an officer on demand all articles taken in pawn or kept or stored in or upon such premises, and all books and inventories related thereto; or (3) did wilfully hinder, obstruct or prevent such an officer from entering the premises or from making the examination authorized in G.L. c.140, §73, in violation of G.L. c.140, §74. (PENALTY: imprisonment not more than 1 year; or not more than \$200; or both.)

140/75 PAWNBROKER, UNLICENSED c140 §75

on **[DATE OF OFFENSE:]**: (1) did carry on or was concerned in the business of a pawnbroker in a municipality in which he or she was not licensed to do so pursuant to G.L. c.140, §70; or (2) being a licensed pawnbroker, did carry on or was concerned in such a business in some other place or manner than that designated in his or her license or after notice that his or her license had been revoked, in violation of G.L. c.140, §75. (PENALTY: not more than \$50.)

140/76 PAWNBROKER, UNLICENSED c140 §76

on **[DATE OF OFFENSE:]**, in a city or in a town of ten thousand or more inhabitants, did engage in or carry on the business of loaning money upon mortgages, deposits or pledges of wearing apparel, jewelry, ornaments, household goods or other personal property, or of purchasing such property on condition of selling it back again at a stipulated price, such property being deposited with the lender, without being licensed as a pawnbroker, in violation of G.L. c.140, §76. (PENALTY from §82: imprisonment not more than 2 months; or not less than \$50, not more than \$300; or both.)

140/78 PAWNBROKER USURY VIOLATION c140 §78

on **[DATE OF OFFENSE:]**, being a licensed pawnbroker, did charge or receive a greater rate of interest on a loan than that fixed by regulation of the authority which had issued such license, in violation of G.L. c.140, §78. (PENALTY from §82: imprisonment not more than 2 months; or not less than \$50, not more than \$300; or both.)

140/79 PAWNBROKER RECORDKEEPING VIOLATION c140 §79

(Effective 8/16/74)

on **[DATE OF OFFENSE:]**, being a pawnbroker: (1) did fail to keep a book with the information required by G.L. c.140, §79; or (2) did fail to furnish a correct record of such transactions, containing all such information, once a week, or oftener if required, to the licensing authorities or to some person designated by them; or (3) did fail to photograph a person pawning articles and keep such photograph with such books as part of his or her records, in violation of G.L. c.140, §79. (PENALTY from §82: imprisonment not more than 2 months; or not less than \$50, not more than \$300; or both.)

140/80 PAWNBROKER FAIL GIVE RECEIPT c140 §80

on **[DATE OF OFFENSE:]**, being a pawnbroker, at the time of making a loan, did fail to deliver without charge to the person who pawned an article a memorandum or note signed by him or her and containing the substance of the entry required by G.L. c.140, §79, in violation of G.L. c.140, §80. (PENALTY from §82: imprisonment not more than 2 months; or not less than \$50, not more than \$300; or both.)

140/81 PAWNBROKER OBSTRUCT INSPECTION OF BOOKS c140 §81

on **[DATE OF OFFENSE:]**, being a pawnbroker, did fail to make available for inspection at a reasonable time the book required by G.L. c.140, §79 by the mayor, the members of the board of police, the superintendent and deputy superintendents of police, the chief inspector of police, an officer of the state police, or a person authorized by them in writing for that purpose who exhibited such written authority to such pawnbroker, in violation of G.L. c.140, §81. (PENALTY from §82: imprisonment not more than 2 months; or not less than \$50, not more than \$300; or both.)

140/84/A PAWNBROKER TOOLS-RECORDKEEPING VIOLATION c140 §84

on **[DATE OF OFFENSE:]**, being a pawnbroker, did knowingly write the wrong name or address of a person who offered for sale or for pawn a tool such as is used by contractors, builders or mechanics, or did knowingly permit the signing of such wrong name or address, in violation of G.L. c.140, §84. (PENALTY: \$100 "for the first offence, and upon a second offence his license shall be revoked, and he shall not be permitted to conduct the business of pawnbroker in the commonwealth for one year.")

140/84/B PAWN TOOLS UNDER FALSE NAME c140 §84

on **[DATE OF OFFENSE:]**, when offering for pawn or for sale a tool such as is used by contractors, builders or mechanics, did sign a wrong name or address in the book kept by such pawnbroker pursuant to G.L. c.140, §83, in violation of G.L. c.140, §84. (PENALTY: imprisonment not more than 6 months; or not more than \$100.)

140/89 LOANMAKER OBSTRUCT INSPECTION OF BOOKS c140 §89

on **[DATE OF OFFENSE:]**, being engaged in the business of making loans on collateral security as described in G.L. c.140, §86, or his or her agent or other person in charge thereof: (1) did fail or refuse to allow the inspection of the record book required by G.L. c.140, §86; or (2) did wilfully hinder, obstruct or prevent an officer from inspecting such book or examining such property as provided in G.L. c.140, §87, in violation of G.L. c.140, §89. (PENALTY: imprisonment not more than 1 year; or not more than \$200; or both.)

140/90A USURY ON HOME MORTGAGE LOAN c140 §90A & §90E

(Effective 9/4/62)

on **[DATE OF OFFENSE:]** did charge, take or receive for a loan of more than \$1500 secured wholly or partially by a mortgage of real estate having an assessed value of not over \$40,000, having thereon a dwelling house with accommodations for six or less separate households and occupied in whole or in part at the time the loan was made as a home by an obligor on the mortgage debt or by a person granting or releasing some interest under such mortgage, other than a loan secured by a first mortgage on real estate, a greater rate of interest than allowed under G.L. c.140, §90A, in violation of G.L. c.140, §90A & §90E. (PENALTY: imprisonment not more than 1 year; or not more than \$1000; or both.)

140/99 SMALL LOANS INVESTIGATION, OBSTRUCT c140 §99

on **[DATE OF OFFENSE:]** did without justifiable cause refuse to appear and testify when so required by the Commissioner of Banks, or did obstruct the Commissioner or his or her representatives in the performance of their duties, in violation of G.L. c.140, §99. (PENALTY: imprisonment not more than 6 months; or not more than \$500; or both.)

140/103/A SMALL LOANS VIOLATION c140 §103

on **[DATE OF OFFENSE:]**, being duly licensed pursuant to G.L. c.140, §103 to engage in the business or making small loans, did **[DESCRIPTION OF OFFENSE:]**, in violation of a provision of G.L. c.140, §97, §98, §101, §102, §104 or §109, or a regulation, rule or order made by the Commissioner of Banks pursuant to §97 or §106. (PENALTY from §103: not more than \$500; and license may be suspended or revoked by the Commissioner of Banks.)

140/103/B SMALL LOANS VIOLATION c140 §103

(Effective 7/18/62)

on **[DATE OF OFFENSE:]**, being duly licensed pursuant to G.L. c.140, §103 to engage in the business or making small loans, did **[DESCRIPTION OF OFFENSE:]**, contrary to a provision of G.L. c.140, §100, and in violation of G.L. c.140, §103. (PENALTY from §103: imprisonment not more than 1 year; or

not more than \$1000; or both; and license may be suspended or revoked by the Commissioner of Banks.)

140/110 **SMALL LOANS, UNLICENSED** c140 §110 (Effective 8/1/67)
on **[DATE OF OFFENSE:]**, not being duly licensed as provided in G.L. c.140, §97, on his or her own account or on account of some other person not so licensed, did engage in or carry on the business of making loans or buying notes or furnishing endorsements or guarantees to which G.L. c.140, §96-§111 apply, in violation of G.L. c.140, §110. (NO DISTRICT COURT FINAL JURISDICTION IN ADULT SESSION.)

140/122 **FIREARM DEALER'S LICENSE, IMPROP ISSUE** c140 §122
on **[DATE OF OFFENSE:]** did knowingly issue a license to sell, rent or lease firearms, rifles, shotguns or machine guns, or to be in business as a gunsmith, in violation of the provisions of G.L. c.140, §122. (PENALTY: jail or house of correction not less than 6 months, not more than 2 years.)

140/122B **AMMUNITION, UNLICENSED SALE OF** c140 §122B (Effective 7/10/73)
on **[DATE OF OFFENSE:]** did sell ammunition, as defined in G.L. c.140, §121, in this Commonwealth without being duly licensed to do so, in violation of G.L. c.140, §122B. (PENALTY: imprisonment not less than 6 months, not more than 2 years; or not less than \$500, not more than \$1000.)

140/128/A **FIREARM SALE, IMPROPER** c140 §128 (Effective 7/6/73-10/20/98)
on **[DATE OF OFFENSE:]**, being licensed under G.L. c.140, §123 to sell, rent or lease firearms, rifles, shotguns or machine guns, or to be in business as a gunsmith, or an employee or agent of such a licensee: (1) did fail before delivery of a firearm, rifle or shotgun, to make or cause to be made in a sales record book the entries required by G.L. c.140, §123, Second; or (2) did fail to make such book available at all times to the inspection of the police; or (3) did display a firearm, rifle, shotgun, or machine gun in an outer window of such premises or in some other place where it could readily be seen from the outside; or (4) did deliver a firearm, rifle or shotgun that was loaded; or (5) did deliver a firearm to a person not having a license to carry firearms issued under §131; or (6) did deliver a rifle, shotgun or ammunition to a minor or to a person not having a license to carry firearms issued under §131 or a firearm identification card issued under §129B, not being excepted by law; or (7) did sell, rent or lease a firearm to a minor or a person who did not have a permit then in force to purchase, rent or lease the same issued under §131A and a firearm identification card issued under §129B, or a license to carry firearms issued under §131; or (8) did sell, rent or lease a rifle or shotgun to a person who did not have a valid firearm identification card under §129B or a license to carry firearms under §131; or (9) did sell, rent or lease a machine gun to a person who did not have a license to possess the same issued under §131; or (10) did sell, rent or lease a firearm subject to a permit to purchase issued under §131A and did fail to endorse such permit and transmit it to the Commissioner of Public Safety as required by §123, Ninth; or (11) did sell, rent or lease a machine gun and did fail to endorse upon the license to possess the same the date and place of such sale, rental or lease, and within seven days to transmit a notice thereof to such Commissioner; or (12) in the case of a sale under the provisions of §131E did fail to write in the sales record book the number of the license to carry firearms issued the purchaser under the provisions of §131, or the number of the firearm identification card issued the purchaser under the provisions of §129B, whichever was applicable under the provisions of §123, Eighth, in violation of G.L. c.140, §128. (PENALTY: not less than \$500, not more than \$1000.)

140/128/A **FIREARM SALE, IMPROPER** c140 §128 (Effective 10/21/98)
on **[DATE OF OFFENSE:]**, being licensed under G.L. c.140, §123 to sell, rent or lease firearms, rifles, shotguns or machine guns, or to be in business as a gunsmith, or an employee or agent of such a licensee: (1) did fail before delivery of a firearm, rifle or shotgun, to make or cause to be made in a sales record book the entries required by G.L. c.140, §123, Second; or (2) did fail to make such book available at all times to the inspection of the police; or (3) did display a firearm, rifle, shotgun, or machine gun in an outer window of such premises or in some other place where it could readily be seen from the outside; or (4) did deliver a firearm, rifle or shotgun that was loaded; or (5) did deliver a firearm to a person not having a license to carry firearms issued under §131; or (6) did deliver a rifle, shotgun or ammunition to a minor or to a person not having a license to carry firearms issued under §131 or a firearm identification card issued under §129B, not being excepted by law; or (7) did deliver a large capacity firearm or large capacity feeding device therefor to a person not having a Class A license to carry firearms issued under §131; or (8) did deliver a large capacity rifle or shotgun or large capacity feeding device therefor to a person not having a Class A or B license to carry firearms issued under §131; or (9) did sell, rent or lease a firearm to a minor or a person who did not have a permit then in force to purchase, rent or lease the same issued under §131A and a firearm identification card issued under §129B, or a license to carry firearms issued under §131; or (10) did sell, rent or lease a rifle or shotgun to a person who did not have a valid firearm identification card under §129B or a license to carry firearms under §131; or (11) did sell, rent, lease or transfer a large capacity firearm or large capacity feeding device therefor to a person who did not have (i) a Class A license to carry firearms issued under §131 or (ii) a proper permit issued under §131A and a firearm identification card issued under §129B; or (12) did sell a large capacity rifle or shotgun or large capacity feeding device therefor to a person who did not have a Class A or B license to carry firearms issued under §131; or (13) did sell, rent or lease a machine gun to a person who did not have a license to possess the same issued under §131; or (14) did sell, rent or lease a firearm subject to a permit to purchase issued under §131A and did fail to endorse such permit and transmit it to the Commissioner of Public Safety as required by §123, Ninth; or (15) did sell, rent or lease a machine gun and did fail to endorse upon the license to possess the same the date and place of such sale, rental or lease, and within seven days to transmit a notice thereof to such Commissioner; or (16) in the case of a sale under the provisions of §131E did fail to write in the sales record book the number of the license to carry firearms issued the purchaser under the provisions of §131, or the number of the firearm identification card issued the purchaser under the provisions of §129B, whichever was applicable under the provisions of §123, Eighth; or (17) did sell, lease, rent, transfer or deliver or offer for sale, lease, rent, transfer or delivery to some person an assault weapon or large capacity feeding device that was not otherwise lawfully possessed on September 13, 1994; or (18) did sell, rent, lease, transfer or deliver or offer for sale, lease, transfer or delivery a firearm to some purchaser in the Commonwealth contrary to the requirements of §123, Eighteenth, Nineteenth, Twentieth, or Twenty-first, in violation of G.L. c.140, §128. (NO DISTRICT COURT FINAL JURISDICTION IN ADULT SESSION.)

140/128/B **FIREARM SALE, IMPROPER, SUBSQ. OFF.** c140 §128 (Effective 7/6/73-10/20/98)
on **[DATE OF OFFENSE:]**, being licensed under G.L. c.140, §123 to sell, rent or lease firearms, rifles, shotguns or machine guns, or to be in business as a gunsmith, or an employee or agent of such a licensee: (1) did fail before delivery of a firearm, rifle or shotgun, to make or cause to be made in a sales record book the entries required by G.L. c.140, §123, Second; or (2) did fail to make such book available at all times to the inspection of the police; or (3) did display a firearm, rifle, shotgun, or machine gun in an outer window of such premises or in some other place where it could readily be seen from the outside; or (4) did deliver a firearm, rifle or shotgun that was loaded; or (5) did deliver a firearm to a person not having a license to carry firearms issued under §131; or (6) did deliver a rifle, shotgun or ammunition to a minor or to a person not having a license to carry firearms issued under §131 or a firearm identification card issued under §129B, not being excepted by law; or (7) did sell, rent or lease a firearm to a minor or a person who did not have a permit then in force to purchase, rent or lease the same issued under §131A and a firearm identification card issued under §129B, or a license to carry firearms issued under §131; or (8) did sell, rent or lease a rifle or shotgun to a person who did not have a valid firearm identification card under §129B or a license to carry firearms under §131; or (9) did sell, rent or lease a machine gun to a person who did not have a license to possess the same issued under §131; or (10) did sell, rent or lease a firearm subject to a permit to purchase issued under §131A and did fail to endorse such permit and transmit it to the Commissioner of Public Safety as required by §123, Ninth; or (11) did sell, rent or lease a machine gun and did fail to endorse upon the license to possess the same the date and place of such sale, rental or lease, and within seven days to transmit a notice thereof to such Commissioner; or (12) in the case of a sale under the provisions of §131E did fail to write in the sales record book the number of the license to carry firearms issued the purchaser under the provisions of §131, or the number of the firearm identification card issued the purchaser under the provisions of §129B, whichever was applicable under the provisions of §123, Eighth, the defendant

having previously been convicted of such an offense, in violation of G.L. c.140, §128. (NO DISTRICT COURT FINAL JURISDICTION IN ADULT SESSION.)

140/128/C **FIREARM SALE, UNLICENSED** c140 §128 (Effective 7/6/73-10/20/98)
on [DATE OF OFFENSE:], without being licensed under G.L. c.140, §123 to sell, rent or lease firearms, rifles, shotguns or machine guns, or to be in business as a gunsmith, did sell, rent or lease a firearm, rifle, shotgun or machine gun, or was engaged in business as a gunsmith, not being excepted pursuant to G.L. c.140, §128A, in violation of G.L. c.140, §128. (PENALTY: not less than \$500, not more than \$1000.)

140/128/C **FIREARM SALE, UNLICENSED** c140 §128 (Effective 10/21/98)
on [DATE OF OFFENSE:], without being licensed under G.L. c.140, §123 to sell, rent or lease firearms, rifles, shotguns or machine guns, or to be in business as a gunsmith, did sell, rent or lease a firearm, rifle, shotgun or machine gun, or was engaged in business as a gunsmith, not being excepted pursuant to G.L. c.140, §128A, in violation of G.L. c.140, §128. (NO DISTRICT COURT FINAL JURISDICTION IN ADULT SESSION.)

140/128/D **FIREARM SALE, UNLICENSED, SUBSQ. OFF.** c140 §128 (Effective 7/6/73-10/20/98)
on [DATE OF OFFENSE:], without being licensed under G.L. c.140, §123 to sell, rent or lease firearms, rifles, shotguns or machine guns, or to be in business as a gunsmith, did sell, rent or lease a firearm, rifle, shotgun or machine gun, or was engaged in business as a gunsmith, not being excepted pursuant to G.L. c.140, §128A, the defendant having previously been convicted of such an offense, in violation of G.L. c.140, §128. (NO DISTRICT COURT FINAL JURISDICTION IN ADULT SESSION.)

140/128B/A **FIREARM, FAIL REPORT UNAUTHORIZED** c140 §128B (Effective 10/20/68-10/20/98)
on [DATE OF OFFENSE:]: (1) being a resident of this Commonwealth, did purchase or obtain a firearm, rifle, shotgun or machine gun from a source other than a licensee under G.L. c.140, §122 or a person authorized to sell firearms under §128A, did fail within seven days after receiving such firearm, rifle, shotgun or machine gun, to report in writing to the Commissioner of Public Safety the name and address of the seller or donor and the buyer or donee, together with a complete description of the firearm, rifle, shotgun or machine gun, including the caliber, make and serial number; or (2) being a nonresident of this Commonwealth, did purchase or obtain a firearm, rifle, shotgun or machine gun from a source other than such a licensee or person, and receive such firearm, rifle, shotgun or machine gun within this Commonwealth, did fail within seven days to make such a report, in violation of G.L. c.140, §128B. (PENALTY: not more than \$100.)

140/128B/A **FIREARM, FAIL REPORT UNAUTHORIZED** c140 §128B (Effective 10/21/98)
on [DATE OF OFFENSE:]: (1) being a resident of this Commonwealth, did purchase or obtain a firearm, rifle, shotgun or machine gun from a source other than a licensee under G.L. c.140, §122 or a person authorized to sell firearms under §128A, and did fail within seven days after receiving such firearm, rifle, shotgun or machine gun, to report in writing to the Commissioner of Public Safety the name and address of the seller or donor and the buyer or donee, together with a complete description of the firearm, rifle, shotgun or machine gun, including the caliber, make and serial number; or (2) being a nonresident of this Commonwealth, did purchase or obtain a firearm, rifle, shotgun or machine gun from a source other than such a licensee or person, and receive such firearm, rifle, shotgun or machine gun within this Commonwealth, and did fail within seven days to make such a report, in violation of G.L. c.140, §128B. (PENALTY: not less than \$500, not more than \$1000.)

140/128B/B **FIREARM, FAIL REPORT UNAUTHORIZED, SUBSQ** c140 §128B (Effective 10/20/68-10/20/98)
on [DATE OF OFFENSE:]: (1) being a resident of this Commonwealth, did purchase or obtain a firearm, rifle, shotgun or machine gun from a source other than a licensee under G.L. c.140, §122 or a person authorized to sell firearms under §128A, did fail within seven days after receiving such firearm, rifle, shotgun or machine gun, to report in writing, to the Commissioner of Public Safety the name and address of the seller or donor and the buyer or donee, together with a complete description of the firearm, rifle, shotgun or machine gun, including the caliber, make and serial number; or (2) being a nonresident of this Commonwealth, did purchase or obtain a firearm, rifle, shotgun or machine gun from a source other than such a licensee or person, and receive such firearm, rifle, shotgun or machine gun within this Commonwealth, did fail within seven days to make such a report, the defendant having previously been convicted of such an offense, in violation of G.L. c.140, §128B. (PENALTY: imprisonment not more than 2½ years.)

140/128B/B **FIREARM, FAIL REPORT UNAUTHORIZED, SUBSQ** c140 §128B (Effective 10/21/98)
on [DATE OF OFFENSE:]: (1) being a resident of this Commonwealth, did purchase or obtain a firearm, rifle, shotgun or machine gun from a source other than a licensee under G.L. c.140, §122 or a person authorized to sell firearms under §128A, did fail within seven days after receiving such firearm, rifle, shotgun or machine gun, to report in writing, to the Commissioner of Public Safety the name and address of the seller or donor and the buyer or donee, together with a complete description of the firearm, rifle, shotgun or machine gun, including the caliber, make and serial number; or (2) being a nonresident of this Commonwealth, did purchase or obtain a firearm, rifle, shotgun or machine gun from a source other than such a licensee or person, and receive such firearm, rifle, shotgun or machine gun within this Commonwealth, and did fail within seven days to make such a report, the defendant having previously been convicted of such an offense, in violation of G.L. c.140, §128B. (NO DISTRICT COURT FINAL JURISDICTION IN ADULT SESSION.)

140/129/A **FIREARM APPLIC, FALSE STATEMENT ON** c140 §129
on [DATE OF OFFENSE:], in purchasing, renting or hiring a firearm, rifle, shotgun or machine gun, or in making application for some form of license or permit issued in connection therewith, or in requesting that work be done by a gunsmith, did give a false or fictitious name or address or did knowingly offer or give false information concerning the date or place of birth, citizenship status, occupation, or criminal record, in violation of G.L. c.140, §129. (PENALTY: imprisonment not more than 1 year; or not less than \$500, not more than \$1000; or both.)

140/129/B **FIREARM APPLIC, FALSE STATEMENT ON, SUBSQ** c140 §129 (Effective 7/10/73)
on [DATE OF OFFENSE:], in purchasing, renting or hiring a firearm, rifle, shotgun or machine gun, or in making application for some form of license or permit issued in connection therewith, or in requesting that work be done by a gunsmith, did give a false or fictitious name or address or did knowingly offer or give false information concerning the date or place of birth, citizenship status, occupation, or criminal record, the defendant having previously been convicted of such an offense, in violation of G.L. c.140, §129. (PENALTY: state prison not less than 2½ years, not more than 5 years.)

140/129B **FIREARM ID CARD APPLIC, FALSE STATEMENT ON** c140 §129B(8) (Effective 10/21/98)
on [DATE OF OFFENSE:] did knowingly file an application for a firearm identification card containing false information, in violation of G.L. c.140, §129B(8). (PENALTY: house of correction not less than 6 months, not more than 2 years; or fine not less than \$500, not more than \$1000; or both.)

140/129C/A **FIREARM TRANSFER/LOSS, OWNER FL REPORT** c140 §129C (Effective 10/21/98)
on [DATE OF OFFENSE:]: (1) having sold, given away, loaned or otherwise transferred a rifle or shotgun or ammunition owned by him or her, did fail to report such transfer within 7 days to the executive director of the Criminal History Systems Board pursuant to G.L. c.140, §128A; or (2) being the owner of a firearm, rifle, shotgun or machine gun, did fail to report its loss, theft or recovery forthwith to both the executive director of the Criminal History Systems Board and the licensing authority in the city or town where he or she resided, in violation of G.L.c. 140, § 129C. (PENALTY: not less than \$200, not more than \$1000;

and shall be cause for suspension or permanent revocation of defendant's firearm identification card or license to carry firearms.)

140/129C/B **FIREARM TRANSFER/LOSS, OWNER FL REPORT, SUBSQ.** c140 §129C (Effective 10/21/98)
on **[DATE OF OFFENSE:]** (1) having sold, given away, loaned or otherwise transferred a rifle or shotgun or ammunition owned by him or her, did fail to report such transfer within 7 days to the executive director of the Criminal History Systems Board pursuant to G.L. c.140, §128A; or (2) being the owner of a firearm, rifle, shotgun or machine gun, did fail to report its loss, theft or recovery forthwith to both the executive director of the Criminal History Systems Board and the licensing authority in the city or town where he or she resided, the defendant having previously been convicted of such an offense, in violation of G.L.c. 140, § 129C. (PENALTY: not less than \$1000, not more than \$5000; and shall be cause for suspension or permanent revocation of defendant's firearm identification card or license to carry firearms.)

140/130 **FIREARM SALE TO MINOR/ALIEN** c140 §130 (Effective 2/28/90-10/20/98)
on **[DATE OF OFFENSE:]** (1) did sell or furnish a rifle, shotgun or ammunition to an alien eighteen years of age or older who did not hold a permit card issued to him or her under G.L. c.140, §131H; or (2) did sell or furnish an alien or a person under eighteen years of age a firearm, rifle, shotgun, machine gun or ammunition, not being excepted by law, in violation of G.L. c.140, §130. (PENALTY: not less than \$500, not more than \$1000; and firearm dealer's license to be revoked for 10 years.)

140/130 **FIREARM SALE TO MINOR/ALIEN** c140 §130 (Effective 10/21/98)
on **[DATE OF OFFENSE:]** (1) did sell or furnish a rifle, shotgun or ammunition to an alien 18 years of age or older who did not hold a permit card issued to him or her under G.L. c.140, §131H; or (2) did sell or furnish an alien or a person under 18 years of age a rifle, shotgun, machine gun or ammunition; or (3) did sell or furnish to a person under 21 years of age a firearm or large capacity rifle or shotgun or ammunition therefor, not being excepted by law, in violation of G.L. c.140, §130. (NO DISTRICT COURT FINAL JURISDICTION IN ADULT SESSION; firearm dealer's license to be revoked for 10 years.)

140/131/A **FIREARM LICENSE APPLIC, FALSE** c140 §131 (Effective thru 10/20/98)
on **[DATE OF OFFENSE:]** did file an application for a license to carry firearms with an intentionally false answer to one or more questions on such application, in violation of G.L. c.140, §131. (PENALTY: jail or house of correction not less than 6 months, not more than 2 years; and not less than \$500, not more than \$1000.)

140/131/A **FIREARM LICENSE APPLIC, FALSE** c140 §131(h) (Effective 10/21/98)
on **[DATE OF OFFENSE:]** did knowingly file an application for a license to carry firearms containing false information, in violation of G.L. c.140, §131(h). (PENALTY: house of correction not less than 6 months, not more than 2 years; or not less than \$500, not more than \$1000; or both.)

140/131/B **FIREARM LICENSE, IMPROP ISSUE** c140 §131 (Effective 7/6/73-10/20/98)
on **[DATE OF OFFENSE:]** did knowingly issue a license to carry firearms in violation of G.L. c.140, §131. (PENALTY: jail or house of correction not less than 6 months, not more than 2 years; and not less than \$500, not more than \$1000.)

140/131/B **FIREARM LICENSE, IMPROP ISSUE** c140 §131(k) (Effective 10/21/98)
on **[DATE OF OFFENSE:]** did knowingly issue a license to carry firearms contrary to the provisions of G.L. c.140, §131, in violation of G.L. c.140, §131(k). (PENALTY: jail or house of correction not less than 6 months, not more than 2 years; or not less than \$500, not more than \$1000; or both.)

140/131/C **FIREARM LICENSE RESTRICTION VIOL** c140 §131(a) or (b) (Effective 10/21/98)
on **[DATE OF OFFENSE:]** did **[DESCRIPTION OF LICENSE RESTRICTION VIOLATION:]**, contrary to a restriction on the defendant's license to carry firearms imposed by G.L. c.140, §131(b) or by the licensing authority pursuant to G.L. c.140, §131(a) or (b), in violation of G.L. c.140, §131(a) or (b). (PENALTY: not less than \$1000, not more than \$5000; and shall be cause for suspension or revocation.)

G.L. c.140, §131(m) provides that, with some exceptions, "any person in possession of a firearm, rifle or shotgun whose license issued under this section is invalid for the sole reason that it has expired . . . shall be subject to a civil fine . . . and the provisions of section 10 of chapter 269 shall not apply." Commonwealth v. Farley, 64 Mass. App. Ct. 854, 835 N.E.2d 1159 (2005), determined that a § 131(m) violation is not a separate criminal charge, but that § 131(m) instead creates "a statutory defense to the crime of possession of a gun without a license to carry" under G.L. c. 269, § 10, which may be raised by a motion to dismiss. Neither § 131(m) nor the Farley decision indicate how the civil penalty may be sought in the first instance.

140/131A **FIREARM PERMIT, IMPROP ISSUE** c140 §131A (Effective 7/6/73)
on **[DATE OF OFFENSE:]** did knowingly issue a permit to purchase, rent or lease a firearm in violation of G.L. c.140, §131A. (PENALTY: jail or house of correction not less than 6 months, not more than 2 years; and not less than \$500, not more than \$1000.)

140/131B **LOAN SECURED BY FIREARM** c140 §131B (Effective 11/21/57)
on **[DATE OF OFFENSE:]** did loan money secured by mortgage, deposit or pledge of a firearm, rifle, shotgun or machine gun, not being excepted by law, in violation of G.L. c.140, §131B. (PENALTY: imprisonment not more than 1 year; or not more than \$500; or both.)

140/131C **FIREARM IN VEHICLE, LEAVE** c140 §131C (Effective 5/19/65-10/20/98)
on **[DATE OF OFFENSE:]** did carry a firearm or firearms in a vehicle under a license issued under G.L. c.140, §131 or §131F at a time when such firearm or firearms while therein were not under the direct control of the defendant, in violation of G.L. c.140, §131C. (PENALTY: not more than \$100. CLERK-MAGISTRATE MUST REPORT CONVICTION TO THE LICENSING AUTHORITY, which shall revoke license or firearm identification card for 1 year.)

140/131C **FIREARM IN VEHICLE, LEAVE** c140 §131C(a) or (b) (Effective 10/21/98)
on **[DATE OF OFFENSE:]** (1) did carry in a vehicle under a Class A license issued under G.L. c.140, §131 or §131F a loaded firearm which while carried therein was not under the direct control of the defendant; or (2) while carrying a firearm under a Class B license issued under §131 or §131F and possessing such firearm in a vehicle, did fail to have such weapon unloaded and contained within the locked trunk of such vehicle or in a locked case or other secure container, in violation of G.L. c.140, §131C(a) or (b). (PENALTY: \$500 fine. CLERK-MAGISTRATE MUST REPORT CONVICTION TO THE LICENSING AUTHORITY, which shall revoke license or firearm identification card for 1 year.)

140/131C/B **RIFLE/SHOTGUN IN VEH, LEAVE LARGE CAPACITY** c140 §131C(c) (Effective 10/21/98)
on **[DATE OF OFFENSE:]**, while possessing a large capacity rifle or shotgun under a Class A or Class B license issued under G.L. c.140, §131 or §131F, and possessing the same in a vehicle, did fail to have such weapon unloaded and contained within the locked trunk of such vehicle or in a locked case or other secure container, in violation of G.L. c.140, §131C(c). (PENALTY: not less than \$500, not more than \$5000. CLERK-MAGISTRATE MUST REPORT CONVICTION TO THE LICENSING AUTHORITY, which shall revoke license or firearm identification card for 1 year.)

140/131E **FIREARM PURCHASE FOR ANOTHER** c140 §131E (Effective 7/10/73-6/30/94)
on [DATE OF OFFENSE:] did use a license to carry firearms issued to him or her pursuant to G.L. c.140, §131 or a firearm identification card issued to him or her pursuant to §129B for the purpose of purchasing a firearm, rifle or shotgun for the unlawful use of another, or for resale to or giving to an unlicensed person, in violation of G.L. c.140, §131E. (PENALTY: jail or house of correction not less than 6 months, not more than 2 years; or not less than \$500, not more than \$1000; or both; and licensing authority shall revoke license or firearm identification card for 2 years.)

140/131E **FIREARM PURCHASE FOR ANOTHER** c140 §131E (Effective 7/1/94)
on [DATE OF OFFENSE:] did use a license to carry firearms issued to him or her pursuant to G.L. c.140, §131 or a firearm identification card issued to him or her pursuant to §129B for the purpose of purchasing a firearm, rifle or shotgun for the unlawful use of another, or for resale to or giving to an unlicensed person, in violation of G.L. c.140, §131E. (PENALTY: state prison not less than 2½ years, not more than 10 years; or not less than \$1000, not more than \$50,000; or both. CLERK-MAGISTRATE MUST REPORT CONVICTION TO THE LICENSING AUTHORITY, which shall revoke license or firearm identification card for 2 years. District Court has final jurisdiction under G.L. c.218, §26.)

140/131H **FIREARM, ALIEN POSSESS** c140 §131H (Effective 7/6/73)
on [DATE OF OFFENSE:], being an alien, did own or have in his or her possession or under his or her control a firearm, not being excepted by G.L. c.140, §131F, or a rifle or shotgun, not being excepted by §131F or §131G, in violation of G.L. c.140, §131H. (PENALTY: jail or house of correction not more than 6 months; or not less than \$500, not more than \$1000; and firearm to be forfeited to the Commonwealth.)

140/131I **FIREARM LICENSE/ID CARD, FALSE** c140 §131I (Effective 9/22/81)
on [DATE OF OFFENSE:]: (1) did falsely make, alter, forge or counterfeit, or procure or assist another to falsely make, alter, forge or counterfeit a license to carry a firearm or a firearm identification card; or (2) did forge or without authority use the signature, facsimile of the signature, or validating signature stamp of the licensing authority or its designee; or (3) did possess, utter, publish as true or in some way make use of a falsely made, altered, forged or counterfeited license to carry a firearm or a firearm identification card, in violation of G.L. c.140, §131I. (PENALTY: state prison not more than 5 years; or jail or house of correction not more than 2 years; or not less than \$500 fine; or both such imprisonment and fine.)

140/131J **ELECTRIC STUN GUN, SELL/POSSESS** c140 §31J (Effective 10/10/86-7/14/04)
on [DATE OF OFFENSE:] did sell, offer for sale or possess a portable device or weapon from which an electrical current, impulse, wave or beam may be directed, which current, impulse, wave or beam is designed to incapacitate temporarily, injure or kill, in violation of G.L. c.140, §131J. (PENALTY: jail or house of correction not less than 6 months, not more than 2 years; or not less than \$500, not more than \$1000; or both.)

140/131J **ELECTRIC STUN GUN, SELL/POSSESS** c140 §31J (Effective 7/15/04)
on [DATE OF OFFENSE:] did (1) possess a portable device or weapon from which an electrical current, impulse, wave or beam may be directed, which current, impulse, wave or beam is designed to incapacitate temporarily, injure or kill, not being excepted by law; or (2) did sell or offer for sale such a device or weapon, other than to federal, state or municipal law enforcement agencies, in violation of G.L. c.140, §131J. (PENALTY: house of correction not less than 6 months, not more than 2½ years; or fine not less than \$500, not more than \$1000; or both.)

140/131L/A **FIREARM, STORE IMPROP** c140 §131L(a)&(b) (Effective 10/21/98)
on [DATE OF OFFENSE:] did store or keep a firearm, rifle or shotgun that was not a large capacity weapon, as such terms are defined in G.L. c.140, §121, and that was not secured in a locked container or equipped with a tamper-resistant mechanical lock or other safety device, properly engaged so as to render such weapon inoperable by any person other than the owner or other lawfully authorized user, in violation of G.L. c.140, §131L(a) & (b). (PENALTY: imprisonment not more than 1 year; or not less than \$500, not more than \$5000; or both.)

140/131L/B **FIREARM, STORE IMPROP LARGE CAPACITY** c140 §131L(a)&(b) (Effective 10/21/98)
on [DATE OF OFFENSE:] did store or keep a large capacity weapon or machine gun, as such terms are defined in G.L. c.140, §121, that was not secured in a locked container or equipped with a tamper-resistant mechanical lock or other safety device, properly engaged so as to render such weapon inoperable by any person other than the owner or other lawfully authorized user, in violation of G.L. c.140, §131L(a) & (b). (NO DISTRICT COURT FINAL JURISDICTION IN ADULT SESSION.)

140/131L/C **FIREARM, STORE IMPROP LARGE-CAPACITY NEAR MINOR** c140 §131L(a)&(d) (Effective 10/21/98)
on [DATE OF OFFENSE:] did store or keep a rifle or shotgun that was a large capacity weapon, firearm or machine gun, as such terms are defined in G.L. c.140, §121, that was not secured in a locked container or equipped with a tamper-resistant mechanical lock or other safety device, properly engaged so as to render such weapon inoperable by any person other than the owner or other lawfully authorized user, and that was stored or kept in a place where a person under the age of 18 might have access without committing an unforeseeable trespass, in violation of G.L. c.140, §131L(a) & (d). (NO DISTRICT COURT FINAL JURISDICTION IN ADULT SESSION.)

140/131L/D **RIFLE/SHOTGUN, STORE IMPROP NEAR MINOR** c140 §131L(a)&(c) (Effective 10/21/98)
on [DATE OF OFFENSE:] did store or keep a rifle or shotgun that was not a large capacity weapon, as such terms are defined in G.L. c.140, §121, that was not secured in a locked container or equipped with a tamper-resistant mechanical lock or other safety device, properly engaged so as to render such weapon inoperable by any person other than the owner or other lawfully authorized user, and that was stored or kept in a place where a person under the age of 18 who did not possess a valid firearm identification card issued under G.L. c.140, §129B might have access without committing an unforeseeable trespass, in violation of G.L. c.140, §131L(a) & (c). (NO DISTRICT COURT FINAL JURISDICTION IN ADULT SESSION.)

140/131M/A **ASSAULT WEAPON, SELL/POSSESS** c140 §131M (Effective 10/21/98)
on [DATE OF OFFENSE:], not being licensed under the provisions of G.L. c.140, §122, did sell, offer for sale, transfer or possess an assault weapon or a large capacity feeding device, as such terms are defined in G.L. c.140, §121, that was not otherwise lawfully possessed on September 13, 1994, in violation of G.L. c.140, §131M. (NO DISTRICT COURT FINAL JURISDICTION IN ADULT SESSION.)

140/131M/B **ASSAULT WEAPON, SELL/POSSESS, SUBSQ. OFF.** c140 §131M (Effective 10/21/98)
on [DATE OF OFFENSE:], not being licensed under the provisions of G.L. c.140, §122, did sell, offer for sale, transfer or possess an assault weapon or a large capacity feeding device, as such terms are defined in G.L. c.140, §121, that was not otherwise lawfully possessed on September 13, 1994, the defendant having previously been convicted of such an offense, in violation of G.L. c.140, §131M. (NO DISTRICT COURT FINAL JURISDICTION IN ADULT SESSION.)

140/131N/A **FIREARM, COVERT/UNDETECTABLE** c140 §131N (Effective 10/21/98)
on [DATE OF OFFENSE] did sell, offer for sale, transfer or possess a weapon, as defined in G.L. c.140, §121, capable of discharging a bullet or shot that was: (1) constructed in a shape that did not resemble a handgun, short-barreled rifle or short-barreled shotgun including, but not limited to, covert weapons

that resemble key-chains, pens, cigarette-lighters or cigarette-packages; or (2) not detectable as a weapon or potential weapon by x-ray machines commonly used at airports or walk-through metal detectors, in violation of G.L. c.140, §131N. (NO DISTRICT COURT FINAL JURISDICTION IN ADULT SESSION.)

140/131P/A **FIREARM SAFETY CERTIFICATE, FALSE INFO IN** c140 §131P(d) (Effective 10/21/98)
on **[DATE OF OFFENSE:]**, in applying for licensure under the provisions of G.L. c.140, did knowingly file or submit a basic firearms safety certificate to a licensing authority which contained false information, in violation of G.L. c.140, §131P(d). (PENALTY: house of correction not more than 2 years; or not less than \$1000, not more than \$5000; or both.)

140/131P/B **FIREARM SAFETY CERTIFICATE, IMPROP ISSUE** c140 §131P(e) (Effective 10/21/98)
on **[DATE OF OFFENSE:]**, being a firearms safety instructor, did knowingly issue a basic firearms safety certificate to a person who had not successfully completed a firearms safety course approved by the Colonel of the Department of State Police, in violation of G.L. c.140, §131P(e). (PENALTY: house of correction not more than 2 years; or not less than \$5000, not more than \$10,000; or both.)

140/137/A **DOG, FAIL LICENSE** c140 §137 (Effective 1/13/88)
on **[DATE OF OFFENSE:]** was the owner or keeper of a dog which he or she had failed to register, number, describe and license as required by G.L. c.140, §137, in violation of G.L. c.140, §137. (PENALTY from §141: forfeiture of not less than \$20.)

140/137/B **DOG, FAIL TAG** c140 §137 (Effective 1/13/88)
on **[DATE OF OFFENSE:]**, being the owner or keeper of a licensed dog, did fail to cause it to wear around its neck or body a collar or harness of leather or other suitable material, to which was securely attached a tag in a form prescribed by the Director of the Division of Accounts of the Department of Corporations and Taxation, and upon which appeared the license number, the name of the town issuing such license and the year of issue, in violation of G.L. c.140, §137. (PENALTY from §141: forfeiture of not less than \$20.)

140/137A/A **DOG KENNEL, UNLICENSED** c140 §137A (Effective 1/13/88)
on **[DATE OF OFFENSE:]** did maintain a kennel, as defined in G.L. c.140, §136A, without having in effect a kennel license, in violation of G.L. c.140, §137A. (PENALTY from §141: forfeiture of not less than \$20.)

140/137A/B **DOG, FAIL TAG KENNEL** c140 §137A (Effective 1/13/88)
on **[DATE OF OFFENSE:]**, being the holder of a kennel license, did fail to cause each dog kept therein to wear, while it was at large, a collar or harness of leather or other suitable material, to which was securely attached a tag in a form prescribed by the Director of the Division of Accounts of the Department of Corporations and Taxation, and upon which appeared the number of such kennel license, the name of the town issuing such license and the year of issue, in violation of G.L. c.140, §137A. (PENALTY from §141: forfeiture of not less than \$20.)

140/137B **DOG KENNEL LICENSING VIOLATION** c140 §137B (Effective 1/13/88)
on **[DATE OF OFFENSE:]**, being the holder of a kennel license: (1) upon delivering an unlicensed dog to a purchaser or other person, did fail to attach to such dog a collar or harness carrying a tag marked with the name and address of such kennel licensee, and a number which was properly recorded on the records of such licensee, and also to furnish to such person a certificate in the form required by G.L. c.140, §137B; or (2) did fail to notify the clerk of the municipality in which he or she was licensed that a purchaser or recipient of a dog from such kennel had failed within 2 weeks of the purchase or receipt of such dog, to return to such licensee a certificate signed by the clerk of the town where the dog was to be kept and certifying that the dog had been licensed, in violation of G.L. c.140, §137B. (PENALTY from §141: forfeiture of not less than \$20.)

140/137C **DOG KENNEL WITH REVOKED/SUSPENDED LIC** c140 §137C
on **[DATE OF OFFENSE:]** did maintain a kennel, as defined in G.L. c.140, §136A, after the license therefor had been revoked, or while such license was suspended, in violation of G.L. c.140, §137C. (PENALTY: not more than \$50.)

140/138 **DOG OWNERSHIP TRANSFER, FAIL NOTIFY OF** c140 §138 (Effective 1/13/88)
on **[DATE OF OFFENSE:]**, having become the owner or keeper of a dog which was duly licensed in the town where it was to be kept, did fail forthwith to give notice in writing to the clerk of such town, or if kept in Boston to the police commissioner, that he or she had become such owner or keeper, in violation of G.L. c.140, §138. (PENALTY from §141: forfeiture of not less than \$20.)

140/138A **DOG/CAT INOCULATION VIOLATION** c140 §138A (Effective 10/9/80)
on **[DATE OF OFFENSE:]**: (1) did bring or ship a dog or cat into this Commonwealth for commercial resale without having inoculated such animal against distemper not more than 30 nor less than 7 days before entry, accompanying such animal by an official health certificate issued by an accredited veterinarian, and sending a copy of such certificate to the Commissioner of Agriculture, or if such certificate was unavailable in the state of origin having a similar examination and certification made within 14 days of the animal's arrival in this Commonwealth; or (2) did fail to accompany dogs or cats purchased within this Commonwealth for resale by commercial establishments or pet shops by a health certificate issued by an accredited veterinarian; or (3) being a commercial establishment, pet shop, firm or corporation, did import into this Commonwealth for sale or resale in this Commonwealth a cat or dog less than eight weeks of age; or (4) having imported a dog or cat into this Commonwealth for resale, did fail to hold such dog or cat in isolation for a period of five days prior to offering for sale; or (5) being a commercial establishment, pet shop, firm or corporation, did sell a dog or cat within this Commonwealth that was not accompanied by a health record indicating dates and types of vaccine administered, in violation of G.L. c.140, §138A. (PENALTY: not less than \$50, not more than \$100; and Commissioner of Agriculture may revoke license.)

140/145B **DOG/CAT RABIES VACCINATION VIOLATION** c140 §145B (Effective 2/23/93)
on **[DATE OF OFFENSE:]**: (1) being the owner or keeper of a dog or cat in this Commonwealth six months of age or older, did fail to cause such dog or cat to be vaccinated against rabies by a licensed veterinarian using a licensed vaccine according to the manufacturer's directions, and to cause such dog or cat to be revaccinated at intervals recommended by the manufacturer; or (2) having acquired or moved into this Commonwealth an unvaccinated dog or cat, did fail to have it so vaccinated within 90 days after its acquisition or arrival into this Commonwealth or upon reaching the age of 6 months, whichever last occurred; or (3) being a veterinarian, did fail at the time of so vaccinating a dog or cat, to complete a certificate of rabies vaccination and to issue a tag in the form required by G.L. c.140, §145B; or (4) being the owner or keeper of a vaccinated dog, did fail to secure such tag to a collar or harness made of suitable material and worn by the dog; or (5) being the owner or keeper of a vaccinated cat, did fail either to secure such tag to a collar or harness made of suitable material and worn by the cat or to have such tag available for inspection by authorized persons; or (6) being an animal hospital, veterinarian's office or boarding facility, did accept a dog or cat without requiring its owner or keeper to show proof of current vaccination against rabies and without vaccinating such animal against rabies prior to being discharged, its medical condition so permitting, in violation of G.L. c.140, §145B. (PENALTY: not more than \$50.)

140/147 **DOG LICENSE VIOLATION BY OFFICIAL** c140 §147

on **[DATE OF OFFENSE:]**: (1) being the police commissioner of Boston or the clerk of some other city or town, did fail to make a record of each dog license issued, in such form as required by G.L. c.140, §147, and to make such books open to public inspection during usual office hours; or (2) being the police commissioner of Boston or the clerk of some other city or town, did fail to pay money received for dog licenses and tags into the municipal treasury as required by G.L. c.140, §147; or (3) being a city or town treasurer, did fail to pay into the appropriate county treasury the amount received on account of such licenses and not previously paid over; or (4) being a city or town clerk, other than in Suffolk county, did fail within 30 days next succeeding April first in each year, to return to the county all license books and tags furnished for the preceding license year, in violation of G.L. c.140, §147. (PENALTY: imprisonment not less than 1 month, not more than 1 year; or not less than \$50, not more than \$500; or both.)

140/147A **DOG ORDINANCE/BY-LAW VIOLATION** c140 §147A (Effective 12/27/85)
on **[DATE OF OFFENSE:]** did **[DESCRIPTION OF OFFENSE:]**, in violation of an ordinance or by-law of the city or town of **[NAME OF MUNICIPALITY:]** relative to the regulation of dogs and adopted pursuant to G.L. c.140, §147A.

140/147B **DOG REGULATION VIOLATION, COUNTY** c140 §147B (Effective 10/8/86)
on **[DATE OF OFFENSE:]** did **[DESCRIPTION OF OFFENSE:]**, in violation of a rule or regulation of the county of **[NAME OF COUNTY:]** relative to the regulation of dogs and adopted pursuant to G.L. c.140, §147B.

140/150 **DOG QUESTIONS, REFUSE ANSWER CENSUS** c140 §150
on **[DATE OF OFFENSE:]**, being an owner or keeper of a dog, did refuse to answer or did answer falsely questions about dogs owned by inhabitants that had been posed by a person directed or authorized by G.L. c.140, §150 to make a list of the owners of dogs, in violation of G.L. c.140, §150. (PENALTY: not less than \$10.)

140/151 **DOG OFFICER VIOLATION** c140 §151 (Effective 10/22/78)
on **[DATE OF OFFENSE:]**, being a dog officer: (1) was also a licensed animal dealer registered with the United States Department of Agriculture; or (2) did give, sell, or turn over an animal which had come into his or her custody to a business or institution licensed or registered as a research facility or animal dealer with the United States Department of Agriculture, in violation of G.L. c.140, §151. (PENALTY: not less than \$50, not more than \$200.)

140/157/A **DOG ORDER, DISOBEY** c140 §157 (Effective 1/31/86-3/3/96)
on **[DATE OF OFFENSE:]** did own or harbor a dog who was the subject of an unappealed order of the selectmen, chief of police, county commissioners, or district court, and did knowingly fail to comply with such order, in violation of G.L. c.140, §157. (PENALTY: imprisonment not more than 30 days; or not more than \$25; or both.)

140/157/A **DOG ORDER, DISOBEY** c140 §157 (Effective 3/4/96)
on **[DATE OF OFFENSE:]** did own or harbor a dog who was the subject of an order of the selectmen, the officer in charge of the animal commission or person charged with the responsibility of handling dog complaints of a city, or the county commissioners, and did knowingly fail to comply with such order, in violation of G.L. c.140, §157. (PENALTY: imprisonment not more than 30 days; or not more than \$25; or both.)

140/157/B **DOG ORDER, DISOBEY, SUBSQ. OFF.** c140 §157 (Effective 1/31/86-3/3/96)
on **[DATE OF OFFENSE:]** did own or harbor a dog who was the subject of an unappealed order of the selectmen, chief of police, county commissioners, or district court, and did knowingly fail to comply with such order, the defendant having previously been convicted of such an offense, in violation of G.L. c.140, §157. (PENALTY: imprisonment not more than 60 days; or not more than \$100; or both.)

140/157/B **DOG ORDER, DISOBEY, SUBSQ. OFF.** c140 §157 (Effective 3/4/96)
on **[DATE OF OFFENSE:]** did own or harbor a dog who was the subject of an order of the selectmen, the officer in charge of the animal commission or person charged with the responsibility of handling dog complaints of a city, or the county commissioners, and did knowingly fail to comply with such order, the defendant having previously been convicted of such an offense, in violation of G.L. c.140, §157. (PENALTY: imprisonment not more than 60 days; or not more than \$100; or both.)

140/164 **DOG, FAIL DESTROY/CONFINE** c140 §164
on **[DATE OF OFFENSE:]**, having received a notice from the aldermen or selectmen pursuant to G.L. c.140, §163 to kill or confine a dog owned or kept by him or her, did fail within 24 hours to kill such dog or thereafter to keep it on the premises or under the immediate restraint and control of some person, in violation of G.L. c.140, §164. (PENALTY: not more than \$25.)

140/168 **DOG, FAIL MUZZLE/RESTRAIN** c140 §168
on **[DATE OF OFFENSE:]**, having received a certified copy of a notice from the aldermen or selectmen pursuant to G.L. c.140, §167 to muzzle or restrain a dog owned or kept by him or her, did refuse or neglect for 12 hours thereafter to muzzle or restrain such dog as so required, in violation of G.L. c.140, §168. (PENALTY: not more than \$25.)

140/169 **DOG LAW, OFFICER FAIL ENFORCE** c140 §169
on **[DATE OF OFFENSE:]**, being a county, city or town officer, did refuse or wilfully neglect to perform the duties imposed upon him or her by the provisions of G.L. c.140 relating to dogs, in violation of G.L. c.140, §169. (PENALTY: not more than \$100.)

140/173 **DOG ORDINANCE/BY-LAW VIOLATION** c140 §173 (Effective 1/1/93)
on **[DATE OF OFFENSE:]** did **[DESCRIPTION OF OFFENSE:]**, in violation of an ordinance or by-law of the city or town of **[NAME OF MUNICIPALITY:]** relative to the licensing and restraining of dogs and adopted pursuant to G.L. c.140, §173. (PENALTY: as set by ordinance or by-law, but not more than \$50.)

140/174B **DOG UNLEASHED AT REST AREA** c140 §174B (Effective 6/15/72)
on **[DATE OF OFFENSE:]**, being the owner or keeper of a dog, did fail to restrain said dog by a chain or leash while in an officially designated public highway rest area, in violation of G.L. c.140, §174B. (PENALTY: not more than \$50.)

140/176 **STALLION BREEDING CERTIFICATE, FALSE** c140 §176
on **[DATE OF OFFENSE:]**, being the owner or keeper of a stallion for breeding purposes, did knowingly and wilfully make a false statement in a certificate filed pursuant to G.L. c.140, §176, in violation of G.L. c.140, §176. (PENALTY: \$100.)

140/178 **BILLIARDS/BOWLING/AMUSEMENT GAME, UNLIC** c140 §178 (Effective 12/24/81)
on **[DATE OF OFFENSE:]** did without a license issued pursuant to G.L. c.140, §178: (1) keep or suffer to be kept in a house, building, yard or dependency

thereof, actually occupied or owned by him or her, a table for the purpose of playing at billiards, pool or sippio, or a bowling alley or an automatic amusement device for hire, gain or reward; or (2) did for hire, gain or reward suffer a person to resort thereto for such purpose, in violation of G.L. c.140, §178. (PENALTY: forfeiture of not more than \$100.)

140/179/A **BILLIARDS/BOWLING, ADMIT MINOR TO** c140 §179
on [DATE OF OFFENSE:]: (1) being the keeper of a billiard, pool or sippio room or table, or place in which pictures were displayed upon the deposit of money in a coin controlled apparatus, did admit a minor under the age of eighteen thereto without the written consent of his or her parent or guardian; or (2) being the keeper of a bowling alley in which alcoholic beverages were sold, did admit thereto a minor under the age of sixteen without such consent, in violation of G.L. c.140, §179. (PENALTY: forfeiture of \$10.)

140/179/B **BILLIARDS/BOWLING, ADMIT MINOR TO, SUBSQ.** c140 §179
on [DATE OF OFFENSE:]: (1) being the keeper of a billiard, pool or sippio room or table, or place in which pictures were displayed upon the deposit of money in a coin controlled apparatus, did admit a minor under the age of eighteen thereto without the written consent of his or her parent or guardian; or (2) being the keeper of a bowling alley in which alcoholic beverages were sold, did admit thereto a minor under the age of sixteen without such consent, the defendant having previously been convicted of such an offense, in violation of G.L. c.140, §179. (PENALTY: forfeiture of \$20.)

140/180 **BOWLING ALLEY ZONING VIOLATION** c140 §180
on [DATE OF OFFENSE:] did erect, occupy or use a building for a bowling alley, other than in such part of a town as the aldermen or selectmen had ordered, in violation of G.L. c.140, §180. (PENALTY: forfeiture not more than \$50.)

140/180B **THEATRICAL AGENT, UNLICENSED** c140 §180B (Effective 12/21/60)
on [DATE OF OFFENSE:]: (1) did act as a booking agent, personal agent or actor's manager, or did engage, directly or indirectly, in the business of acting as an agent in the employment of persons for a theatrical engagement in this Commonwealth without having obtained a license from the Commissioner of Public Safety; or (2) being so licensed, did fail to maintain one or more offices in this Commonwealth, in violation of G.L. c.140, §180B. (PENALTY: imprisonment not more than 1 year; or not more than \$500; or both.)

140/181A **ENTERTAINER FAIL FILE STAGE-NAME CERTIF** c140 §181A (Effective 6/27/61)
on [DATE OF OFFENSE:]: for compensation, did appear in a public exhibition, public show, public amusement or other public performance under an assumed name without having filed with the Commissioner of Public Safety on a form prescribed by him or her a statement under the penalties of perjury containing the defendant's true name, legal address and assumed name, in violation of G.L. c.140, §181A. (PENALTY: not more than \$100.)

140/181B **ENTERTAINMENT FAIL POST PRICE LIST** c140 §181B
on [DATE OF OFFENSE:]: being the manager of a traveling circus, carnival or other entertainment which members of the general public were invited to attend and view, did fail to cause a complete schedule of the prices for admission to the same, and for seating or other necessary accommodations for its patrons, to be posted, in letters at least one inch high, in a conspicuous place at every box office, ticket booth or other location at which tickets or tokens for such admission were offered for sale, in violation of G.L. c.140, §181B. (PENALTY: not more than \$50.)

140/182/A **ENTERTAINMENT, UNLICENSED** c140 §182 (Effective 7/3/79)
on [DATE OF OFFENSE:] did offer to view, or did set up, set on foot, maintain, carry on, publish or otherwise assist in or promote a theatrical exhibition, public show or amusement that had not been licensed pursuant to G.L. c.140, §181, in violation of G.L. c.140, §182. (PENALTY: \$50 per day of violation.)

140/182/B **ENTERTAINMENT, UNLICENSED, 2ND OFF.** c140 §182 (Effective 7/3/79)
on [DATE OF OFFENSE:] did offer to view, or did set up, set on foot, maintain, carry on, publish or otherwise assist in or promote a theatrical exhibition, public show or amusement that had not been licensed pursuant to G.L. c.140, §181, the defendant having previously been convicted of such an offense, in violation of G.L. c.140, §182. (PENALTY: \$100 per day of violation.)

140/182/C **ENTERTAINMENT, UNLICENSED, 3RD OFF.** c140 §182 (Effective 7/3/79)
on [DATE OF OFFENSE:] did offer to view, or did set up, set on foot, maintain, carry on, publish or otherwise assist in or promote a theatrical exhibition, public show or amusement that had not been licensed pursuant to G.L. c.140, §181, the defendant having previously been twice convicted of such an offense, in violation of G.L. c.140, §182. (PENALTY: \$500 per day of violation.)

140/182/D **ENTERTAINMENT, UNLICENSED, 4TH OFF.** c140 §182 (Effective 7/3/79)
on [DATE OF OFFENSE:] did offer to view, or did set up, set on foot, maintain, carry on, publish or otherwise assist in or promote a theatrical exhibition, public show or amusement that had not been licensed pursuant to G.L. c.140, §181, the defendant having previously been three times convicted of such an offense, in violation of G.L. c.140, §182. (PENALTY: \$1000 per day of violation.)

140/182/E **ENTERTAINMENT, UNLICENSED, 5TH OFF.** c140 §182 (Effective 7/3/79)
on [DATE OF OFFENSE:] did offer to view, or did set up, set on foot, maintain, carry on, publish or otherwise assist in or promote a theatrical exhibition, public show or amusement that had not been licensed pursuant to G.L. c.140, §181, the defendant having previously been four times convicted of such an offense, in violation of G.L. c.140, §182. (PENALTY: \$5000 per day of violation.)

140/182A **ENTERTAINMENT TICKET WITHOUT PRICE** c140 §182A
on [DATE OF OFFENSE:] did issue or cause to be issued a ticket of admission or other evidence of right of entry to a theatrical exhibition, public show or public amusement or exhibition required to be licensed by G.L. c.140, §181-§182, for admission to which a price is charged, and that failed to bear on its face the price charged for such ticket or other evidence of right of entry, in violation of G.L. c.140, §182A. (PENALTY: not more than \$500.)

140/183 **DANCE HALL, DARKENED** c140 §183
on [DATE OF OFFENSE:]: (1) did darken in whole or in part the hall, room, piazza, roof garden or other place in which a public dance required to be licensed under G.L. c.140, §181 was held, or a stairway, anteroom or passageway connected therewith, during the progress of a dance therein or before all persons except the proprietor and his or her employees had withdrawn from the premises, below the degree of light required by regulation of the Commissioner of Public Safety; or (2) did fail conspicuously to post copies of G.L. c.140, §183 and such regulation of the Commissioner of Public Safety in such place, in violation of G.L. c.140, §183. (PENALTY: not less than \$100, not more than \$1000.)

140/183C **CABARET ENTERTAINMENT, UNLICENSED** c140 §183C
on [DATE OF OFFENSE:]: (1) being an innholder, common victualler, keeper of a tavern, or person owning, managing, or controlling a club, restaurant or

other establishment required to be licensed under G.L. c.138, §12 or G.L. c.140, §2, §21A or §21, did as part of its usual business offer to view, set up, set on foot, maintain or carry on a concert, dance exhibition, cabaret or public show for which a license had not been issued by the licensing authorities pursuant to G.L. c.140, §181; or (2) being a holder of such a license did violate a condition thereof, in violation of G.L. c.140, §183C. (PENALTY: imprisonment not more than 1 year; and not more than \$1000; or both. CLERK-MAGISTRATE MUST REPORT CONVICTION OF A CORPORATE DEFENDANT TO THE SECRETARY OF STATE, who shall revoke corporate charter.)

140/183D **COVER CHARGE VIOLATION** c140 §183D (Effective 1/26/86)
on [DATE OF OFFENSE:], being an innholder, common victualler or person owning, managing or controlling a cafe, restaurant, or other eating or drinking establishment: (1) did require a person to pay a minimum charge or cover charge, no sign having been conspicuously posted at every entrance to the dining room or rooms where such charge was required, in letters no less than one inch in height, stating that a minimum charge or cover charge would be charged and the amount of such charge; or (2) did require a person under 13 years of age to pay such a minimum charge or cover charge, in violation of G.L. c.140, §183D. (PENALTY: not more than \$50.)

140/184 **CABARET ENTERTAINMENT WITH LIQUOR, UNLIC** c140 §184
on [DATE OF OFFENSE:] did offer to view, did set up, set on foot, maintain or carry on a theatrical exhibition, public show, concert or dance hall exhibition that had not been duly licensed pursuant to G.L. c.140, §181, and at which alcoholic beverages, as defined in G.L. c.138, §1, were sold or exposed for sale with the consent of those who got up, set on foot or otherwise promoted such exhibition or show, in violation of G.L. c.140, §184. (PENALTY: imprisonment not more than 2 years; or not more than \$500.)

140/185A/A **TICKET RESALE BY OWNER** c140 §185A
on [DATE OF OFFENSE:] did engage in or have an interest in a business that resold a ticket or tickets of admission or other evidence of right of entry to a theatrical exhibition, public show or public amusement or exhibition, in the conduct of which were resold a ticket or tickets of admission or other evidence or evidences of right of entry to any theatrical exhibition, public show or public amusement or exhibition of which he or she was the owner or in which he or she had some interest, in violation of G.L. c.140, §185A. (PENALTY from §185F: not more than \$500.)

140/185A/B **TICKET RESALE BY OWNER, 3RD OFF.** c140 §185A (Effective 11/4/69)
on [DATE OF OFFENSE:] did engage in or have an interest in a business that resold a ticket or tickets of admission or other evidence of right of entry to a theatrical exhibition, public show or public amusement or exhibition, in the conduct of which were resold a ticket or tickets of admission or other evidence or evidences of right of entry to any theatrical exhibition, public show or public amusement or exhibition of which he or she was the owner or in which he or she had some interest, the defendant having previously been twice convicted of such an offense, in violation of G.L. c.140, §185A. (PENALTY from §185F: jail or house of correction not more than 1 year; and not more than \$500.)

140/185A/C **TICKET RESALE, UNLICENSED** c140 §185A
on [DATE OF OFFENSE:] did engage in the business of reselling a ticket or tickets of admission or other evidence of right of entry to a theatrical exhibition, public show or public amusement or exhibition required to be licensed under G.L. c.140, §181-§182 or under c.128A, without being licensed therefor by the Commissioner of Public Safety, in violation of G.L. c.140, §185A. (PENALTY from §185F: not more than \$500.)

140/185A/D **TICKET RESALE, UNLICENSED, 3RD OFF.** c140 §185A (Effective 11/4/69)
on [DATE OF OFFENSE:] did engage in the business of reselling a ticket or tickets of admission or other evidence of right of entry to a theatrical exhibition, public show or public amusement or exhibition required to be licensed under G.L. c.140, §181-§182 or under c.128A, without being licensed therefor by the Commissioner of Public Safety, the defendant having previously been twice convicted of such an offense, in violation of G.L. c.140, §185A. (PENALTY from §185F: jail or house of correction not more than 1 year; and not more than \$500.)

140/185D/A **TICKET SCALPING** c140 §185D (Effective 10/10/80)
on [DATE OF OFFENSE:], being licensed under G.L. c.140, §185A, did resell a ticket or other evidence of right of entry to a theatrical exhibition, public show or public amusement or exhibition at a price in excess of \$2 in advance of the price printed on the face of such ticket or other evidence of right of entry as the purchase price thereof, the excess over such maximum not being solely attributable to service charges, as defined in G.L. c.140, §185D, in violation of G.L. c.140, §185D. (PENALTY from §185F: not more than \$500.)

140/185D/B **TICKET SCALPING, 3RD OFF.** c140 §185D (Effective 10/10/80)
on [DATE OF OFFENSE:], being licensed under G.L. c.140, §185A, did resell a ticket or other evidence of right of entry to a theatrical exhibition, public show or public amusement or exhibition at a price in excess of \$2 in advance of the price printed on the face of such ticket or other evidence of right of entry as the purchase price thereof, the excess over such maximum not being solely attributable to service charges, as defined in G.L. c.140, §185D, in violation of G.L. c.140, §185D. (PENALTY from §185F: jail or house of correction not more than 1 year; and not more than \$500.)

140/185E/A **TICKET RESALE REGUL VIOLATION** c140 §185E
on [DATE OF OFFENSE:] did [DESCRIPTION OF OFFENSE:], in violation of a rule or regulation of the Commissioner of Public Safety relative to the granting of licenses and the business carried on by persons licensed under G.L. c.140, §185A, 520 Code Mass. Regs. §8.01, adopted pursuant to G.L. c.140, §185E. (PENALTY from §185F: not more than \$500.)

140/185E/B **TICKET RESALE REGUL VIOLATION, 3RD OFF.** c140 §185E (Effective 11/4/69)
on [DATE OF OFFENSE:] did [DESCRIPTION OF OFFENSE:], in violation of a rule or regulation of the Commissioner of Public Safety relative to the granting of licenses and the business carried on by persons licensed under G.L. c.140, §185A, 520 Code Mass. Regs. §8.01, adopted pursuant to G.L. c.140, §185E, the defendant having previously been twice convicted of such an offense. (PENALTY from §185F: jail or house of correction not more than 1 year; and not more than \$500.)

140/185H **DANCING SCHOOL, UNLICENSED** c140 §185H
on [DATE OF OFFENSE:], in Boston or in some other city or town which had accepted the provisions of G.L. c.140, §185H, did conduct a dancing school without being authorized so to do by a license in full force and effect, in violation of G.L. c.140, §185H. (PENALTY: not more than \$100.)

140/185I **FORTUNE TELLING, UNLICENSED** c140 §185I (Effective 7/2/63)
on [DATE OF OFFENSE:] did tell fortunes for money without a license therefor having been issued by the local licensing authority, in violation of G.L. c.140, §185I. (PENALTY: not more than \$100.)

140/187 **SKATING RINK, UNLICENSED** c140 §187

on **[DATE OF OFFENSE:]** did establish, keep open or maintain a skating rink to be used for roller skating, carousals, inclined railways, Ferris wheels and outdoor exhibitions of fire fighting for the amusement of the public, in violation of G.L. c.140, §187. (PENALTY: not more than \$500.)

140/188 **PICNIC GROVE, UNLICENSED** c140 §188

on **[DATE OF OFFENSE:]**, in a city or town which had accepted the provisions of G.L. c.140, §188-§190 or corresponding provisions of earlier laws, did establish, let, keep open or maintain a grove to be used for picnics or other amusements for hire, gain or reward without having a license to do so, in violation of G.L. c.140, §188. (PENALTY: not more than \$100.)

140/190 **PEDDLING NEAR PICNIC GROVE** c140 §190

on **[DATE OF OFFENSE:]**, in a city or town which had accepted the provisions of G.L. c.140, §188-§190 or corresponding provisions of earlier laws, not having his or her residence or regular place of business within one-half mile of a grove licensed under G.L. c.140, §188, during the time of holding a picnic or other lawful gathering in such licensed grove and within one half mile thereof: (1) did hawk or peddle goods, wares or merchandise; or (2) did establish or maintain a tent, booth, vehicle or building for vending provisions or refreshments without the consent of the licensee of such grove; or (3) did engage in gaming or horse racing; or (4) did exhibit or offer to exhibit a show or play, in violation of G.L. c.140, §190. (PENALTY: forfeiture of not more than \$20.)

140/193 **STEAMBOAT, UNLICENSED** c140 §193

on **[DATE OF OFFENSE:]** did run a steamboat or other boat propelled by power other than muscular power for the conveyance of passengers for hire on lakes, ponds or waters not within the maritime jurisdiction of the United States without having a license to do so from the aldermen of every city and the selectmen of every town within which such steamboat or other boat landed or received passengers for hire, in violation of G.L. c.140, §193. (PENALTY: not more than \$50.)

140/196 **BOAT RENTAL, UNLICENSED** c140 §196

on **[DATE OF OFFENSE:]**, in a city or town which had accepted G.L. c.140, §194-§196, did engage in the business of renting boats or bathing suits, for use upon or in so much of the waters of a great pond as was situated within such town, without having a license so to do from the aldermen or selectmen, in violation of G.L. c.140, §196. (PENALTY: not more than \$10.)

140/197 **ENTERTAINMENT, ADMIT CHILD TO** c140 §197

(Effective 1/1/74)

on **[DATE OF OFFENSE:]** did personally or by a servant or agent, admit to a licensed show or place of amusement a child under fourteen who was not accompanied by a person who had attained the age of eighteen, not being excepted by law, in violation of G.L. c.140, §197. (PENALTY: not more than \$100.)

140/198 **DANCE HALL, ADMIT CHILD TO** c140 §198

on **[DATE OF OFFENSE:]**, being the proprietor, lessee, manager, or an employee of a public hall or room in which dancing was practiced, and for admission to which money or other valuable thing was accepted, did admit, while dancing was practiced therein between 6 p.m. and 6 a.m. a person 15 years of age or under who was not accompanied by a parent, guardian or adult member of the family with whom such person is residing, in violation of G.L. c.140, §198. (PENALTY from \$200: not less than \$5, not more than \$100; or forfeiture of license; or both.)

140/199 **DANCE HALL FAIL POST STATUTE** c140 §199

on **[DATE OF OFFENSE:]**, being the proprietor, lessee or manager of a public hall or room in which dancing was practiced, did fail to post a copy of G.L. c.140, §198-§200 at the entrance of such hall or room, in violation of G.L. c.140, §199. (PENALTY from \$200: not less than \$5, not more than \$100; or forfeiture of license; or both.)

140/201 **POLICE OFFICER FROM LIC PREMISES, HINDER** c140 §201

on **[DATE OF OFFENSE:]** did obstruct or hinder the entrance of a sheriff, marshal or their deputy, a constable or police officer from entering a billiard, pool or sippio room, bowling alley, skating rink, the licensed premises of a common victualler or room connected therewith, or a picnic grove required to be licensed under G.L. c.140, §188 or a building therein, for the purpose of enforcing some, in violation of G.L. c.140, §201. (PENALTY: not less than \$5, not more than \$20.)

140/205A **TRAVELING AMUSEMENT SHOW VIOLATION** c140 §205A

(Effective 1/27/88-5/28/02)

on **[DATE OF OFFENSE:]** personally or through an agent did operate or cause to be operated a ferris wheel, carousel, inclined railway or similar amusement device, other than in an amusement park of a permanent nature, and did **[DESCRIPTION OF OFFENSE:]**, in violation of G.L. c.140, §205A. (PENALTY: imprisonment not more than 1 year; or not more than \$1000; or both.)

140/205A **AMUSEMENT PARK VIOLATION** c140 §205A

(Effective 5/29/02)

on **[DATE OF OFFENSE:]** did, individually or through an agent, operate an amusement device, as defined in G.L. c.140, §205A, and did **[DESCRIPTION OF OFFENSE:]**, in violation of G.L. c.140, §205A. (PENALTY: imprisonment not more than 1 year; or not more than \$1000; or both.)

140/206 **POOL VIOLATION, OUTDOOR** c140 §206

(Effective 2/9/90)

on **[DATE OF OFFENSE:]**, being the owner or manager of a public or semipublic outdoor inground swimming pool: (1) did fail to enclose such pool by a fence 6 feet in height and firmly secured at ground level, constructed of such material and maintained so as not to permit any opening in such enclosure, other than a gate, wider than three inches at any point along the enclosure; or (2) did have in such enclosure a gate that was not self-latching with latches placed four feet above the ground or otherwise made inaccessible from the outside to children up to eight years of age; or (3) that was not equipped with at least one life ring and a rescue hook; or (4) that was open to the public and was not drained or covered within seven days of closing, not be excepted by law, in violation of G.L. c.140, §206. (PENALTY: not more than \$1000.)

140B/6 **JUNKYARD INSPECTION, OBSTRUCT** c140B §6

(Effective 12/8/67)

on **[DATE OF OFFENSE:]**: (1) being a licensee under G.L. c.140, §54 or §59 or other person in charged of such a licensed premises, did refuse to allow the Commissioner of the Department of Highways or his or her authorized agent to enter such premises; or (2) did wilfully hinder, obstruct or prevent such Commissioner or his or her authorized agent from entering such premises or from making the examination authorized by G.L. c.140B, §5, in violation of G.L. c.140B, §6. (PENALTY: not more than \$200.)

140B/8/A **JUNKYARD VIOLATION** c140B §8

(Effective 12/8/67)

on **[DATE OF OFFENSE:]** did operate or maintain a junkyard in violation of the provisions of G.L. c.140B, to wit: **[DESCRIPTION OF OFFENSE:]**, in violation of G.L. c.140B, §8. (PENALTY: imprisonment not less than 10 days, not more than 30 days; or not less than \$50, not more than \$100; or both.)

140B/8/B **JUNKYARD VIOLATION, SUBSQ. OFF.** c140B §8

(Effective 12/8/67)

on **[DATE OF OFFENSE:]** did operate or maintain a junkyard in violation of the provisions of G.L. c.140B, to wit: **[DESCRIPTION OF OFFENSE:]**, the defendant having previously been convicted of such an offense, in violation of G.L. c.140B, §8. (PENALTY: imprisonment not less than 30 days, not more than 6 months; or not less than \$100, not more than \$500; or both.)

140D/31 **CONSUMER CREDIT COST DISCLOSURE VIOL** c140D §31 (Effective 12/24/81)

on **[DATE OF OFFENSE:]** did willfully and knowingly: (1) give false or inaccurate information or fail to provide information which he or she was required to disclose under the provisions of G.L. c.140D or a regulation issued thereunder; or (2) did use a chart or table authorized under G.L. c.140D, §5 by the Commissioner of Banks or the board of governors of the Federal Reserve System in such a manner as to consistently understate the annual percentage rate determined under §5(a)(1)(A); or (3) did otherwise fail to comply with a requirement imposed by G.L. c.140D or a rule or regulation issued thereunder, in violation of G.L. c.140D, §31. (PENALTY: imprisonment not more than 1 year; or not more than \$5000; or both.)

141/5/A **ELECTRICIAN, UNLICENSED** c141 §5

on **[DATE OF OFFENSE:]** did enter upon or engage in the business or occupation of installing wires, conduits, apparatus, devices, fixtures, or other appliances for carrying or using electricity for light, heat, power, fire warning or security system purposes, without having been licensed to do so by the State Examiners of Electricians in accordance with G.L. c.141 or, with respect to security systems, without also having been licensed by the Commissioner of Public Safety pursuant to G.L. c.147, §57-§61, not being excepted by law, in violation of G.L. c.141, §5. (PENALTY: not less than \$10, not more than \$100.)

141/5/B **ELECTRICIAN, UNLICENSED, SUBSQ. OFF.** c141 §5

on **[DATE OF OFFENSE:]** did enter upon or engage in the business or occupation of installing wires, conduits, apparatus, devices, fixtures, or other appliances for carrying or using electricity for light, heat, power, fire warning or security system purposes, without having been licensed to do so by the State Examiners of Electricians in accordance with G.L. c.141 or, with respect to security systems, without also having been licensed by the Commissioner of Public Safety pursuant to G.L. c.147, §57-§61, the defendant having previously been convicted of such an offense, not being excepted by law, in violation of G.L. c.141, §5. (PENALTY: house of correction for 6 months; or not less than \$50, not more than \$500; or both.)

142/16/A **PLUMBER, UNLICENSED** c142 §16

(Effective 1/4/86)

on **[DATE OF OFFENSE:]** did engage in the business of a master plumber or a master gas fitter, or did work as a journeyman plumber, journeyman gas fitter, apprentice gas fitter, apprentice plumber, undiluted liquefied petroleum gas installer, or limited undiluted liquefied petroleum gas installer without being lawfully registered or licensed to do so as required by G.L. c.142, in violation of G.L. c.142, §16. (PENALTY: not more than \$100.)

142/16/B **PLUMBING VIOLATION** c142 §16

(Effective 1/4/86)

on **[DATE OF OFFENSE:]**: (1) did engage in or work at the business of plumbing or gas fitting in a city or town when forbidden to do so under G.L. c.142, §7; or (2) being a master plumber or master gas fitter, did engage or employ a person to work as a journeyman or apprentice who had not been so licensed; or (3) being licensed as a master plumber or a master gas fitter, journeyman plumber, journeyman gas fitter, apprentice gas fitter, apprentice plumber, undiluted liquefied petroleum gas installer, or limited undiluted liquefied petroleum gas installer, did violate a provision of G.L. c.142, §1-§15 or an ordinance, by-law, rule or regulation made thereunder, in violation of G.L. c.142, §16. (PENALTY: not more than \$100.)

142/17 **HOT WATER TANK, IMPROPERLY MARKED** c142 §17

(Effective 10/28/55)

on **[DATE OF OFFENSE:]** did sell or offer for sale a range boiler, tank, vessel or container in which water was to be heated or stored under pressure for domestic, culinary or sanitary purposes, that was not plainly marked by the manufacturer, by stamping into the metal of the tank, or on a metal plate permanently attached to the tank, in a conspicuous place, the information required by G.L. c.142, §17, not being excepted by law, in violation of G.L. c.142, §17. (PENALTY from §22: not more than \$50.)

142/18 **HOT WATER TANK, IMPROPERLY MADE** c142 §18

on **[DATE OF OFFENSE:]** did repair, relocate or install and connect a range boiler, tank, vessel or container in which water was to be heated or stored under pressure for domestic, culinary or sanitary purposes, that did not meet all of the construction requirements specified in G.L. c.142, §18, in violation of G.L. c.142, §18. (PENALTY from §22: not more than \$50.)

142/19 **HOT WATER TANK SAFETY DEVICE, IMPROPER** c142 §19

on **[DATE OF OFFENSE:]** did install and connect a range boiler, tank, vessel or container in which water was to be heated or stored under pressure for domestic, culinary or sanitary purposes, that was not protected with safety devices as required by G.L. c.142, §19, in violation of G.L. c.142, §19. (PENALTY from §22: not more than \$50.)

142A/19/A **HOME IMPROVEMENT CONTRACTOR VIOLATION** c142A §19

(Effective 7/1/92)

on **[DATE OF OFFENSE:]** did knowingly and willfully **[DESCRIPTION OF OFFENSE:]**, contrary to a provision of G.L. c.142A, § **[SECTION OF c. 142A VIOLATED]**, and in violation of G.L. c.142A, §19. (PENALTY: imprisonment not more than 1 year; or not more than \$2000; or both.)

142A/19/B **HOME IMPROVEMENT CONTRACTOR, UNLICENSED** c142A §19

(Effective 7/1/92)

on **[DATE OF OFFENSE:]**, being a contractor or subcontractor, as defined in G.L. c.142A, §19: (1) did knowingly, willfully, or negligently operate without obtaining a certificate of registration as required by G.L. c.142A, not being excepted by law; or (2) did continue to operate after revocation of or during suspension of, or did fail to renew such certificate of registration, in violation of G.L. c.142A, §19. (PENALTY: imprisonment not more than 2 years; or not more than \$5000; or both.)

143/3L **ELECTRICAL WIRING PERMIT, FAIL APPLY FOR** c143 §3L

(Effective 3/22/94)

on **[DATE OF OFFENSE:]** did install for hire electrical wiring or fixtures used for light, heat and power purposes in a building or structure subject to the provisions of G.L. c.143, §3-§60 and the state building code, without first or within five days after commencing the work having given notice to the inspector of wires appointed pursuant to the provisions of G.L. c.166, §32 by mailing or delivering a permit application form to such inspector, in violation of G.L. c.143, §3L. (PENALTY: not more than \$500.)

143/3N **GAS FITTING IN BOSTON WITHOUT PERMIT** c143 §3N

(Effective 10/28/60)

on **[DATE OF OFFENSE:]** did engage in gas fitting in the city of Boston without having first made application to the building commissioner of such city and obtaining a permit therefor in accordance with the state building code, in violation of G.L. c.143, §3N. (PENALTY: not more than \$500.)

143/3R **APARTMENT HOUSE DOOR, IMPROPER** c143 §3R

(Effective 8/15/69)

on **[DATE OF OFFENSE:]**, being in control of an apartment house having more than three apartments, willfully and knowingly: (1) did fail to have at least one of the doors of the main common entryway to such apartment house so designed or equipped as to close and lock automatically with a lock, including a lock

with an electrically-operated striker mechanism, a self-closing door and associated equipment, of a type approved by the state Board of Building Regulations and Standards; or (2) did fail to have every door of the main common entryway and every exterior door into every such apartment house, other than the door of such main common entryway described in (1) above, equipped with a lock of a type approved by such Board, not being exempted from such requirement, in violation of G.L. c.143, §3R. (PENALTY: not more than \$500.)

143/3S APARTMENT HOUSE OWNER, FAIL POST NAME OF c143 §3S (Effective 6/23/72)
on **[DATE OF OFFENSE:]**, being an owner of a dwelling which was rented for residential use, who did not reside therein and who did not employ a manager or agent for such dwelling who resided therein, did fail to post and maintain or cause to be posted and maintained on such dwelling adjacent to the mailboxes for such dwelling or elsewhere in the interior of such dwelling in a location visible to the residents a notice, not less than twenty square inches in size, bearing his or her name, address and telephone number as required by G.L. c.143, §3S and, if such owner employed a manager or agent who did not reside in such dwelling, the name, address and telephone number of such agent, in violation of G.L. c.143, §3S. (PENALTY: not more than \$50 per day of violation.)

143/3V SAFETY GLASS, FAIL USE c143 §3V (Effective 1/1/73)
on **[DATE OF OFFENSE:]** did knowingly sell, fabricate, assemble, glaze, install, or consent or cause to be installed glazing materials other than safety glazing materials in, or for use in, any hazardous location, as such terms are defined in G.L. c.143, §3T, in violation of G.L. c.143, §3V. (PENALTY: jail or house of correction not more than 1 year; or not less than \$500, not more than \$10,000; or both.)

143/9 DANGEROUS STRUCTURE, FAIL REMOVE/SECURE c143 §9 (Effective 7/1/92)
beginning on **[FIRST DATE OF OFFENSE:]** and continuing through **[LAST DATE OF OFFENSE:]**, being the owner, lessee or mortgagee in possession of a structure, and having been notified in writing by the local building inspector to remove such structure or to make it safe or secure pursuant to G.L. c.143, §6 within the time limits permitted by §7, did refuse or neglect to comply with the requirements of such notice and to take down or make safe such structure as therein ordered, in violation of G.L. c.143, §9. (PENALTY per day of violation: not less than \$100.)

143/22 EXIT/FIRE ESCAPE, OBSTRUCT c143 §22
on **[DATE OF OFFENSE:]**, being the owner, lessee, tenant or occupant of a building, did maintain or permit to remain upon a fire escape or outside means of egress of such building some article for more than twenty minutes, in violation of G.L. c.143, §22. (PENALTY: not more than \$100.)

143/23 STAIRWAY, OBSTRUCT c143 §23
on **[DATE OF OFFENSE:]** did permit some article to remain in a stairway of a building in such a manner as might impede the egress of any person lawfully in such building or the ingress of any person lawfully entitled to enter such building, in violation of G.L. c.143, §23. (PENALTY: not more than \$500.)

143/50 BUILDING INSPECTOR, OBSTRUCT c143 §50 (Effective 1/1/75)
on **[DATE OF OFFENSE:]** did hinder or prevent or attempt to prevent the Commissioner of Public Safety, the Chief of Inspections of the Department of Public Safety or an inspector or local inspector from entering a building, structure or enclosure or part thereof in the performance of his or her duty in the enforcement of the laws of this Commonwealth relating thereto, in violation of G.L. c.143, §50. (PENALTY: not less than \$50, not more than \$100.)

143/62 ELEVATOR, INSTALL UNAPPROVED c143 §62 (Effective 1/1/87)
on **[DATE OF OFFENSE:]**, did install or alter an elevator or moving stairway on premises owned by such defendant without having filed a copy of the plans and specifications of such elevator or of the proposed alterations, and received a certificate of approval or a specification of requirements from the Commissioner of Public Safety, in violation of G.L. c.143, §62. (PENALTY from §71: not more than \$500.)

143/64 ELEVATOR, UNINSPECTED c143 §64 (Effective 11/5/63)
on **[DATE OF OFFENSE:]**, being the owner or person in control of a building in which an elevator was located, did fail to arrange for an inspection and practical test of such elevator by a licensed elevator construction man, maintenance or repairman in the presence of an inspector assigned by the Commissioner of Public Safety, within six months from the time of notice from such an inspector, in violation of G.L. c.143, §64. (PENALTY from §71: not more than \$500.)

143/65/A ELEVATOR INSPECTION CERTIFICATE, FL POST c143 §65
on **[DATE OF OFFENSE:]**, being the owner or person in control of an elevator, did fail to post in a conspicuous place in or near the cab or car of such elevator the certificate of the inspector assigned by the Commissioner of Public Safety that such elevator had been constructed in the manner required by law or by the regulations of the Board of Elevator Regulations or the state building code, in violation of G.L. c.143, §65. (PENALTY from §71: not more than \$500.)

143/65/B ELEVATOR, OPERATE UNSAFE c143 §65
on **[DATE OF OFFENSE:]**: (1) did operate an elevator knowing that an inspector assigned by the Commissioner of Public Safety had posted a notice of its dangerous condition, and had prohibited its use until it had been made safe to the satisfaction of such inspector, and prior to the issuance of a certificate that such dangerous condition had been corrected; or (2) did remove such notice from such an elevator, in violation of G.L. c.143, §65. (PENALTY from §71: not more than \$500.)

143/66 ELEVATOR ACCIDENT/DEFECT, FAIL REPORT c143 §66 (Effective 7/8/70)
on **[DATE OF OFFENSE:]**: (1) being an owner, operator or person in charge of an elevator or a person employed to inspect, repair or install an elevator, did fail immediately to make a written report to an inspector assigned by the Commissioner of Public Safety upon the occurrence of an accident during such installation or repair, or upon thinking that such elevator was unsafe; or (2) being an operator, person in charge or owner of an elevator who had knowledge that an accident had occurred to such elevator, did fail immediately to report such accident to an inspector assigned by such Commissioner, in violation of G.L. c.143, §66. (PENALTY from §71: not more than \$500.)

143/68 ELEVATOR REGULATIONS VIOLATION c143 §68 or §69
on **[DATE OF OFFENSE:]** did **[DESCRIPTION OF OFFENSE:]**, in violation of a regulation of the Board of Elevator Regulations adopted pursuant to G.L. c.143, §68 or §69. (PENALTY from §71: not more than \$500.)

143/71D ELEVATOR REPAIR PERSON, UNLICENSED c143 §71D (Effective 9/19/80)
on **[DATE OF OFFENSE:]** did work as a constructor, maintenance person and repair person in the construction, maintenance or repair of elevators without a license, or during the suspension thereof, or without a temporary license, in violation of G.L. c.143, §71D. (PENALTY: not less than \$500, not more than \$1000.)

143/71J TRAMWAY REGULATIONS VIOLATION c143 §71J (Effective 7/17/78)

on **[DATE OF OFFENSE:]** did **[DESCRIPTION OF OFFENSE:]**, in violation of a regulation of the Recreational Tramway Board adopted pursuant to G.L. c.143, §71J. (PENALTY from §71R: not more than \$200.)

143/71K/A TRAMWAY WITH SUSP LICENSE, RECREATIONAL c143 §71K
beginning on **[FIRST DATE OF OFFENSE:]** and continuing through **[LAST DATE OF OFFENSE:]** did operate a recreational tramway after the license issued therefor by the Recreational Tramway Board had been suspended or revoked, in violation of G.L. c.143, §71K. (PENALTY from §71R for each day of such operation: \$100.)

143/71K/B TRAMWAY, UNLICENSED RECREATIONAL c143 §71K (Effective 7/17/78)
on **[DATE OF OFFENSE:]** did operate a recreational tramway for which no license from the Recreational Tramway Board had been issued, in violation of G.L. c.143, §71K. (PENALTY from §71R: not more than \$200.)

143/71N SKI AREA OPERATOR VIOLATION c143 §71N (Effective 7/17/78)
on **[DATE OF OFFENSE:]**, being a ski area operator: (1) when maintenance or snow-making equipment was being employed on a ski slope or trail open to the public, did fail conspicuously to place or cause to be placed a notice at or near the top of such slope or trail, giving reasonable notice that such equipment was being so employed, and of the location and proximity of such equipment; or (2) did fail to mark and identify, and furnish with flashing or rotating lights, all trail maintenance and emergency vehicles while they were operated within the ski area; or (3) did fail to mark the location of a hydrant used in snow-making operations and located within or upon a slope or trail; or (4) did fail conspicuously to place within the ski area, in the form, size and location as required by the Recreational Tramway Board, and on the back of all lift tickets to issue notice in plain language, of the statute of limitations and notice period established in G.L. c.143, §71P; or (5) did fail to maintain a sign system on all buildings, recreational tramways, ski trails and slopes in accordance with the rules and regulations of such Board; or (6) did fail to maintain and operate all ski areas under its control in a reasonably safe condition or manner, in violation of G.L. c.143, §71N. (PENALTY from §71R: not more than \$200.)

143/71Q SKIING ACCIDENT, LEAVE SCENE OF c143 §71Q (Effective 7/17/78)
on **[DATE OF OFFENSE:]**, having been knowingly involved in a skiing accident, and knowing that some other person involved in the accident was in need of medical or other assistance, did depart from the scene of such accident without leaving personal identification or otherwise clearly identifying himself or herself and obtaining assistance, in violation of G.L. c.143, §71Q. (PENALTY: not less than \$100.)

143/84 CINEMA PROJECTOR VIOLATION c143 §84
on **[DATE OF OFFENSE:]** did **[DESCRIPTION OF OFFENSE:]**, contrary to a provision of G.L. c.143, §72-§84 or a rule or regulation made by the Commissioner of Public Safety, in violation of G.L. c.143, §84. (PENALTY: not less than \$50, not more than \$500.)

143/87 SAFETY FILM, SELL/MARK FALSE c143 §87
on **[DATE OF OFFENSE:]**: (1) did sell or lease, or offer or expose for sale or lease, or loan, nitrous or combustible film as cellulose acetate, incombustible or safety film; or (2) did stamp or mark nitrous or combustible film as cellulose acetate, incombustible or safety film, in violation of G.L. c.143, §87. (PENALTY: imprisonment not less than 6 months, not more than 2 years; or not less than \$100, not more than \$500; or both.)

143/89 NITRATE MOTION PICTURE FILM c143 §89 (Effective 12/17/71)
on **[DATE OF OFFENSE:]** did store, distribute for purposes of public exhibition, or publicly exhibit 35 millimeter or larger nitrate motion picture film, in violation of G.L. c.143, §89. (PENALTY: not less than \$50, not more than \$500.)

143/91 BUILDING VIOLATION c143 §91 (Effective 12/17/71)
on **[DATE OF OFFENSE:]** did **[DESCRIPTION OF OFFENSE:]**, contrary to a provision of G.L. c.143, §1-§90, in violation of G.L. c.143, §91. (PENALTY if no other penalty is prescribed: not less than \$100, not more than \$1000.)

143/94 STATE BUILDING CODE VIOLATION c143 §94(a) (Effective 12/18/84)
beginning on **[FIRST DATE OF OFFENSE:]** and continuing through **[LAST DATE OF OFFENSE:]** did **[DESCRIPTION OF OFFENSE:]**, contrary to a provision of the State Building Code, other than a specialized code as described in G.L. c.143, §96, in violation of G.L. c.143, §94(a). (PENALTY for each day of violation: imprisonment not more than 1 year; or not more than \$1000; or both.)

146/33 BOILER INSPECTION VIOLATION c146 §33
on **[DATE OF OFFENSE:]** did **[DESCRIPTION OF OFFENSE:]**, contrary to a provision of G.L. c.146, §5-§32 or the rules of the Board of Boiler Rules, in violation of G.L. c.146, §33. (PENALTY: imprisonment not more than 6 months; or not less than \$20, not more than \$500; or both.)

146/41 COMPRESSED AIR TANK VIOLATION c146 §41
on **[DATE OF OFFENSE:]** did **[DESCRIPTION OF OFFENSE:]**, contrary to a provision of G.L. c.146, §34-§39 or a regulation made under authority thereof, in violation of G.L. c.146, §41. (PENALTY: imprisonment not more than 1 month; or not more than \$50; or both.)

146/45A REFRIGERATION/AC SYSTEM, UNINSPECTED c146 §45A (Effective 10/29/71)
on **[DATE OF OFFENSE:]** did operate or cause to be operated a refrigeration or air conditioning system, or an appurtenance thereof: (1) that had not been issued a certificate of inspection as provided for by G.L. c.146, §45A; or (2) had not been inspected within the prior year; or (3) that was not insured as described in §45A and whose location had not been reported in writing to the Chief of the Division of Inspection of the Department of Public Safety within the prior year; or (4) that was insured as described in §45A and had not been reported in writing to the Chief of such Division when the insurance company had ceased to make its inspection or had revoked or removed its certificate of inspection; or (5) whose operation had been prohibited by a district engineering inspector of such Division as dangerous or as noncomplying with the rules and regulations of the Board of Boiler Rules; or (6) contrary to the provisions of such a rule or regulation, not being excepted by law, in violation of G.L. c.146, §45A. (PENALTY: not less than \$20, not more than \$300.)

146/53/A HOISTING MACHINERY, PERMIT UNLIC OPER OF c146 §53 & §54A (Effective 7/1/92)
on **[DATE OF OFFENSE:]** did permit a derrick, cableway, machinery used for discharging cargoes, temporary elevator car used on excavation work or for hoisting building material, when the motive power to operate such machinery was mechanical and other than steam, by a person who did not have a valid license to do so, in violation of G.L. c.146, §53 and §54A. (PENALTY from §54A: imprisonment not more than 3 months; or not less than \$1000, not more than \$3000; or both.)

146/53/B HOISTING MACHINERY, IMPROP OPERATION OF c146 §53 (Effective 7/1/92)
on **[DATE OF OFFENSE:]**: (1) did operate a derrick, cableway, machinery used for discharging cargoes, temporary elevator car used on excavation work

or for hoisting building material, when the motive power to operate such machinery was mechanical and other than steam, without having a valid license to do so; or (2) did operate such hoisting machinery in violation of a rule or regulation adopted by the Commissioner of Public Safety, in violation of G.L. c.146, §53. (PENALTY from §54A: imprisonment not more than 3 months; or not less than \$500, not more than \$3000; or both.)

146/54 **HOISTING MACHINERY LIC ON PERSON, OP W/O** c146 §54 (Effective 4/1/92)
on [DATE OF OFFENSE:] did operate a derrick, cableway, machinery used for discharging cargoes, temporary elevator car used on excavation work or for hoisting building material, when the motive power to operate such machinery was mechanical and other than steam, without carrying on his or her person a valid license to do so, in violation of G.L. c.146, §54. (PENALTY from §54A: imprisonment not more than 3 months; or not less than \$500, not more than \$3000; or both.)

146/54A **HOISTING MACHINERY LIC INSPEC, OBSTRUCT** c146 §54A (Effective 4/1/92)
on [DATE OF OFFENSE:] did [DESCRIPTION OF OFFENSE OR OVERT ACT:], and thereby did prevent or attempt to prevent an inspector from entering on some premises in the discharge of his or her duty with respect to G.L. c.146, §§ 53, 53A or §54, in violation of G.L. c.146, §54A. (PENALTY: imprisonment not more than 3 months; or not less than \$250, not more than \$3000; or both.)

146/55/A **ENGINEER/FIREMAN/OPERATOR INSP, OBSTRUCT** c146 §55 (Effective 4/1/92)
on [DATE OF OFFENSE:] did [DESCRIPTION OF OFFENSE OR OVERT ACT:], and thereby did prevent or attempt to prevent an inspector from entering on some premises in the discharge of his or her duty with respect to G.L. c.146, §42-§51, in violation of G.L. c.146, §55. (PENALTY: imprisonment not more than 3 months; or not less than \$10, not more than \$300.)

146/55/B **ENGINEER/FIREMAN/OPERATOR, UNLIC** c146 §55 (Effective 4/1/92)
on [DATE OF OFFENSE:] did [DESCRIPTION OF OFFENSE:], contrary to a provision of G.L. c.146, §42-§51, or a rule made thereunder, in violation of G.L. c.146, §55. (PENALTY: imprisonment not more than 3 months; or not less than \$10, not more than \$300.)

146/80 **HOT WATER BOILER VIOLATION** c146 §80 (Effective 11/11/70)
on [DATE OF OFFENSE:] did [DESCRIPTION OF OFFENSE:], contrary to a provision of G.L. c.146, §70-§79, or a rule of the Board of Boiler Rules, or the code which is appropriate to a boiler under the jurisdiction of §70-§79, in violation of G.L. c.146, §80. (PENALTY: imprisonment not more than 6 months; or not less than \$50, not more than \$500; or both.)

146/89/A **PIPEFITTER, UNLICENSED** c146 §89 (Effective 3/11/84)
on [DATE OF OFFENSE:] did enter upon or engage in a business and work as defined in G.L. c.146, §81 without having complied with the requirement of G.L. c.146, in violation of G.L. c.146, §89. (PENALTY: not less than \$10, not more than \$100.)

146/89/B **PIPEFITTER, UNLICENSED, SUBSQ. OFF.** c146 §89 (Effective 3/11/84)
on [DATE OF OFFENSE:] did enter upon or engage in a business and work as defined in G.L. c.146, §81 without having complied with the requirement of G.L. c.146, the defendant having previously been convicted of such an offense, in violation of G.L. c.146, §89. (PENALTY: house of correction for 6 months; or not less than \$50, not more than \$500; or both.)

147/3 **PUBLIC SAFETY INSPECTOR ACCEPT GIFT** c147 §3
on [DATE OF OFFENSE:], being an inspector of the Department of Public Safety, did directly or indirectly receive a reward, gift or gratuity on account of his or her official services, in violation of G.L. c.147, §3. (PENALTY: imprisonment not more than 3 months; or not more than \$100; and shall be discharged from office.)

147/23 **PRIVATE DETECTIVE, UNLICENSED** c147 §23
on [DATE OF OFFENSE:] did engage in, advertise or hold himself or herself out as being engaged in, or solicit, private detective business or the business of a watch, guard or patrol agency, without being licensed to do so pursuant to G.L. c.147, §25, in violation of G.L. c.147, §23. (PENALTY: imprisonment not more than 1 year; or not less than \$200, not more than \$1000; or both.)

147/28/A **PRIVATE DETECTIVE IMPROP DISCLOSE INFO** c147 §28
on [DATE OF OFFENSE:], being a licensee under G.L. c.147, §25, or a person who was or had been an employee of a licensee, did divulge to someone other than to his or her employer, or as such employer directed, or before an authorized tribunal, information acquired by him or her during such employment in respect to work to which he or she had been assigned by such employer, in violation of G.L. c.147, §28. (PENALTY: imprisonment not more than 1 year; or not more than \$500; or both.)

147/28/B **PRIVATE DETECTIVE, IMPERSONATE** c147 §28
on [DATE OF OFFENSE:] did falsely state or represent that he or she had been a licensee or employed by a licensee under G.L. c.147, §25, in violation of G.L. c.147, §28. (PENALTY: not less than \$50, not more than \$500.)

147/28/C **PRIVATE INVESTIGATIVE REPORT, FALSE** c147 §28 (Effective 2/28/61)
on [DATE OF OFFENSE:], being an employee of a licensee under G.L. c.147, §25, did wilfully make a false report to his or her employer in respect to work to which he or she had been assigned by such employer, in violation of G.L. c.147, §28. (PENALTY: imprisonment not more than 1 year; or not more than \$500; or both.)

147/29 **PRIVATE DETECTIVE EQUIPMENT VIOLATION** c147 §29 (Effective 9/28/84)
on [DATE OF OFFENSE:], being a licensee under G.L. c.147, §25, or an employee or agent of such a licensee: (1) did use a badge of some kind for identification purposes, not being a guard or watchman in uniform; or (2) being a guard or watchman in uniform, did use a badge that contained the word "Police" or some part of the seal of this Commonwealth or of a political subdivision thereof; or (3) did carry weapons or equipment other than those that had been authorized by the Commissioner of Public Safety; or (4) being authorized to carry a firearm, as defined in G.L. c.140, §121, did not have such firearm loaded while in the performance of his or her duties; or (5) while in the performance of his or her duties did carry an imitation firearm, as defined in G.L. c.140, §121; or (6) did use a motor vehicle in the business of such licensee that had displayed therein or thereon the words "police" or "emergency", in violation of G.L. c.147, §29. (PENALTY: not more than \$50.)

147/30 **PRIVATE DETECTIVE LABOR DISPUTE VIOL** c147 §30 (Effective 2/28/61)

on **[DATE OF OFFENSE:]**, being a licensee under G.L. c.147, §25, or an employee of such a licensee, knowingly: (1) did incite, encourage or aid a person who had become a party to a strike to commit an unlawful act against some person or property; or (2) did incite, stir up, create or aid in the inciting of discontent, or dissatisfaction among the employees of a person with the intention of having them strike; or (3) did interfere with or prevent lawful and peaceful picketing during a strike; or (4) did interfere with, restrain or coerce employees in the exercise of their right to form, join or assist a labor organization of their own choosing; or (5) did interfere with or hinder lawful or peaceful collective bargaining between employers and employees; or (6) did pay, offer or give money, gratuity, consideration or other thing of value to a person for a verbal or written report of the lawful activities of employees in the exercise of their right to organize, form or assist a labor organization and to bargain collectively through representatives of their own choosing; or (7) did advertise for, recruit, furnish or replace, or offer to furnish or replace for hire or reward skilled or unskilled help or labor, armed guards other than armed guards theretofore regularly employed for the protection of payrolls, property or premises, for service upon property which was being operated in anticipation of or during the course or existence of a strike; or (8) did furnish armed guards upon the highways for persons involved in labor disputes; or (9) did furnish or offer to furnish to employers or their agents, arms, munitions, tear gas implements or other weapons; or (10) did send letters or literature to employers offering to eliminate labor unions; or (11) did advise a person of the membership of an individual in a labor organization for the purpose of preventing such individual from obtaining or retaining employment, in violation of G.L. c.147, §30. (PENALTY: imprisonment not less than 6 months, not more than 1 year; or not less than \$200, not more than \$1000; or both.)

147/31 POLICE LIST TO DPS, TOWN CLERK FAIL SEND c147 §31

on **[DATE OF OFFENSE:]**: (1) being the clerk of a town in which a chief of police or city marshal was appointed, did neglect or refuse within one week after such appointment to notify the Commissioner of Public Safety of the name of the person so appointed; or (2) being the clerk of a town not having a chief of police, did neglect or refuse to send to such Commissioner the names of all the police officers and constables in such town, in violation of G.L. c.147, §31. (PENALTY: \$50.)

147/32 BOXING MATCH, UNLICENSED c147 §32

on **[DATE OF OFFENSE:]** did hold, conduct, participate in or attend a boxing or sparring match or exhibition conducted for a prize or a purse, or at which an admission fee was charged, without a license having been granted therefor by the State Boxing Commission as provided in G.L. c.147, §33, in violation of G.L. c.147, §32. (PENALTY: imprisonment not more than 3 months; or not more than \$100; or both.)

147/35 BOXING MANAGER, UNLICENSED c147 §35

on **[DATE OF OFFENSE:]** did act as manager of a boxer who competes for a money prize or teaches or pursues or assists in the practice of boxing as a means of obtaining a livelihood or pecuniary gain, or did engage in the business commonly transacted by managers of such boxers, without being so licensed by the State Boxing Commission, in violation of G.L. c.147, §35. (PENALTY: not more than \$200.)

147/56 LAWNMOWER WITHOUT SAFETY DEVICE, SELL c147 §56

(Effective 1/1/76)

on **[DATE OF OFFENSE:]**: (1) did sell, offer for sale or hold with intent to sell in this Commonwealth a motor-driven implement or machine used for the purpose of cutting grass, that was not equipped with a safety device designed and attached by the manufacturer in accordance with the specifications and requirements established by the Commissioner of Public Safety for the purpose of protecting the operator thereof and any other person from objects which may be ejected or propelled from the blade area of such implement or machine; or (2) did violate a rule or regulation promulgated by such Commissioner, in violation of G.L. c.147, §56. (PENALTY: not more than \$500.)

147/57 SECURITY SYSTEM BUSINESS, UNLICENSED c147 §57

(Effective 4/15/88)

on **[DATE OF OFFENSE:]** did engage in, advertise, or hold himself, herself or itself out as being engaged in the business of installing, repairing, or offering maintenance for security systems, as defined in G.L. c.147, §57, without being licensed for such purpose pursuant to G.L. c.141, §3 and G.L. c.147, §58-§59, in violation of G.L. c.147, §57. (PENALTY: imprisonment not more than 1 year; or not more than \$1000; or both.)

147/60 SECURITY SYSTEM EMPLOYEE, IMPERSONATE c147 §60

(Effective 4/15/88)

on **[DATE OF OFFENSE:]** did falsely state or represent that he or she was or had been employed by a licensee under G.L. c.147, §58-§59, in violation of G.L. c.147, §60. (PENALTY: not less than \$50, not more than \$500.)

148/5 FIRE PREVENTION ORDER, DISOBEY c148 §5

beginning on **[FIRST DATE OF OFFENSE:]** and continuing through **[LAST DATE OF OFFENSE:]**, being the owner or occupant of a premises who had been served more than 24 hours previously with notice of an order of the State Fire Marshal or the head of the fire department, as such term is defined in G.L. c.148, §1, or a person to whom such marshal or head had delegated his or her authority in writing, requiring the remedying of conditions which they deemed likely to cause fire, or requiring the removal of an accumulation of combustible rubbish, did fail or refuse to comply with such order, in violation of G.L. c.148, §5. (PENALTY for each consecutive 48 hours during which violation continues: not more than \$50.)

148/5A SPACE HEATER, UNVENTED c148 §5A

(Effective 3/25/86)

on **[DATE OF OFFENSE:]** did use, allow to be used, sell or offer for sale an unvented liquid fired space heater, in violation of G.L. c.148, §5A. (PENALTY: not more than \$100.)

148/6 FIRE PREVENTION DUTY, MUNIC OFFICER FAIL c148 §6

on **[DATE OF OFFENSE:]**, being a city, town or district officer, did wilfully neglect or refuse to comply with a duty or requirement imposed on him or her by G.L. c.148, §1-§5A, to wit: **[DESCRIPTION OF NEGLECTED DUTY:]**, in violation of G.L. c.148, §6. (PENALTY: not less than \$25, not more than \$200.)

148/10B FIRE PREVENTION REGULATIONS VIOLATION c148 §10B

(Effective 9/27/78)

on **[DATE OF OFFENSE:]** did knowingly **[DESCRIPTION OF OFFENSE:]**, contrary to a rule or regulation of the Board of Fire Prevention Regulations, in violation of G.L. c.148, §10B. (PENALTY: not less than \$100, not more than \$1000.)

148/10C OIL BURNER REPAIRMAN, UNLICENSED c148 §10C

(Effective 4/4/90)

on **[DATE OF OFFENSE:]** did alter, repair or install oil burning equipment or an appurtenance thereto, other than electrical wiring and connections, as defined by rules and regulations promulgated under the provisions of G.L. c.148, §10, without being the holder of a certificate granted by an examiner for the certification of oil burner technicians, in violation of G.L. c.148, §10C. (PENALTY from §34: \$100; or in the case of a continuing offense after notice of such violation, \$100 for each day of violation.)

148/12 EXPLOSIVES MFG/STORAGE/TRANSFER VIOL c148 §12

(Effective 9/5/02)

on **[DATE OF OFFENSE:]**: (1) did use a building for the manufacturing of fireworks or firecrackers without a license from the local licensing authority; or (2) did use a building or structure for the manufacturing or storage of explosive materials without a permit issued by the State Fire Marshal; or (3) did sell, transfer

or exchange explosive materials within the Commonwealth to another person who did not possess the proper permit or certificate to possess, receive or store explosive materials and maintain at the place of delivery an approved, permitted, explosive storage magazine or bunker; in violation of G.L. c. 148, §12. (PENALTY: house of correction not more than 2½ years; or fine not more than \$5000; or both.)

148/16 EXPLOSIVES/FLAMMABLES, IMPROP MAKE/STORE c148 §16
on **[DATE OF OFFENSE:]** (1) did keep, store, use, manufacture, sell, handle or otherwise dispose of gunpowder, dynamite, crude petroleum or its products, or explosive or inflammable fluids or compounds, tablets, torpedoes or explosives of a like nature, or other explosives, fireworks, firecrackers, or a substance having such properties that it may spontaneously, or acting under the influence of any contiguous substance or of any chemical or physical agency, ignite, or inflame or generate inflammable or explosive vapors or gases to a dangerous extent, in violation of G.L. c. 148, §12 or §13 or of a regulation, ordinance or by-law made under G.L. c.148, §9; or (2) did violate a regulation made under G.L. c.148, §13; or (3) not being exempt from the provisions of §13 relating to the filing of a certificate of registration, did fail to file such certificate and to pay such fee as had been established under §13, not being excepted by law, in violation of G.L. c.148, §16. (PENALTY: imprisonment not more than 1 month; or not more than \$100; or both.)

148/20B BLASTING OPERATOR, UNLICENSED c148 §20B (Effective 4/4/90)
on **[DATE OF OFFENSE:]** did conduct blasting operations without holding a certificate of competency issued by the Department of Public Safety, in violation of G.L. c.148, §20B. (PENALTY from §34: \$100; or in the case of a continuing offense after notice of such violation, \$100 for each day of violation.)

148/23 INFLAMMABLE LIQUIDS, IMPROPERLY KEEP c148 §23 (Effective 4/4/90)
on **[DATE OF OFFENSE:]** did keep, use or store: (1) volatile inflammable fluid, other than in an amount not exceeding one quart contained in an approved safety can, in a building used for habitation; or (2) volatile inflammable fluid, other than in an amount not exceeding one gallon contained in an approved safety can, and other than in the tank of an automobile, motor boat or stationary engine, within 50 feet of a building used for habitation; or (3) non-volatile inflammable fluid, other than in an amount not exceeding 10 gallons for domestic use, in a building used for habitation; or (4) non-volatile inflammable fluid, other than in an amount not exceeding 30 gallons, and other than in the tank of an automobile, motor boat or stationary engine, within 50 feet of a building used for habitation, other than in accordance with the conditions of a permit from the head of the fire department, as defined in G.L. c.148, §1, or as otherwise permitted by rules and regulations of the Board of Fire Prevention Regulations, in violation of G.L. c.148, §23. (PENALTY from §34: \$100; or in the case of a continuing offense after notice of such violation, \$100 for each day of violation.)

148/24 INFLAMMABLE MATERIALS, IMPROPERLY KEEP c148 §24 (Effective 4/4/90)
on **[DATE OF OFFENSE:]** (1) did store, keep or handle in a part of a building used for habitation or on a part of a lot within 50 feet of a building so used, an article or material that was or might become dangerous to the public safety as a fire menace, other than as permitted by G.L. c.148, §24; or (2) did use a part of a building used for habitation as a carpenter shop or paint shop, or for the storage, keeping or handling of excelsior, shavings, sawdust, cotton, paper stock, feathers or rags, other than under such terms and conditions as the head of the fire department had prescribed in writing, in violation of G.L. c.148, §24. (PENALTY from §34: \$100; or in the case of a continuing offense after notice of such violation, \$100 for each day of violation.)

148/25A SPACE HEATER VIOLATION c148 §25A (Effective 10/10/62-6/20/02)
on **[DATE OF OFFENSE:]** (1) did sell, offer for sale or install a secondhand space heater, or a secondhand portable stove which used kerosene, range oil or number one fuel oil for fuel; or (2) did install or use in a building which was used in whole or in part for human habitation an unvented space heater which used gas or oil as a fuel, in violation of G.L. c.148, §25A. (PENALTY: not more than \$100.)

148/25A SPACE HEATER VIOLATION c148 §25A (Effective 6/21/02)
on **[DATE OF OFFENSE:]** (1) did sell, offer for sale or install a secondhand space heater, or a secondhand portable stove which used kerosene, range oil or number one fuel oil for fuel; or (2) did install or use in a building which was used in whole or in part for human habitation an unvented space heater which used gas or oil as a fuel; or (3) did sell or offer for sale, or install, use or maintain in a building which was used in whole or in part for human habitation, an unvented space heater using natural or propane gas fuel which appliance failed to meet the standards for use and installation as promulgated by regulations of the Board of Fire Prevention Regulations, in violation of G.L. c.148, §25A. (PENALTY: not more than \$100.)

148/25B SPACE HEATER VIOLATION c148 §25B (Effective 3/25/86)
on **[DATE OF OFFENSE:]** did use, allow to be used, sell or offer for sale an unvented liquid fired space heater, as defined in G.L. c.148, §25B, in violation of G.L. c.148, §25B. (PENALTY: not more than \$100.)

148/25E GAS APPLIANCE WITH PILOT LIGHT, SELL c148 §25E (Effective 6/1/88)
beginning on **[FIRST DATE OF OFFENSE:]** and continuing through **[LAST DATE OF OFFENSE:]** did: (1) sell or offer or display for sale a gas appliance, as defined in G.L. c.148, §25E, for use in, or in connection with, a residence, as defined in §25E; or (2) install or cause to be installed such a gas appliance in such a residence; or (3) import into this Commonwealth such a gas appliance for use in, or in connection with, such a residence; or (4) deliver in this Commonwealth after sale or pursuant to a contract for a sale of such a gas appliance for use in, or in connection with, such a residence; or (5) sell or display for sale an automatic gas appliance, as defined in G.L. c.148, §25E, for use in, or in connection with such a residence, such automatic gas appliance not being labeled in a manner visible to the purchaser or prospective purchaser with the words "intermittent ignition", in violation of G.L. c.148, §25E. (PENALTY: not more than \$500 for each day of violation.)

148/26A SPRINKLER SYSTEM VIOL, HIGH RISE c148 §26A (Effective 4/4/90)
on **[DATE OF OFFENSE:]** did fail to protect a building or structure of more than 70 feet in height above the mean grade with an adequate system of automatic sprinklers in accordance with the provisions of the state building code, not being excepted by law, in violation of G.L. c.148, §26A. (PENALTY from §34: \$100; or in the case of a continuing offense after notice of such violation, \$100 for each day of violation.)

148/26A12 SPRINKLER SYSTEM VIOL, PRE-75 HIGH RISE c148 §26A½ (Effective 4/4/90)
on **[DATE OF OFFENSE:]** did fail to protect a building or structure of more than 70 feet in height above the mean grade and constructed prior to January 1, 1975 with an adequate system of automatic sprinklers in accordance with the provisions of the state building code and the completion schedule provided in G.L. c.148, §26A½, not being excepted by law, in violation of G.L. c.148, §26A½. (PENALTY from §34: \$100; or in the case of a continuing offense after notice of such violation, \$100 for each day of violation.)

148/26B SPRINKLER SYSTEM VIOL c148 §26B (Effective 4/4/90)
on **[DATE OF OFFENSE:]** did fail to protect with an approved automatic fire warning system in accordance with the provisions of the state building code a building or structure not exceeding 70 feet in height above the mean grade erected or substantially altered after January 1, 1975 to be occupied for residential purposes, in violation of G.L. c.148, §26B. (PENALTY from §34: \$100; or in the case of a continuing offense after notice of such violation, \$100 for each day of violation.)

148/26C **SMOKE DETECTOR VIOL IN MULTIPLE DWELLING** c148§26C (Effective 4/4/90)
on **[DATE OF OFFENSE:]** did fail to equip with automatic smoke or heat detectors as provided by the rules and regulations of the Board of Fire Prevention Regulations an apartment house containing six or more dwelling units, a hotel, a boarding or lodging house, or a family hotel which is not regulated by G.L. c.148, §26A or §26B, in violation of G.L. c.148, §26C. (PENALTY from §34: \$100; or in the case of a continuing offense after notice of such violation, \$100 for each day of violation.)

148/26E **SMOKE DETECTOR VIOLATION** c148 §26E (Effective 4/4/90-2/1/06)
on **[DATE OF OFFENSE:]**: (1) in a city or town which had accepted G.L. c.148, §26E(a), being the owner of a one or two family dwelling occupied in whole or in part for residential purposes and not regulated by G.L. c.148, §26A-§26B, did fail to equip such dwelling with approved monitored battery powered smoke detectors or approved primary power smoke detectors, as such terms are defined in §26D, in the manner required by §26E(a); or (2) being the owner of a building or structure occupied in whole or in part for residential purposes and containing not less than three nor more than five units and not regulated by §26A-§26C, did fail to equip such dwelling with approved monitored battery powered smoke detectors or approved primary power smoke detectors, as such terms are defined in §26D, in the manner required by §26E(b), in violation of G.L. c.148, §26E. (PENALTY from §34: \$100; or in the case of a continuing offense after notice of such violation, \$100 for each day of violation.)

148/26E **SMOKE DETECTOR VIOLATION** c148 §26E (Effective 2/2/06)
on **[DATE OF OFFENSE:]**: (1) being the owner of a one or two family dwelling occupied in whole or in part for residential purposes and not regulated by G.L. c.148, §26A-§26B, did fail to equip such dwelling with approved monitored battery powered smoke detectors or approved primary power smoke detectors, as such terms are defined in §26D, in the manner required by §26E(a); or (2) being the owner of a building or structure occupied in whole or in part for residential purposes and containing not less than three nor more than five units and not regulated by §26A-§26C, did fail to equip such dwelling with approved monitored battery powered smoke detectors or approved primary power smoke detectors, as such terms are defined in §26D, in the manner required by §26E(b), in violation of G.L. c.148, §26E. (PENALTY from §34: \$100; or in the case of a continuing offense after notice of such violation, \$100 for each day of violation.)

148/26F **SMOKE DETECTOR, SELLER FAIL INSTALL** c148 §26F (Effective 4/4/90)
on **[DATE OF OFFENSE:]** did sell or transfer a building or structure occupied in whole or in part for residential purposes and not regulated by G.L. c.148, §26A-§26C, that was not equipped by such seller with approved smoke detectors as provided in §26E, in violation of G.L. c.148, §26F. (PENALTY from §34: \$100; or in the case of a continuing offense after notice of such violation, \$100 for each day of violation.)

148/26F12 **CARBON MONOXIDE ALARM, OWNER FAIL INSTALL** c148 §26F½ (Effective 3/31/06)
on **[DATE OF OFFENSE:]**, being the owner of a dwelling, building or structure occupied in whole or in part for residential purposes and that contained fossil-fuel burning equipment or incorporated enclosed parking within its structure, did fail to equip such dwelling, building or structure with approved carbon monoxide alarms in conformance with the requirements of the Board of Fire Prevention Regulations, in violation of G.L. c.148, §26F½. (PENALTY from §34: \$100; or in the case of a continuing offense after notice of such violation, \$100 for each day of violation.)

148/26G **SPRINKLER SYSTEM VIOL, LARGE BUILDING** c148 §26G (Effective 4/4/90)
on **[DATE OF OFFENSE:]**, in a city or town which had accepted the provisions of G.L. c.148, §26G, did fail to protect a building, or a building addition, of more than 7500 gross square feet in floor area with an adequate system of automatic sprinklers in accordance with the provisions of the state building code, in violation of G.L. c.148, §26G. (PENALTY from §34: \$100; or in the case of a continuing offense after notice of such violation, \$100 for each day of violation.)

148/26H **SPRINKLER SYSTEM VIOL, LODGING HOUSE** c148 §26H (Effective 4/4/90)
on **[DATE OF OFFENSE:]**, in a city or town which had accepted the provisions of G.L. c.148, §26H more than 5 years before, did fail to protect a lodging house or boarding house, as defined in §26H, throughout with an adequate system of automatic sprinklers in accordance with the provisions of the state building code, sufficient water and water pressure having existed for such a sprinkler system, in violation of G.L. c.148, §26H. (PENALTY from §34: \$100; or in the case of a continuing offense after notice of such violation, \$100 for each day of violation.)

148/26I **SPRINKLER SYSTEM VIOL, MULTIPLE DWELL** c148 §26I (Effective 4/4/90)
on **[DATE OF OFFENSE:]**, in a city, town or district which had accepted the provisions of G.L. c.148, §26I, did fail to equip with an approved system of automatic sprinklers in accordance with the provisions of the state building code a building constructed or substantially rehabilitated so as to constitute the equivalent of new construction and occupied in whole or in part for residential purposes and containing not less than four dwelling units, in violation of G.L. c.148, §26I. (PENALTY from §34: \$100; or in the case of a continuing offense after notice of such violation, \$100 for each day of violation.)

148/27 **SPRINKLER SYSTEM, FAIL INSTALL** c148 §27
on **[DATE OF OFFENSE:]**, being the owner of a building who had received an order under G.L. c.148, §26 from the State Fire Marshal more than 6 months previously to equip all or part of such building with automatic sprinklers, did fail to comply with such order, in violation of G.L. c.148, §27. (PENALTY: not more than \$1000.)

148/27A **SPRINKLER SYSTEM, DISCONNECT** c148 §27A (Effective 9/27/78-2/1/06)
on **[DATE OF OFFENSE:]** did shut off, disconnect, obstruct, remove or destroy, or cause or permit to be shut off, disconnected, obstructed, removed or destroyed, some part of a sprinkler system, water main, hydrant or other device used for fire protection in a building owned, leased or occupied by him or her or under his or her control or supervision, other than in accordance with the terms of a written permit to do so issued by the head of the fire department, as defined in G.L. c.148, §1, of the city or town wherein such building was situated, in violation of G.L. c.148, §27A. (PENALTY from §27A: imprisonment not more than 1 year; or not more than \$1000; or both.)

148/27A **SPRINKLER SYSTEM, DISCONNECT** c148 §27A (Effective 2/2/06)
on **[DATE OF OFFENSE:]** did shut off, disconnect, obstruct, remove or destroy, or cause or permit to be shut off, disconnected, obstructed, removed or destroyed, some part of a sprinkler system, water main, hydrant or other device used for fire protection or carbon monoxide detection and alarm in a building owned, leased or occupied by him or her or under his or her control or supervision, other than in accordance with the terms of a written permit to do so issued by the head of the fire department, as defined in G.L. c.148, §1, of the city or town wherein such building was situated, in violation of G.L. c.148, §27A. (PENALTY from §27A: imprisonment not more than 1 year; or not more than \$1000; or both.)

148/27B **FIRE HYDRANT, PLOW SNOW OVER** c148 §27B (Effective 7/14/62)
on **[DATE OF OFFENSE:]**, not being an employee in the service of this Commonwealth or a political subdivision thereof or in the service of an independent contractor acting for this Commonwealth or such a subdivision, did pile, push or plow snow or ice on or against a fire hydrant or other similar device used for fire protection located in a public or private way, so as to conceal such hydrant or device or cover an outlet thereof, in violation of G.L. c.148, §27B.

(PENALTY: not more than \$100.)

148/30 **FIRE RULE/REGULATION/ORDER VIOLATION** c148 §30 (Effective 9/27/78)
beginning on **[FIRST DATE OF OFFENSE:]** and continuing through **[LAST DATE OF OFFENSE:]** did **[DESCRIPTION OF OFFENSE:]**, in violation of a lawful rule, order or regulation of the Board of Fire Prevention Regulations, or of a lawful order of the State Fire Marshal, or of a lawful rule or order of the head of a fire department, as defined in G.L. c.148, §1, actual notice of such offense having been given the defendant, in violation of G.L. c.148, §30. (PENALTY for each day that violation continues after actual notice: not more than \$50.)

148/30A **FIRE VIOLATION NOTICE, VANDALIZE** c148 §30A (Effective 8/27/83)
on **[DATE OF OFFENSE:]** did unlawfully tamper with, change, mutilate, destroy, or otherwise remove from a building or structure a notice of violation affixed under the provisions of G.L. c.148, §30, in violation of G.L. c.148, §30A. (PENALTY: jail not more than 1 month; or not more than \$50; or both.)

148/34 **FIRE VIOLATION, MISCELLANEOUS** c148 §34 (Effective 4/4/90)
on **[DATE OF OFFENSE:]** did **[DESCRIPTION OF OFFENSE:]**, in violation of General Laws c.148, § **[SECTION OF CH.148 VIOLATED:]**. (PENALTY from §34: \$100; or in the case of a continuing offense after notice of such violation, \$100 for each day of violation.)

148/34A/A **DANGEROUS CONDITION IN ASSEMBLY USE GROUP BLDG** c148 § 34A (Effective 11/15/04)
on **[DATE OF OFFENSE:]**, being an owner, occupant, lessee or other person who had control or supervision of an assembly use group building, as defined by the State Building Code, did cause or permit a dangerous condition, as defined in G.L. c.140, §34A, to exist on such premises, in violation of G.L. c. 148, §34A. (PENALTY: house of correction not more than 2½ years; or not more than \$5000 fine; or both.)

148/34A/B **DANGEROUS CONDITION IN ASSEMBLY USE GROUP BLDG, SUBSQ.** c148 § 34A (Effective 11/15/04)
on **[DATE OF OFFENSE:]**, being an owner, occupant, lessee or other person who had control or supervision of an assembly use group building, as defined by the State Building Code, did cause or permit a dangerous condition, as defined in G.L. c.140, §34A, to exist on such premises, the defendant having previously been convicted of such an offense, in violation of G.L. c. 148, §34A. (PENALTY from §34A[b]: state prison not more than 5 years; or house of correction not more than 2½ years; or not more than \$25,000 fine; or both such imprisonment and fine.)

148/34B **BUILDING CODE VIOL W/INJURY/DEATH, WANTON/RECKLESS** c148 §34B (Effective 11/15/04)
on **[DATE OF OFFENSE:]** did wantonly or recklessly violate the State Building Code or State Fire Code and did thereby cause serious bodily injury or death to some person, in violation of G.L. c.148, §34B. (PENALTY: state prison not more than 5 years; or house of correction not more than 2½ years; or not more than \$25,000 fine; or both such imprisonment and fine.)

148/34C/A **BUILDING CODE/ORDER VIOL, SUBSQ. OFF.** c148 §34C (Effective 11/15/04)
on **[DATE OF OFFENSE:]** did **[DESCRIPTION OF OFFENSE:]** and did thereby commit a second or subsequent violation of the State Building Code or State Fire Code, or any incorporated specialized code, or a lawful order of the State Fire Marshal or his or her designee, the head of the fire department or a state or local building inspector, in violation of G.L. c.148, §34C. (PENALTY: 1 year house of correction; or not more than \$1000 fine; or both.)

148/34C/B **BUILDING CODE/ORDER VIOL CONTINUING AFTER NOTICE** c148 §34C (Effective 11/15/04)
on **[DATE OF OFFENSE:]** did **[DESCRIPTION OF OFFENSE:]** and did thereby continue to violate the State Building Code or State Fire Code, or any incorporated specialized code, or a lawful order of the State Fire Marshal or his or her designee, the head of the fire department or a state or local building inspector, after receipt of actual notice of such violation or order, in violation of G.L. c.148, §34C. (PENALTY: 1 year house of correction; or not more than \$1000 fine; or both.)

148/35 **BOMB/EXPLOSIVES, POSSESS** c148 §35
on **[DATE OF OFFENSE:]** did have in his or her possession or under his or her control a bomb or other high explosive, as defined by the rules and regulations made under G.L. c.148, §9, contrary to the provisions of G.L. c.148 or of a rule or regulation made thereunder, in violation of G.L. c.148, §35. (PENALTY: imprisonment not more than 2½ years; or not more than \$1000; or both; and bomb/explosive to be forfeited to the Commonwealth (§36:) and delivered to the State Fire Marshal.)

148/37 **STORAGE TANK +10000 GALS WITHOUT PERMIT** c148 §37
on **[DATE OF OFFENSE:]** did construct, maintain or use a tank or container of more than 10,000 gallons' capacity for the storage of a fluid other than water, that was not located underground, without having first secured a permit therefor from the Commissioner of Public Safety, in violation of G.L. c.148, §37. (PENALTY: not less than \$50, not more than \$1000.)

148/38 **STORAGE TANK +10000 GALS REGS VIOLATION** c148 §38
on **[DATE OF OFFENSE:]** did **[DESCRIPTION OF OFFENSE:]**, in violation of a rule or regulation of the Board of Fire Prevention Regulations governing the construction, use, and maintenance of tanks subject to G.L. c.148, §37, the removal and relocation of tanks subject to §38A, or the allocation of grants to cities and towns under §37A, adopted pursuant to G.L. c.148, §38. (PENALTY from §37: not less than \$50, not more than \$1000.)

148/38A **GAS STORAGE TANK, MOVE WITHOUT PERMIT** c148 §38A (Effective 4/4/90)
on **[DATE OF OFFENSE:]** did remove or relocate an underground tank which had been used for the keeping or storage of flammable or combustible fluids, without a permit for such removal or relocation having first been obtained from the State Fire Marshal or the official designated by the State Fire Marshal to grant permits in the city, town or district where such tank was located, in violation of G.L. c.148, §38A. (PENALTY from §34: \$100; or in the case of a continuing offense after notice of such violation, \$100 for each day of violation.)

148/38C **STORAGE TANK, FAIL NOTIFY DPS OF** c148 §38C (Effective 4/4/91)
beginning on **[FIRST DATE OF OFFENSE:]** and continuing through **[LAST DATE OF OFFENSE:]**: (1) being the owner of an underground storage tank first put into operation on or after January 1, 1991, did fail within 30 days thereafter to notify the Department of Public Safety of the existence of such tank, specifying its age, size, type, location, and uses; or (2) being the owner of an underground storage tank that was in operation at some time after January 1, 1974 and before January 1, 1991, did fail prior to January 31, 1991 to notify such Department of the existence of such tank, specifying, to the extent known to the owner, its size, type and location, the quantity of substances stored in such tank before it ceased being in operation, and if the tank was removed from beneath the surface of the ground the date of such removal; or (3) being the owner of an underground storage tank that was not in operation at any time after January 1, 1974 and that was not removed from beneath the surface of the ground on or before January 1, 1974, or the operator of such tank if it had no owner or its owner could not be definitely ascertained, did fail prior to December 31, 1991 to notify such Department of the existence of such tank, specifying, to the extent known to the owner, its size, type and location, the type and quantity of substance stored in such tank before it ceased being in operation, and

if the tank was removed from beneath the surface of the ground the date of such removal, or if the tank was not removed from beneath the surface of the ground the age of the tank and all methods used to stabilize the tank after the tank ceased being in operation, not being excepted by law, in violation of G.L. c.148, §38C. (PENALTY from §38H for each day such offense continues: imprisonment not more than 2 years; or not more than \$25,000; or both.)

148/38H **STORAGE TANK REGULATIONS VIOLATION** c148 §38H (Effective 4/4/91)
beginning on [DATE OF OFFENSE:] and continuing through [LAST DATE OF OFFENSE:] did [DESCRIPTION OF OFFENSE:], contrary to a regulation, rule, order, permit or approval issued or adopted pursuant to G.L. c.148, §38B-§38I, in violation of G.L. c.148, §38H. (PENALTY for each day such offense continues: imprisonment not more than 2 years; or not more than \$25,000; or both.)

148/39/A **FIREWORKS, POSSESS UNLAWFUL** c148 §39
on [DATE OF OFFENSE:] did have in his or her possession or under his control, or did use or explode or cause to explode, fireworks, as defined in G.L. c.148, §39, in violation of G.L. c.148, §39. (PENALTY: not less than \$10, not more than \$100; and fireworks shall be forfeited to the Commonwealth and delivered by police department to State Fire Marshal.)

148/39/B **FIREWORKS, SELL UNLAWFUL** c148 §39 (Effective 2/13/74)
on [DATE OF OFFENSE:] did sell, or keep or offer for sale, fireworks, as defined in G.L. c.148, §39, in violation of G.L. c.148, §39. (PENALTY: imprisonment not more than 1 year; or not less than \$100, not more than \$1000; or both; and fireworks shall be forfeited to the Commonwealth and delivered by police department to State Fire Marshal.)

148/40/A **FIREWORKS, MANUFACTURE WITHOUT BOND** c148 §40
on [DATE OF OFFENSE:] did manufacture fireworks without having previously filed with the clerk of the city or town in which such fireworks were to be manufactured or stored a bond running to the treasurer of such city or town with a surety or sureties approved by such treasurer, in such penal sum not less than \$10,000, as the mayor of the city or the selectmen of the town, with the approval of the State Fire Marshal, had determined to be necessary to cover the losses, damages or injuries that might ensue from such manufacture or storage, in violation of G.L. c.148, §40. (PENALTY from §45: imprisonment not more than 6 months; or not more than \$500; or both.)

148/40/B **FIREWORKS, STORE IMPROP** c148 §40
on [DATE OF OFFENSE:] did store fireworks in quantities in excess of those permitted by the rules and regulations of the Board of Fire Prevention Regulations outside the premises of a fireworks manufactory in a building or other structure located within 1000 feet of a church, theatre, hall, place of assembly, factory or inhabited building, in violation of G.L. c.148, §40. (PENALTY from §45: imprisonment not more than 6 months; or not more than \$500; or both.)

148/42 **FIREWORKS, EXPLODE WITHOUT BOND** c148 §42
on [DATE OF OFFENSE:], being engaged in the business of displaying or exhibiting fireworks, did personally or by an agent, discharge, fire off, explode or display fireworks without having on file with the state treasurer a bond running to the state treasurer with a surety or sureties approved by him for the penal sum of \$15,000, and for such additional penal sum as the State Fire Marshal had determined to be necessary to cover the losses, damages or injuries that might ensue to persons or property by reason thereof, in violation of G.L. c.148, §42. (PENALTY from §45: imprisonment not more than 6 months; or not more than \$500; or both.)

148/46 **STOVE POLISH, EXPLOSIVE** c148 §46 (Effective 2/13/74)
on [DATE OF OFFENSE:] did manufacture, store, keep for sale, sell or transport a compound for use as a stove polish that contained a liquid or compound which emits a gas that flashes at a temperature of less than 140 degrees Fahrenheit, not being excepted by law, in violation of G.L. c.148, §46. (PENALTY: imprisonment not more than 6 months; or not more than \$500; or both.)

148/52 **MATCHES, IMPROPERLY STORE** c148 §52
on [DATE OF OFFENSE:] did keep for sale or use in a store matches that were not in unbroken cases or in a metal or other fireproof receptacle with the cover closed, at a time when it was not necessary to obtain access thereto, in violation of G.L. c.148, §52. (PENALTY: not more than \$50.)

148/52A **EXPLODING CIGAR/MATCHES, SELL** c148 §52A (Effective 7/26/67)
on [DATE OF OFFENSE:] did sell or keep for sale so-called exploding matches, exploding cigars or exploding cigarettes, in violation of G.L. c.148, §52A. (PENALTY: not more than \$100.)

148/54 **CIGARETTE/MATCH, DROP ON FOREST/FIELD** c148 §54 (Effective 7/18/52)
on [DATE OF OFFENSE:] did drop or throw from a vehicle while the same was upon a public or private way running along or near forest land or open fields, or, other than as permitted by law, did drop, throw, deposit or otherwise place in or upon forest land, a lighted cigarette, cigar, match, live ashes or other flaming or glowing substance, or some substance or thing which in and of itself was likely to cause a fire, in violation of G.L. c.148, §54. (PENALTY: imprisonment not more than 30 days; or not more than \$100.)

148/55/A **EXPLODING GOLF BALLS** c148 §55
on [DATE OF OFFENSE:] did manufacture, sell, knowingly use, or have in possession for the purpose of sale, a golf ball containing acid, fluid, gas or other substance tending to cause the ball to explode and to inflict bodily injury, in violation of G.L. c.148, §55. (PENALTY: not more than \$500.)

148/55/B **EXPLODING GOLF BALLS, SUBSQ. OFF.** c148 §55
on [DATE OF OFFENSE:] did manufacture, sell, knowingly use, or have in possession for the purpose of sale, a golf ball containing acid, fluid, gas or other substance tending to cause the ball to explode and to inflict bodily injury, the defendant having previously been convicted of such an offense, in violation of G.L. c.148, §55. (PENALTY: imprisonment not more than 1 year; or not more than \$1000; or both.)

148/56 **PARKING LOT, UNLICENSED** c148 §56 (Effective 12/14/91)
on [DATE OF OFFENSE:], in a city or town which had accepted the provisions of G.L. c.148, §56: (1) did engage, or was concerned, in the business of conducting or maintaining an open-air parking space without a license therefor granted, in the city of Boston, by its commissioner of transportation, and in any other city or town, by the local licensing authority, and approved in all cases by the head of the fire department; or (2) being so licensed, did violate a condition of such license or did engage, or was concerned, in such business in some other place than that designated in such license, or after notice that such license had been suspended or revoked, in violation of G.L. c.148, §56. (PENALTY: not more than \$300.)

148/57 **SIDING, UNGROUNDED/UNAPPROVED METAL** c148 §57 (Effective 4/4/90)

on **[DATE OF OFFENSE:]** did install on a building side walling or siding which is a conductor of electricity that was not properly grounded and approved by the city or town electrician or other officer having similar duties, in violation of G.L. c.148, §57. (PENALTY from §34: \$100; or in the case of a continuing offense after notice of such violation, \$100 for each day of violation.)

148/59 **BUILDING ADDRESS NUMBER, FAIL POST** c148 §59 (Effective 4/7/93)

on **[DATE OF OFFENSE:]**, being the owner of a building in this Commonwealth, to wit: **[ADDRESS OF BUILDING:]**, did fail to affix thereto a number representing the address of such building, in violation of G.L. c.148, §59. (PENALTY from §34: \$100; or in the case of a continuing offense after notice of such violation, \$100 for each day of violation.)

148A/2 **IDENTIFY SELF TO LOCAL CODE ENFORCEMENT OFFICER, REFUSE** c148A §2(a) (Effective 3/1/05)

on **[DATE OF OFFENSE:]**, upon request of a local code enforcement officer, as defined in G.L. c.148A, §1, (1) did refuse to state his or her name and address; or (2) did state a false name and address or a name and address which was not his or her name and address in ordinary use, in violation of G.L. c.148A, §2(a). (PENALTY: not more than \$200 fine.)

148A/3 **IDENTIFY SELF TO STATE CODE ENFORCEMENT OFFICER, REFUSE** c148A §3(a) (Effective 3/1/05)

on **[DATE OF OFFENSE:]**, upon request of a state code enforcement officer, as defined in G.L. c.148A, §1, (1) did refuse to state his or her name and address; or (2) did state a false name and address or a name and address which was not his or her name and address in ordinary use, in violation of G.L. c.148A, §3(a). (PENALTY: not more than \$200 fine.)

149/6 **WORKPLACE SAFETY REGUL VIOL** c149 §6 (Effective 12/8/87)

on **[DATE OF OFFENSE:]** did **[DESCRIPTION OF OFFENSE:]**, in violation of a rule, regulation or requirement adopted by the Department of Labor and Industries pursuant to G.L. c.149, §6. (PENALTY: not more than \$1000.)

149/6B **ASBESTOS REMOVAL, UNLICENSED** c149 §6B (Effective 7/1/87)

on **[DATE OF OFFENSE:]** did enter into, engage in, or work at the business of removal, containment or encapsulation of asbestos or materials containing asbestos, involving a building or structure, without having in effect a license therefor, in violation of G.L. c.149, §6B. (PENALTY from §6E: not less than \$500, not more than \$1500.)

149/6C **ASBESTOS REGULATIONS VIOLATION** c149 §6C (Effective 7/1/87)

on **[DATE OF OFFENSE:]** did **[DESCRIPTION OF OFFENSE:]**, in violation of a rule or regulation adopted pursuant to G.L. c.149, §6C. (PENALTY from §6E: not less than \$500, not more than \$1500.)

149/6D **ASBESTOS COMPLAINT, RETALIATE FOR** c149 §6D (Effective 7/1/87)

on **[DATE OF OFFENSE:]**, being an employer, did penalize an employee in some way as a result of such employee's filing of a complaint or otherwise providing notice to the Department of Labor and Industries in regard to the occupational health and safety of such employee or other workers engaged in the use, handling, removal or disposal of asbestos or materials containing asbestos, in violation of G.L. c.149, §6D. (PENALTY from §6E: not less than \$500, not more than \$1500.)

149/16 **DOLI INSPECTOR ACCEPT GIFT** c149 §16 (Effective 12/8/87)

on **[DATE OF OFFENSE:]**, being an inspector of the Department of Labor and Industries other than an inspector of the Division of Standards, did receive a reward, gift or gratuity on account of his or her official services, in violation of G.L. c.149, §16. (PENALTY: imprisonment not more than 3 months; or not more than \$500; and shall be discharged from office.)

149/18I **WATERFRONT SAFETY VIOLATION** c149 §18I (Effective 12/8/87)

on **[DATE OF OFFENSE:]** did **[DESCRIPTION OF OFFENSE:]**, contrary to a provision of G.L. c.149, §18A-§18H, and in violation of G.L. c.149, §18I. (PENALTY: \$1000.)

149/19B/A **LIE DETECTOR NOTICE, EMPLOY APPL W/O** c149 §19B (Effective 3/18/66)

on **[DATE OF OFFENSE:]** did utilize an application for employment within this Commonwealth that did not contain in clearly legible print the statement required by G.L. c.149, §19B, in violation of G.L. c.149, §19B. (PENALTY: not less than \$300, not more than \$1000.)

149/19B/B **LIE DETECTOR NOTICE, EMPLOY APPL W/O, SUBSQ. OFF.** c149 §19B (Effective 3/18/66)

on **[DATE OF OFFENSE:]** did utilize an application for employment within this Commonwealth that did not contain in clearly legible print the statement required by G.L. c.149, §19B, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §19B. (PENALTY: imprisonment not more than 90 days; or not more than \$1500; or both.)

149/19B/C **LIE DETECTOR TEST, EMPLOYER USE** c149 §19B (Effective 3/18/66)

on **[DATE OF OFFENSE:]**, being an employer or the agent of an employer: (1) did subject or request one of his or her employees, or a person applying to him or her for employment, to take a lie detector test, as defined in G.L. c.149, §19B(1); or (2) did discharge, not hire, demote or otherwise discriminate against such person for the assertion of rights arising under G.L. c.149, §19B, in violation of G.L. c.149, §19B. (PENALTY: not less than \$300, not more than \$1000.)

149/19B/D **LIE DETECTOR TEST, EMPLOYER USE, SUBSQ.** c149 §19B (Effective 3/18/66)

on **[DATE OF OFFENSE:]**, being an employer or the agent of an employer: (1) did subject or request one of his or her employees, or a person applying to him or her for employment, to take a lie detector test, as defined in G.L. c.149, §19B(1); or (2) did discharge, not hire, demote or otherwise discriminate against such person for the assertion of rights arising under G.L. c.149, §19B, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §19B. (PENALTY: imprisonment not more than 90 days; or not more than \$1500; or both.)

149/19C **ALIEN, UNLAWFULLY EMPLOY** c149 §19C (Effective 1/20/77)

on **[DATE OF OFFENSE:]**, being an employer, did knowingly employ in this Commonwealth an alien who was a student or visitor or who had not been admitted to the United States for permanent residence, such alien not having been admitted under a work permit and the employment of such alien not having been authorized by the Attorney General of the United States, in violation of G.L. c.149, §19C. (PENALTY: not less than \$200, not more than \$500.)

149/20D/A **UNION ORGANIZING, IMPROPER PAYMENT RE** c149 §20D (Effective 12/8/87)

on **[DATE OF OFFENSE:]**, being an employer, or a person retained or engaged by an employer as a labor relations expert, adviser or consultant, or a person retained or engaged by an employer for the purpose of dealing or negotiating with any of his or her employees or with a labor organization representing or

seeking to represent or organize such employees, did pay or deliver or agree to pay or deliver to an employee or to a group or committee of employees money or other thing of value for the purpose of encouraging or discouraging, or in some way interfering with, an employee or employees in exercising their rights to organize or to select a representative, or for the purpose of preventing the continued existence, operation or functioning of a labor organization, in violation of G.L. c.149, §20D. (PENALTY: jail not more than 1 year; or not more than \$3000; or both.)

149/20D/B **UNION ORGANIZING, SOLICIT PAYMENT RE** c149 §20D (Effective 12/8/87)
on **[DATE OF OFFENSE:]**, being an employee or a labor union official, did solicit or accept from an employer or a person retained or engaged by an employer as a labor relations expert, adviser or consultant, or a person retained or engaged by an employer for the purpose of dealing or negotiating with any of his or her employees or with a labor organization representing or seeking to represent or organize such employees, or his or her agent, money or other thing of value for the purpose of encouraging or discouraging, or in some way interfering with, an employee or employees in exercising their rights to organize or to select a representative, or for the purpose of preventing the continued existence, operation or functioning of a labor organization, in violation of G.L. c.149, §20D. (PENALTY: jail not more than 1 year; or not more than \$3000; or both.)

149/21 **EMPLOYMENT ADVERTISEMENT, FALSE** c149 §21 (Effective 12/8/87)
on **[DATE OF OFFENSE:]**: (1) did knowingly cause to be printed or published a false or fraudulent notice or advertisement for help or for obtaining work or employment; or (2) did, in an advertisement for help, when the person to be employed was required to purchase a particular article of value as a condition of his or her employment, did fail to state that the offer of employment was contingent upon the purchase of such article and the purchase price of such article, in violation of G.L. c.149, §21. (PENALTY: imprisonment not more than 3 months; or not more than \$2000; or both.)

149/22A/A **PICKETING/RIGHTS, OBSTRUCT LABOR** c149 §22A (Effective 12/8/87)
on **[DATE OF OFFENSE:]** did engage in an activity or employ a person for the purpose of obstructing or interfering by force or threats with: (1) peaceful picketing by employees during any labor controversy affecting wages, hours or conditions of labor, or (2) the exercise by employees of any of the rights granted employees under the provisions of G.L. c.150A or the federal Labor-Management Relations Act of 1947, in violation of G.L. c.149, §22A. (PENALTY: not more than \$2000.)

149/22A/B **STRIKEBREAKING, PROFESSIONAL** c149 §22A (Effective 12/8/87)
on **[DATE OF OFFENSE:]**: (1) did knowingly employ a professional strikebreaker, as such term is defined in G.L. c.149, §22A, in the place of an employee involved in a lockout or lawful strike; or (2) being such a professional strikebreaker, did take or offer to take the place in employment of an employee who was involved in a lockout or lawful strike, in violation of G.L. c.149, §22A. (PENALTY: not more than \$2000.)

149/23 **STRIKE IN ADVERTISING, FAIL MENTION** c149 §23 (Effective 12/8/87)
on **[DATE OF OFFENSE:]**, during the continuance of a strike, lockout or other labor trouble among employees: (1) did procure or attempt to procure, or assist in some way in procuring or attempting to procure, persons to fill the places of employees involved in such strike, lockout or other labor trouble, such persons having been solicited by means of advertisements or oral or written statements in which it was not plainly and explicitly mentioned that a strike, lockout or other labor trouble existed in the establishment where such persons were to be employed; or (2) in a printed advertisement or on a sign or poster, did fail to mention such strike, lockout or other labor trouble in letters as large as the largest letters used in the body of such advertisement, sign or poster, in violation of G.L. c.149, §23. (PENALTY: not more than \$2000.)

149/23A **STRIKE, EMPLOY ARMED GUARDS DURING** c149 §23A (Effective 12/8/87)
on **[DATE OF OFFENSE:]**, during the continuance of a strike, lockout or other labor trouble among his or her employees or those of another person, did employ or procure for the protection of such employees armed guards other than watchmen regularly employed by such person, police officers, or persons licensed under G.L. c.147, §23-§30 or employees of such licensees, in violation of G.L. c.149, §23A. (PENALTY: imprisonment not more than 6 months; or not more than \$2000; or both.)

149/24A **AGE DISCRIM IN EMPLOYMENT** c149 §24A (Effective 10/16/84)
on **[DATE OF OFFENSE:]**: (1) did dismiss from private sector employment a person over the age of forty, or (2) did refuse to employ such person because of his age, other than as permitted by G.L. c.151B, §4(17), in violation of G.L. c.149, §24A. (PENALTY: not more than \$500.)

149/24D **EMPLOYER FAIL KEEP EMPLOYEE AGE RECORDS** c149 §24D
beginning on **[FIRST DATE OF OFFENSE:]** and continuing through **[LAST DATE OF OFFENSE:]**: (1) did fail to keep true and accurate records of the ages of all persons employed by him or her, as far as practicable to do so; or (2) did fail upon demand to furnish to the Commissioner of Labor and Industries or his or her authorized representative a true copy of any such record, verified upon oath; or (3) did fail to make such records open to investigation by such Commissioner or his or her authorized representative at a reasonable time, in violation of G.L. c.149, §24D. (PENALTY per day of offense: not less than \$25, not more than \$100.)

149/24E **AGE DISCRIMINATION INSPECTOR, OBSTRUCT** c149 §24E
on **[DATE OF OFFENSE:]**: (1) did hinder or delay an inspector of the Department of Labor and Industries, or a duly authorized representative of the Commissioner of such department, in the performance of his or her duties in the investigation of a complaint under a provision of G.L. c.149, §24A-§24J; or (2) did refuse to admit such an inspector or representative to a place necessary for him or her to enter in the performance of such duty; or (3) did refuse to give such inspector or representative such information that he or she required for the proper enforcement of a provision of such sections, in violation of G.L. c.149, §24E. (PENALTY: not less than \$25, not more than \$200.)

149/24F **AGE DISCRIM COMPLAINT, RETALIATE FOR** c149 §24F
on **[DATE OF OFFENSE:]** did discharge an employee for the reason that such employee had furnished evidence in connection with a complaint under a provision of G.L. c.149, §24A-§24J, or that such employee had testified in a judicial proceeding under such a provision, in violation of G.L. c.149, §24F. (PENALTY: not less than \$50, not more than \$200.)

149/26/A **PREVAILING WAGE ON PUB WORKS, FL PAY** c149 §26 (Effective 12/8/87-11/4/98)
on **[DATE OF OFFENSE:]** did in the construction of public works pay to a mechanic, apprentice, teamster, chauffeur or laborer less than the rate or rates of wages required by G.L. c.149, §26, in violation of G.L. c.149, §26. (PENALTY from §27C: not less than \$500, not more than \$2000; "offers of restitution or payment of restitution shall not be considered in imposing such punishment." CLERK-MAGISTRATE MUST REPORT CONVICTION TO DEPARTMENT OF LABOR & WORKFORCE DEVELOPMENT, which shall debar from public works for 6 months or, upon second conviction in 3 years, for 3 years.)

149/26/A **PREVAILING WAGE ON PUB WORKS, FL PAY** c149 §26 (Effective 11/5/98)
on **[DATE OF OFFENSE:]**, as an employer, contractor or subcontractor, or an officer, agent, superintendent, foreman or employee thereof, in the construction

of public works did without a willful intent pay to a mechanic, apprentice, teamster, chauffeur or laborer less than the rate or rates of wages required by G.L. c.149, §26, in violation of G.L. c.149, §26. (PENALTY from §27C[a][2]: imprisonment not more than 6 months; or not more than \$10,000. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 6 months.)

149/26/B PREVAILING WAGE ON PUB WORKS, FL PAY, SUBSQ. OFF. c149 §26 (Effective 12/8/87-11/4/98)
on **[DATE OF OFFENSE:]** did in the construction of public works pay to a mechanic, apprentice, teamster, chauffeur or laborer less than the rate or rates of wages required by G.L. c.149, §26, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §26. (PENALTY from §27C: imprisonment not more than 3 months; or not less than \$1000, not more than \$5000; or both; "offers of restitution or payment of restitution shall not be considered in imposing such punishment." CLERK-MAGISTRATE MUST REPORT CONVICTION TO DEPARTMENT OF LABOR & WORKFORCE DEVELOPMENT, which shall debar from public works for 6 months or, upon second conviction in 3 years, for 3 years.)

149/26/E PREVAILING WAGE ON PUB WORKS, FL PAY, SUBSQ. OFF. c149 §26 (Effective 11/5/98)
on **[DATE OF OFFENSE:]**, as an employer, contractor or subcontractor, or an officer, agent, superintendent, foreman or employee thereof, in the construction of public works did without a willful intent pay to a mechanic, apprentice, teamster, chauffeur or laborer less than the rate or rates of wages required by G.L. c.149, §26, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §26. (PENALTY from §27C[a][2]: imprisonment not more than 1 year; or not more than \$25,000; or both. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for up to 3 years.)

149/26/F PREVAILING WAGE ON PUB WORKS, WILFULLY FL PAY c149 §26 (Effective 11/5/98)
on **[DATE OF OFFENSE:]**, as an employer, contractor or subcontractor, or an officer, agent, superintendent, foreman or employee thereof, in the construction of public works did willfully pay to a mechanic, apprentice, teamster, chauffeur or laborer less than the rate or rates of wages required by G.L. c.149, §26, in violation of G.L. c.149, §26. (PENALTY from §27C[a][2]: imprisonment not more than 1 year; or not more than \$25,000; or both. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 5 years.)

149/26/G PREVAILING WAGE ON PUB WORKS, WILFULLY FL PAY, SUBSQ. OFF. c149 §26 (Effective 11/5/98)
on **[DATE OF OFFENSE:]**, as an employer, contractor or subcontractor, or an officer, agent, superintendent, foreman or employee thereof, in the construction of public works did willfully pay to a mechanic, apprentice, teamster, chauffeur or laborer less than the rate or rates of wages required by G.L. c.149, §26, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §26. (PENALTY from §27C[a][2]: imprisonment not more than 2 years; or not more than \$50,000; or both. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 5 years.)

149/26/C PUBLIC WORKS, FL PREFER VETS/CITIZENS ON c149 §26 (Effective 12/8/87-11/4/98)
on **[DATE OF OFFENSE:]**, in the employment of mechanics and apprentices, teamsters, chauffeurs and laborers in the construction of a public works by the Commonwealth, or by a county, town or district, or by persons contracting or subcontracting for such works: (1) did fail to give preference first to citizens of this Commonwealth who had been residents of this Commonwealth for at least 6 months at the commencement of such employment and who were male veterans, as defined in G.L. c.4, §7, clause Forty-third, and qualified to perform the work to which such employment related; or (2) did fail to give preference secondly to citizens of this Commonwealth generally who had been residents of this Commonwealth for at least 6 months at the commencement of such employment, and if they could not be obtained in sufficient numbers, then to citizens of the United States; or (3) did fail to include a provision to such effect in a contract for such work; or (4) being a county, town or district, or a person contracting or sub-contracting for such works for a county, town or district, did fail to give preference to veterans and citizens who were residents of such county, town or district, in violation of G.L. c.149, §26. (PENALTY from §27C: not less than \$500, not more than \$2000; "offers of restitution or payment of restitution shall not be considered in imposing such punishment." CLERK-MAGISTRATE MUST REPORT CONVICTION TO DEPARTMENT OF LABOR & WORKFORCE DEVELOPMENT, which shall debar from public works for 6 months or, upon second conviction in 3 years, for 3 years.)

149/26/C PUBLIC WORKS, FL PREFER VETS/CITIZENS ON c149 §26 (Effective 11/5/98)
on **[DATE OF OFFENSE:]**, as an employer, contractor or subcontractor, or an officer, agent, superintendent, foreman or employee thereof, in the employment of mechanics and apprentices, teamsters, chauffeurs and laborers in the construction of a public works by the Commonwealth, or by a county, town or district, or by persons contracting or subcontracting for such works: (1) did fail to give preference first to citizens of this Commonwealth who had been residents of this Commonwealth for at least 6 months at the commencement of such employment and who were male veterans, as defined in G.L. c.4, §7, clause Forty-third, and qualified to perform the work to which such employment related; or (2) did fail to give preference secondly to citizens of this Commonwealth generally who had been residents of this Commonwealth for at least 6 months at the commencement of such employment, and if they could not be obtained in sufficient numbers, then to citizens of the United States; or (3) did fail to include a provision to such effect in a contract for such work; or (4) being a county, town or district, or a person contracting or sub-contracting for such works for a county, town or district, did fail to give preference to veterans and citizens who were residents of such county, town or district, in violation of G.L. c.149, §26. (PENALTY from §27C[a][2]: imprisonment not more than 6 months; or not more than \$10,000. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 6 months.)

149/26/D PUBLIC WORKS, FL PREFER VETS/CITIZENS, SUBSQ. OFF. c149 §26 (Effective 12/8/87-11/4/98)
on **[DATE OF OFFENSE:]**, in the employment of mechanics and apprentices, teamsters, chauffeurs and laborers in the construction of a public works by the Commonwealth, or by a county, town or district, or by persons contracting or subcontracting for such works: (1) did fail to give preference first to citizens of this Commonwealth who had been residents of this Commonwealth for at least 6 months at the commencement of such employment and who were male veterans, as defined in G.L. c.4, §7, clause Forty-third, and qualified to perform the work to which such employment related; or (2) did fail to give preference secondly to citizens of this Commonwealth generally who had been residents of this Commonwealth for at least 6 months at the commencement of such employment, and if they could not be obtained in sufficient numbers, then to citizens of the United States; or (3) did fail to include a provision to such effect in a contract for such work; or (4) being a county, town or district, or a person contracting or sub-contracting for such works for a county, town or district, did fail to give preference to veterans and citizens who were residents of such county, town or district, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §26. (PENALTY from §27C: imprisonment not more than 3 months; or not less than \$1000, not more than \$5000; or both; "offers of restitution or payment of restitution shall not be considered in imposing such punishment." CLERK-MAGISTRATE MUST REPORT CONVICTION TO DEPARTMENT OF LABOR & WORKFORCE DEVELOPMENT, which shall debar from public works for 6 months or, upon second conviction in 3 years, for 3 years.)

149/26/H PUBLIC WORKS, FL PREFER VETS/CITIZENS ON, SUBSQ. OFF. c149 §26 (Effective 11/5/98)
on **[DATE OF OFFENSE:]**, as an employer, contractor or subcontractor, or an officer, agent, superintendent, foreman or employee thereof, in the employment

of mechanics and apprentices, teamsters, chauffeurs and laborers in the construction of a public works by the Commonwealth, or by a county, town or district, or by persons contracting or subcontracting for such works: (1) did fail to give preference first to citizens of this Commonwealth who had been residents of this Commonwealth for at least 6 months at the commencement of such employment and who were male veterans, as defined in G.L. c.4, §7, clause Forty-third, and qualified to perform the work to which such employment related; or (2) did fail to give preference secondly to citizens of this Commonwealth generally who had been residents of this Commonwealth for at least 6 months at the commencement of such employment, and if they could not be obtained in sufficient numbers, then to citizens of the United States; or (3) did fail to include a provision to such effect in a contract for such work; or (4) being a county, town or district, or a person contracting or sub-contracting for such works for a county, town or district, did fail to give preference to veterans and citizens who were residents of such county, town or district, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §26. (PENALTY from §27C[a][2]: imprisonment not more than 1 year; or not more than \$25,000; or both. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for up to 3 years.)

149/26/J **PUBLIC WORKS, WILFULLY FL PREFER VETS/CITIZENS ON** c149 §26 (Effective 11/5/98)
on [DATE OF OFFENSE:], as an employer, contractor or subcontractor, or an officer, agent, superintendent, foreman or employee thereof, in the employment of mechanics and apprentices, teamsters, chauffeurs and laborers in the construction of a public works by the Commonwealth, or by a county, town or district, or by persons contracting or subcontracting for such works: (1) did wilfully fail to give preference first to citizens of this Commonwealth who had been residents of this Commonwealth for at least 6 months at the commencement of such employment and who were male veterans, as defined in G.L. c.4, §7, clause Forty-third, and qualified to perform the work to which such employment related; or (2) did wilfully fail to give preference secondly to citizens of this Commonwealth generally who had been residents of this Commonwealth for at least 6 months at the commencement of such employment, and if they could not be obtained in sufficient numbers, then to citizens of the United States; or (3) did wilfully fail to include a provision to such effect in a contract for such work; or (4) being a county, town or district, or a person contracting or sub-contracting for such works for a county, town or district, did wilfully fail to give preference to veterans and citizens who were residents of such county, town or district, in violation of G.L. c.149, §26. (PENALTY from §27C[a][2]: imprisonment not more than 1 year; or not more than \$25,000; or both. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 5 years.)

149/26/K **PUBLIC WORKS, WILFULLY FL PREFER VETS/CITIZENS ON, SUBSQ. OFF.** c149 §26 (Effective 11/5/98)
on [DATE OF OFFENSE:], as an employer, contractor or subcontractor, or an officer, agent, superintendent, foreman or employee thereof, in the employment of mechanics and apprentices, teamsters, chauffeurs and laborers in the construction of a public works by the Commonwealth, or by a county, town or district, or by persons contracting or subcontracting for such works: (1) did wilfully fail to give preference first to citizens of this Commonwealth who had been residents of this Commonwealth for at least 6 months at the commencement of such employment and who were male veterans, as defined in G.L. c.4, §7, clause Forty-third, and qualified to perform the work to which such employment related; or (2) did wilfully fail to give preference secondly to citizens of this Commonwealth generally who had been residents of this Commonwealth for at least 6 months at the commencement of such employment, and if they could not be obtained in sufficient numbers, then to citizens of the United States; or (3) did wilfully fail to include a provision to such effect in a contract for such work; or (4) being a county, town or district, or a person contracting or sub-contracting for such works for a county, town or district, did wilfully fail to give preference to veterans and citizens who were residents of such county, town or district, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §26. (PENALTY from §27C[a][2]: imprisonment not more than 2 years; or not more than \$50,000; or both. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 5 years.)

149/27/A **PREVAILING WAGE ON PUB WORKS, FL PAY** c149 §27 (Effective 12/8/87-11/4/98)
on [DATE OF OFFENSE:] did on a public works pay less than the rate or rates of wages, including payments to health and welfare funds and pension funds, or the equivalent payment in wages, determined by the Commissioner of Labor and Industries, to a mechanic, apprentice, teamster, chauffeur or laborer performing work within a classification as determined by such Commissioner, in violation of G.L. c.149, §27. (PENALTY: not more than \$10,000; "offers of restitution or payment of restitution shall not be considered in imposing such punishment." CLERK-MAGISTRATE MUST REPORT CONVICTION TO DEPARTMENT OF LABOR & WORKFORCE DEVELOPMENT, which shall debar from public works for 6 months or, upon second conviction in 3 years, for 3 years.)

149/27/A **PREVAILING WAGE ON PUB WORKS, FL PAY** c149 §27 (Effective 11/5/98)
on [DATE OF OFFENSE:], as an employer, contractor or subcontractor, or an officer, agent, superintendent, foreman or employee thereof, did on a public works pay less than the rate or rates of wages, including payments to health and welfare funds and pension funds, or the equivalent payment in wages, determined by the Commissioner of Labor and Industries, to a mechanic, apprentice, teamster, chauffeur or laborer performing work within a classification as determined by such Commissioner, in violation of G.L. c.149, §27. (PENALTY from §27C[a][2]: imprisonment not more than 6 months; or not more than \$10,000. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 6 months.)

149/27/C **PREVAILING WAGE ON PUB WORKS, FL PAY, SUBSQ.** c149 §27 (Effective 11/5/98)
on [DATE OF OFFENSE:], as an employer, contractor or subcontractor, or an officer, agent, superintendent, foreman or employee thereof, did on a public works pay less than the rate or rates of wages, including payments to health and welfare funds and pension funds, or the equivalent payment in wages, determined by the Commissioner of Labor and Industries, to a mechanic, apprentice, teamster, chauffeur or laborer performing work within a classification as determined by such Commissioner, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §27. (PENALTY from §27C[a][2]: imprisonment not more than 1 year; or not more than \$25,000; or both. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for up to 3 years.)

149/27/D **PREVAILING WAGE ON PUB WORKS, WILFULLY FL PAY** c149 §27 (Effective 11/5/98)
on [DATE OF OFFENSE:], as an employer, contractor or subcontractor, or an officer, agent, superintendent, foreman or employee thereof, did on a public works wilfully pay less than the rate or rates of wages, including payments to health and welfare funds and pension funds, or the equivalent payment in wages, determined by the Commissioner of Labor and Industries, to a mechanic, apprentice, teamster, chauffeur or laborer performing work within a classification as determined by such Commissioner, in violation of G.L. c.149, §27. (PENALTY from §27C[a][2]: imprisonment not more than 1 year; or not more than \$25,000; or both. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 5 years.)

149/27/E **PREVAILING WAGE ON PUB WORKS, WILFULLY FL PAY, SUBSQ. OFF.** c149 §27 (Effective 11/5/98)
on [DATE OF OFFENSE:], as an employer, contractor or subcontractor, or an officer, agent, superintendent, foreman or employee thereof, did on a public works wilfully pay less than the rate or rates of wages, including payments to health and welfare funds and pension funds, or the equivalent payment in wages,

determined by the Commissioner of Labor and Industries, to a mechanic, apprentice, teamster, chauffeur or laborer performing work within a classification as determined by such Commissioner, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §27. (PENALTY from §27C[a][2]: imprisonment not more than 2 years; or not more than \$50,000; or both. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 5 years.)

149/27/B **PUBLIC WORKS WAGES, KICKBACK ON** c149 §27 (Effective 12/8/87-11/4/98)
on [DATE OF OFFENSE:], for himself, or as representative, agent or officer of another, did take or receive for his or her own use or the use of some other person, as a rebate, refund or gratuity, or in some other guise, a part or portion of the wages, including payments to health and welfare funds and pension funds, or the equivalent payment in wages, paid to a person for work done or service rendered on a public works pursuant to G.L. c.149, §27, in violation of G.L. c.149, §27. (PENALTY: not more than \$10,000; "offers of restitution or payment of restitution shall not be considered in imposing such punishment." CLERK-MAGISTRATE MUST REPORT CONVICTION TO DEPARTMENT OF LABOR & WORKFORCE DEVELOPMENT, which shall debar from public works for 6 months or, upon second conviction in 3 years, for 3 years.)

149/27/B **PUBLIC WORKS WAGES, KICKBACK ON** c149 §27 (Effective 11/5/98)
on [DATE OF OFFENSE:], as an employer, contractor or subcontractor, or an officer, agent, superintendent, foreman or employee thereof, did take or receive for his or her own use or the use of some other person, as a rebate, refund or gratuity, or in some other guise, a part or portion of the wages, including payments to health and welfare funds and pension funds, or the equivalent payment in wages, paid to a person for work done or service rendered on a public works pursuant to G.L. c.149, §27, in violation of G.L. c.149, §27. (PENALTY from §27C[a][2]: imprisonment not more than 6 months; or not more than \$10,000. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 6 months.)

149/27/F **PUBLIC WORKS WAGES, KICKBACK ON, SUBSQ.** c149 §27 (Effective 11/5/98)
on [DATE OF OFFENSE:], as an employer, contractor or subcontractor, or an officer, agent, superintendent, foreman or employee thereof, did take or receive for his or her own use or the use of some other person, as a rebate, refund or gratuity, or in some other guise, a part or portion of the wages, including payments to health and welfare funds and pension funds, or the equivalent payment in wages, paid to a person for work done or service rendered on a public works pursuant to G.L. c.149, §27, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §27. (PENALTY from §27C[a][2]: imprisonment not more than 1 year; or not more than \$25,000; or both. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for up to 3 years.)

149/27/G **PUBLIC WORKS WAGES, WILFUL KICKBACK ON** c149 §27 (Effective 11/5/98)
on [DATE OF OFFENSE:], as an employer, contractor or subcontractor, or an officer, agent, superintendent, foreman or employee thereof, did wilfully take or receive for his or her own use or the use of some other person, as a rebate, refund or gratuity, or in some other guise, a part or portion of the wages, including payments to health and welfare funds and pension funds, or the equivalent payment in wages, paid to a person for work done or service rendered on a public works pursuant to G.L. c.149, §27, in violation of G.L. c.149, §27. (PENALTY from §27C[a][2]: imprisonment not more than 1 year; or not more than \$25,000; or both. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 5 years.)

149/27/H **PUBLIC WORKS WAGES, WILFUL KICKBACK ON, SUBSQ.** c149 §27 (Effective 11/5/98)
on [DATE OF OFFENSE:], as an employer, contractor or subcontractor, or an officer, agent, superintendent, foreman or employee thereof, did wilfully take or receive for his or her own use or the use of some other person, as a rebate, refund or gratuity, or in some other guise, a part or portion of the wages, including payments to health and welfare funds and pension funds, or the equivalent payment in wages, paid to a person for work done or service rendered on a public works pursuant to G.L. c.149, §27, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §27. (PENALTY from §27C[a][2]: imprisonment not more than 2 years; or not more than \$50,000; or both. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 5 years.)

149/27/B/A **PUBLIC WORKS WAGE RECORDS, FAIL KEEP** c149 §27B (Effective 12/8/87-11/4/98)
on [DATE OF OFFENSE:], being a contractor, subcontractor or public body engaged in public works to which G.L. c.149, §27-§27A applied, or being the agent, superintendent or foreman for such: (1) did fail to keep a true and accurate record of all mechanics and apprentices and laborers employed thereon and their wages, in such form as was required by G.L. c.149, §27B; or (2) did fail to furnish to the Commissioner of Labor and Industries, upon his or her request, a copy of such record, signed by the employer or his or her authorized agent under the penalties of perjury; or (3) did fail to make such records open to inspection by an authorized representative of the Department of Labor and Industries at a reasonable time, and as often as was necessary; or (4) did fail to preserve its payroll records for a period of three years from the date of completion of such contract; or (5) did fail to furnish to such Commissioner within 15 days after completion of its portion of such work the statement of compliance required by G.L. c.149, §27B, in violation of G.L. c.149, §27B. (PENALTY from §27C: not less than \$500, not more than \$2000; "offers of restitution or payment of restitution shall not be considered in imposing such punishment." CLERK-MAGISTRATE MUST REPORT CONVICTION TO DEPARTMENT OF LABOR & WORKFORCE DEVELOPMENT, which shall debar from public works for 6 months or, upon second conviction in 3 years, for 3 years.)

149/27/B/A **PUBLIC WORKS WAGE RECORDS, FAIL KEEP** c149 §27B (Effective 11/5/98)
on [DATE OF OFFENSE:], as an employer, contractor or subcontractor engaged in public works to which G.L. c.149, §27-§27A applied, or an officer, agent, superintendent, foreman or employee thereof: (1) did fail to keep a true and accurate record of all mechanics and apprentices, teamsters, chauffeurs and laborers employed thereon and their wages, in such form as was required by G.L. c.149, §27B; or (2) did fail to furnish to the Commissioner of Labor and Industries, upon his or her request, a copy of such record, signed by the employer or his or her authorized agent under the penalties of perjury; or (3) did fail to make such records open to inspection by an authorized representative of the Department of Labor and Industries at a reasonable time, and as often as was necessary; or (4) did fail to preserve its payroll records for a period of three years from the date of completion of such contract; or (5) did fail to furnish to such Commissioner within 15 days after completion of its portion of such work the statement of compliance required by G.L. c.149, §27B, in violation of G.L. c.149, §27B. (PENALTY from §27C[a][2]: imprisonment not more than 6 months; or not more than \$10,000. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 6 months.)

149/27/B/B **PUBLIC WORKS WAGE RECORDS, FAIL KEEP, SUBSQ. OFF.** c149 §27B (Effective 12/8/87-11/4/98)
on [DATE OF OFFENSE:], being a contractor, subcontractor or public body engaged in public works to which G.L. c.149, §27-§27A applied, or being the agent, superintendent or foreman for such: (1) did fail to keep a true and accurate record of all mechanics and apprentices, teamsters, chauffeurs and laborers

employed thereon and their wages, in such form as was required by G.L. c.149, §27B; or (2) did fail to furnish to the Commissioner of Labor and Industries, upon his or her request, a copy of such record, signed by the employer or his or her authorized agent under the penalties of perjury; or (3) did fail to make such records open to inspection by an authorized representative of the Department of Labor and Industries at a reasonable time, and as often as was necessary; or (4) did fail to preserve its payroll records for a period of three years from the date of completion of such contract; or (5) did fail to furnish to such Commissioner within 15 days after completion of its portion of such work the statement of compliance required by G.L. c.149, §27B, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §27B. (PENALTY from §27C: imprisonment not more than 3 months; or not less than \$1000, not more than \$5000; or both; "offers of restitution or payment of restitution shall not be considered in imposing such punishment." CLERK-MAGISTRATE MUST REPORT CONVICTION TO DEPARTMENT OF LABOR & WORKFORCE DEVELOPMENT, which shall debar from public works for 6 months or, upon second conviction in 3 years, for 3 years.)

149/27B/B **PUBLIC WORKS WAGE RECORDS, FAIL KEEP, SUBSQ.** c149 §27B (Effective 11/5/98)
on **[DATE OF OFFENSE:]**, as an employer, contractor or subcontractor engaged in public works to which G.L. c.149, §27-§27A applied, or an officer, agent, superintendent, foreman or employee thereof: (1) did fail to keep a true and accurate record of all mechanics and apprentices, teamsters, chauffeurs and laborers employed thereon and their wages, in such form as was required by G.L. c.149, §27B; or (2) did fail to furnish to the Commissioner of Labor and Industries, upon his or her request, a copy of such record, signed by the employer or his or her authorized agent under the penalties of perjury; or (3) did fail to make such records open to inspection by an authorized representative of the Department of Labor and Industries at a reasonable time, and as often as was necessary; or (4) did fail to preserve its payroll records for a period of three years from the date of completion of such contract; or (5) did fail to furnish to such Commissioner within 15 days after completion of its portion of such work the statement of compliance required by G.L. c.149, §27B, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §27B. (PENALTY from §27C[a][2]: imprisonment not more than 1 year; or not more than \$25,000; or both. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for up to 3 years.)

149/27B/C **PUBLIC WORKS WAGE RECORDS, WILFULLY FAIL KEEP** c149 §27B (Effective 11/5/98)
on **[DATE OF OFFENSE:]**, as an employer, contractor or subcontractor engaged in public works to which G.L. c.149, §27-§27A applied, or an officer, agent, superintendent, foreman or employee thereof: (1) did wilfully fail to keep a true and accurate record of all mechanics and apprentices, teamsters, chauffeurs and laborers employed thereon and their wages, in such form as was required by G.L. c.149, §27B; or (2) did wilfully fail to furnish to the Commissioner of Labor and Industries, upon his or her request, a copy of such record, signed by the employer or his or her authorized agent under the penalties of perjury; or (3) did wilfully fail to make such records open to inspection by an authorized representative of the Department of Labor and Industries at a reasonable time, and as often as was necessary; or (4) did wilfully fail to preserve its payroll records for a period of three years from the date of completion of such contract; or (5) did wilfully fail to furnish to such Commissioner within 15 days after completion of its portion of such work the statement of compliance required by G.L. c.149, §27B, in violation of G.L. c.149, §27B. (PENALTY from §27C[a][2]: imprisonment not more than 1 year; or not more than \$25,000; or both. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 5 years.)

149/27B/D **PUBLIC WORKS WAGE RECORDS, WILFULLY FAIL KEEP, SUBSQ. OFF.** c149 §27B (Effective 11/5/98)
on **[DATE OF OFFENSE:]**, as an employer, contractor or subcontractor engaged in public works to which G.L. c.149, §27-§27A applied, or an officer, agent, superintendent, foreman or employee thereof: (1) did wilfully fail to keep a true and accurate record of all mechanics and apprentices, teamsters, chauffeurs and laborers employed thereon and their wages, in such form as was required by G.L. c.149, §27B; or (2) did wilfully fail to furnish to the Commissioner of Labor and Industries, upon his or her request, a copy of such record, signed by the employer or his or her authorized agent under the penalties of perjury; or (3) did wilfully fail to make such records open to inspection by an authorized representative of the Department of Labor and Industries at a reasonable time, and as often as was necessary; or (4) did wilfully fail to preserve its payroll records for a period of three years from the date of completion of such contract; or (5) did wilfully fail to furnish to such Commissioner within 15 days after completion of its portion of such work the statement of compliance required by G.L. c.149, §27B, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §27B. (PENALTY from §27C[a][2]: imprisonment not more than 2 years; or not more than \$50,000; or both. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 5 years.)

149/27F/A **PREVAILING WAGE ON PUB WORKS, FL PAY** c149 §27F (Effective 12/8/87-11/4/98)
on **[DATE OF OFFENSE:]** did on a public works pay less than the rate or rates of wages, including payments to health and welfare funds and pension funds, or the equivalent payment in wages, as determined by the Commissioner of Labor and Industries, to the operator of a truck or an automotive or other vehicle or equipment, in violation of G.L. c.149, §27F. (PENALTY: not less than \$1000, not more than \$5,000.)

149/27F/A **PREVAILING WAGE ON PUB WORKS, FL PAY** c149 §27F (Effective 11/5/98)
on **[DATE OF OFFENSE:]**, as an employer, contractor or subcontractor, or an officer, agent, superintendent, foreman or employee thereof, did on a public works pay less than the rate or rates of wages, including payments to health and welfare funds and pension funds, or the equivalent payment in wages, as determined by the Commissioner of Labor and Industries, to the operator of a truck or an automotive or other vehicle or equipment, in violation of G.L. c.149, §27F. (PENALTY from §27C[a][2]: imprisonment not more than 6 months; or not more than \$10,000. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 6 months.)

149/27F/C **PREVAILING WAGE ON PUB WORKS, FL PAY, SUBSQ.** c149 §27F (Effective 11/5/98)
on **[DATE OF OFFENSE:]**, as an employer, contractor or subcontractor, or an officer, agent, superintendent, foreman or employee thereof, did on a public works pay less than the rate or rates of wages, including payments to health and welfare funds and pension funds, or the equivalent payment in wages, as determined by the Commissioner of Labor and Industries, to the operator of a truck or an automotive or other vehicle or equipment, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §27F. (PENALTY from §27C[a][2]: imprisonment not more than 1 year; or not more than \$25,000; or both. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for up to 3 years.)

149/27F/D **PREVAILING WAGE ON PUB WORKS, WILFULLY FL PAY** c149 §27F (Effective 11/5/98)
on **[DATE OF OFFENSE:]**, as an employer, contractor or subcontractor, or an officer, agent, superintendent, foreman or employee thereof, did on a public works wilfully pay less than the rate or rates of wages, including payments to health and welfare funds and pension funds, or the equivalent payment in wages, as determined by the Commissioner of Labor and Industries, to the operator of a truck or an automotive or other vehicle or equipment, in violation of G.L. c.149, §27F. (PENALTY from §27C[a][2]: imprisonment not more than 1 year; or not more than \$25,000; or both. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 5 years.)

149/27F/E **PREVAILING WAGE ON PUB WORKS, WILFULLY FL PAY, SUBSQ.OFF.** c149 §27F (Effective 11/5/98)
on **[DATE OF OFFENSE:]**, as an employer, contractor or subcontractor, or an officer, agent, superintendent, foreman or employee thereof, did on a public works wilfully pay less than the rate or rates of wages, including payments to health and welfare funds and pension funds, or the equivalent payment in wages, as determined by the Commissioner of Labor and Industries, to the operator of a truck or an automotive or other vehicle or equipment, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §27F. (PENALTY from §27C[a][2]: imprisonment not more than 2 years; or not more than \$50,000; or both. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 5 years.)

149/27F/B **PUBLIC WORKS WAGES, KICKBACK ON** c149 §27F (Effective 12/8/87-11/4/98)
on **[DATE OF OFFENSE:]**, did accept for his or her own use or the use of some other person, as a rebate or gratuity, or in some other guise, a part or portion of the wages or health and welfare fund payments paid to the operator of a truck or an automotive or other vehicle or equipment on a public works, in violation of G.L. c.149, §27F. (PENALTY: not less than \$1000, not more than \$5,000.)

149/27F/B **PUBLIC WORKS WAGES, KICKBACK ON** c149 §27F (Effective 11/5/98)
on **[DATE OF OFFENSE:]**, as an employer, contractor or subcontractor, or an officer, agent, superintendent, foreman or employee thereof, did accept for his or her own use or the use of some other person, as a rebate or gratuity, or in some other guise, a part or portion of the wages or health and welfare fund payments paid to the operator of a truck or an automotive or other vehicle or equipment on a public works, in violation of G.L. c.149, §27F. (PENALTY from §27C[a][2]: imprisonment not more than 6 months; or not more than \$10,000. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 6 months.)

149/27F/F **PUBLIC WORKS WAGES, KICKBACK ON, SUBSQ.** c149 §27F (Effective 11/5/98)
on **[DATE OF OFFENSE:]**, as an employer, contractor or subcontractor, or an officer, agent, superintendent, foreman or employee thereof, did accept for his or her own use or the use of some other person, as a rebate or gratuity, or in some other guise, a part or portion of the wages or health and welfare fund payments paid to the operator of a truck or an automotive or other vehicle or equipment on a public works, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §27F. (PENALTY from §27C[a][2]: imprisonment not more than 1 year; or not more than \$25,000; or both. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for up to 3 years.)

149/27F/G **PUBLIC WORKS WAGES, WILFUL KICKBACK ON** c149 §27F (Effective 11/5/98)
on **[DATE OF OFFENSE:]**, as an employer, contractor or subcontractor, or an officer, agent, superintendent, foreman or employee thereof, did wilfully accept for his or her own use or the use of some other person, as a rebate or gratuity, or in some other guise, a part or portion of the wages or health and welfare fund payments paid to the operator of a truck or an automotive or other vehicle or equipment on a public works, in violation of G.L. c.149, §27F. (PENALTY from §27C[a][2]: imprisonment not more than 1 year; or not more than \$25,000; or both. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 5 years.)

149/27F/H **PUBLIC WORKS WAGES, WILFUL KICKBACK ON, SUBSQ.** c149 §27F (Effective 11/5/98)
on **[DATE OF OFFENSE:]**, as an employer, contractor or subcontractor, or an officer, agent, superintendent, foreman or employee thereof, did wilfully accept for his or her own use or the use of some other person, as a rebate or gratuity, or in some other guise, a part or portion of the wages or health and welfare fund payments paid to the operator of a truck or an automotive or other vehicle or equipment on a public works, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §27F. (PENALTY from §27C[a][2]: imprisonment not more than 2 years; or not more than \$50,000; or both. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 5 years.)

149/27G/A **PUBLIC MOVING CONTR W/O WAGE CLAUSE** c149 §27G (Effective 11/5/98)
on **[DATE OF OFFENSE:]** did enter into or give, on behalf of the Commonwealth or a county, city, town or district, a contract for the moving of office furniture and fixtures that did not contain a stipulation requiring prescribed rates of wages, as determined by the Commissioner of Labor and Industries, to be paid to the employees of a moving contractor, in violation of G.L. c.149, §27G. (PENALTY from §27C[a][2]: imprisonment not more than 6 months; or not more than \$10,000. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 5 years.)

149/27G/B **PUBLIC MOVING CONTR W/O WAGE CLAUSE, SUBSQ.** c149 §27G (Effective 11/5/98)
on **[DATE OF OFFENSE:]** did enter into or give, on behalf of the Commonwealth or a county, city, town or district, a contract for the moving of office furniture and fixtures that did not contain a stipulation requiring prescribed rates of wages, as determined by the Commissioner of Labor and Industries, to be paid to the employees of a moving contractor, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §27G. (PENALTY from §27C[a][2]: imprisonment not more than 1 year; or not more than \$25,000; or both. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 5 years.)

149/27G/C **PUBLIC MOVING CONTR WILFULLY W/O WAGE CLAUSE** c149 §27G (Effective 11/5/98)
on **[DATE OF OFFENSE:]** did wilfully enter into or give, on behalf of the Commonwealth or a county, city, town or district, a contract for the moving of office furniture and fixtures that did not contain a stipulation requiring prescribed rates of wages, as determined by the Commissioner of Labor and Industries, to be paid to the employees of a moving contractor, in violation of G.L. c.149, §27G. (PENALTY from §27C[a][2]: imprisonment not more than 1 year; or not more than \$25,000; or both. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 5 years.)

149/27G/D **PUBLIC MOVING CONTR WILFULLY W/O WAGE CLAUSE, SUBSQ. OFF.** c149 §27G (Effective 11/5/98)
on **[DATE OF OFFENSE:]** did wilfully enter into or give, on behalf of the Commonwealth or a county, city, town or district, a contract for the moving of office furniture and fixtures that did not contain a stipulation requiring prescribed rates of wages, as determined by the Commissioner of Labor and Industries, to be paid to the employees of a moving contractor, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §27G. (PENALTY from §27C[a][2]: imprisonment not more than 2 years; or not more than \$50,000; or both. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 5 years.)

149/27H/A **PUBLIC MAINTENANCE CONTRACT WAGES VIOL** c149 §27H (Effective 4/15/88-11/4/98)

on **[DATE OF OFFENSE:]** did pay less than the prescribed rates of wages, as determined by the Commissioner of Labor and Industries, for the cleaning and maintenance of public buildings or space rented by the Commonwealth under an agreement or contract entered into or given by the Commonwealth, in violation of G.L. c.149, §27H. (PENALTY: not less than \$100, not more than \$500.)

149/27H/A **PUBLIC MAINTENANCE CONTRACT WAGES VIOL** c149 §27H (Effective 11/5/98)
on **[DATE OF OFFENSE:]**, as an employer, contractor or subcontractor, or an officer, agent, superintendent, foreman or employee thereof, did pay less than the prescribed rates of wages, as determined by the Commissioner of Labor and Industries, for the cleaning and maintenance of public buildings or space rented by the Commonwealth under an agreement or contract entered into or given by the Commonwealth, in violation of G.L. c.149, §27H. (PENALTY from §27C[a][2]: imprisonment not more than 6 months; or not more than \$10,000. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 6 months.)

149/27H/C **PUBLIC MAINTENANCE CONTRACT WAGES VIOL, SUBSQ.** c149 §27H (Effective 11/5/98)
on **[DATE OF OFFENSE:]**, as an employer, contractor or subcontractor, or an officer, agent, superintendent, foreman or employee thereof, did pay less than the prescribed rates of wages, as determined by the Commissioner of Labor and Industries, for the cleaning and maintenance of public buildings or space rented by the Commonwealth under an agreement or contract entered into or given by the Commonwealth, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §27H. (PENALTY from §27C[a][2]: imprisonment not more than 1 year; or not more than \$25,000; or both. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for up to 3 years.)

149/27H/D **PUBLIC MAINTENANCE CONTRACT WILFUL WAGES VIOL** c149 §27H (Effective 11/5/98)
on **[DATE OF OFFENSE:]**, as an employer, contractor or subcontractor, or an officer, agent, superintendent, foreman or employee thereof, did wilfully pay less than the prescribed rates of wages, as determined by the Commissioner of Labor and Industries, for the cleaning and maintenance of public buildings or space rented by the Commonwealth under an agreement or contract entered into or given by the Commonwealth, in violation of G.L. c.149, §27H. (PENALTY from §27C[a][2]: imprisonment not more than 1 year; or not more than \$25,000; or both. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 5 years.)

149/27H/E **PUBLIC MAINTENANCE CONTRACT WILFUL WAGES VIOL, SUBSQ. OFF.** c149 §27H (Effective 11/5/98)
on **[DATE OF OFFENSE:]**, as an employer, contractor or subcontractor, or an officer, agent, superintendent, foreman or employee thereof, did wilfully pay less than the prescribed rates of wages, as determined by the Commissioner of Labor and Industries, for the cleaning and maintenance of public buildings or space rented by the Commonwealth under an agreement or contract entered into or given by the Commonwealth, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §27H. (PENALTY from §27C[a][2]: imprisonment not more than 2 years; or not more than \$50,000; or both. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 5 years.)

149/27H/B **PUBLIC MAINTENANCE CONTRACT, KICKBACK ON** c149 §27H (Effective 4/15/88-11/4/98)
on **[DATE OF OFFENSE:]** did accept for his or her own use, or for the use of some other person as a rebate, gratuity or in some other guise, some part or portion of wages paid for the cleaning and maintenance of public buildings or space rented by the Commonwealth under an agreement or contract entered into or given by the Commonwealth, in violation of G.L. c.149, §27H. (PENALTY: not less than \$100, not more than \$500.)

149/27H/B **PUBLIC MAINTENANCE CONTRACT, KICKBACK ON** c149 §27H (Effective 11/5/98)
on **[DATE OF OFFENSE:]**, as an employer, contractor or subcontractor, or an officer, agent, superintendent, foreman or employee thereof, did accept for his or her own use, or for the use of some other person as a rebate, gratuity or in some other guise, some part or portion of wages paid for the cleaning and maintenance of public buildings or space rented by the Commonwealth under an agreement or contract entered into or given by the Commonwealth, in violation of G.L. c.149, §27H. (PENALTY from §27C[a][2]: imprisonment not more than 6 months; or not more than \$10,000. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 6 months.)

149/27H/F **PUBLIC MAINTENANCE CONTRACT, KICKBACK ON, SUBSQ. OFF.** c149 §27H (Effective 11/5/98)
on **[DATE OF OFFENSE:]**, as an employer, contractor or subcontractor, or an officer, agent, superintendent, foreman or employee thereof, did accept for his or her own use, or for the use of some other person as a rebate, gratuity or in some other guise, some part or portion of wages paid for the cleaning and maintenance of public buildings or space rented by the Commonwealth under an agreement or contract entered into or given by the Commonwealth, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §27H. (PENALTY from §27C[a][2]: imprisonment not more than 1 year; or not more than \$25,000; or both. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for up to 3 years.)

149/27H/G **PUBLIC MAINTENANCE CONTRACT, WILFUL KICKBACK ON** c149 §27H (Effective 11/5/98)
on **[DATE OF OFFENSE:]**, as an employer, contractor or subcontractor, or an officer, agent, superintendent, foreman or employee thereof, did wilfully accept for his or her own use, or for the use of some other person as a rebate, gratuity or in some other guise, some part or portion of wages paid for the cleaning and maintenance of public buildings or space rented by the Commonwealth under an agreement or contract entered into or given by the Commonwealth, in violation of G.L. c.149, §27H. (PENALTY from §27C[a][2]: imprisonment not more than 1 year; or not more than \$25,000; or both. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 5 years.)

149/27H/H **PUBLIC MAINTENANCE CONTRACT, WILFUL KICKBACK ON, SUBSQ. OFF.** c149 §27H (Effective 11/5/98)
on **[DATE OF OFFENSE:]**, as an employer, contractor or subcontractor, or an officer, agent, superintendent, foreman or employee thereof, did wilfully accept for his or her own use, or for the use of some other person as a rebate, gratuity or in some other guise, some part or portion of wages paid for the cleaning and maintenance of public buildings or space rented by the Commonwealth under an agreement or contract entered into or given by the Commonwealth, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §27H. (PENALTY from §27C[a][2]: imprisonment not more than 2 years; or not more than \$50,000; or both. §27C[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 5 years.)

149/30 **PUBLIC WORKS, EXCESS OVERTIME ON** c149 §30
on **[DATE OF OFFENSE:]**, being an agent or official of the Commonwealth, a county, or of a city or town which had accepted G.L. c.149, §30 or St.1916, c.240, §1, or a contractor or sub-contractor, or an agent or person acting on behalf of a contractor or sub-contractor, did require or permit a laborer, workman,

mechanic, foreman or inspector to work more than 8 hours in any one day, or more than 48 hours in any one week, or more than 6 days in any one week, for or upon a public works of the commonwealth, a county, or such a city or town, not being excepted by law for emergency or other reason, in violation of G.L. c.149, §30. (PENALTY from §35: imprisonment for 6 months; or not more than \$1000; or both.)

149/31 PUBLIC WORKS, EXCESS OVERTIME ON c149 §31
on **[DATE OF OFFENSE:]**, being an agent or official of a town which had accepted Revised Laws c.106, §20, or St.1909, c.514, §42, as affected by St.1911, c.494, and which had not accepted St.1916, c.240, §1, or a contractor or sub-contractor, or an agent or person acting on behalf of a contractor or sub-contractor, did require or permit a laborer, workman or mechanic to work more than 8 hours in any one day, for or upon a public works of such city or town, not being excepted by law for emergency or other reason, in violation of G.L. c.149, §31. (PENALTY from §35: imprisonment for 6 months; or not more than \$1000; or both.)

149/34 PUBLIC WORKS CONTRACT FAIL BAN EXCESS OT c149 §34
on **[DATE OF OFFENSE:]**, being an agent or official of the Commonwealth or of a county, city or town, or a contractor or sub-contractor, or an agent or person acting on behalf of a contractor or sub-contractor, did enter into a contract, other than one for the purchase of material or supplies, involving the employment of laborers, workmen, mechanics, foremen or inspectors, to which the Commonwealth, a county, or a town subject to G.L. c.149, §30, was a party, that did not contain a stipulation that no laborer, workman, mechanic, foreman or inspector working within this Commonwealth, in the employ of the contractor, sub-contractor or other person doing or contracting to do the whole or a part of the work contemplated by the contract, should be required or permitted to work: (1) more than 8 hours in any one day or more than 48 hours in any one week, or more than 6 days in any one week, except in cases of emergency; or (2) in a situation where a town subject to G.L. c.149, §31 was a party to such a contract, more than 8 hours in any one day, not being excepted by law for emergency or other reason, in violation of G.L. c.149, §34. (PENALTY from §35: imprisonment for 6 months; or not more than \$1000; or both.)

149/34A WORKERS COMP ON PUBLIC WORK, FAIL HAVE c149 §34A
on **[DATE OF OFFENSE:]**: (1) being a contractor, did enter into a contract for the construction, alteration, maintenance, repair or demolition of, or addition to, a public building or other public works for the Commonwealth or a political subdivision thereof, that did not contain stipulations requiring that the contractor shall, before commencing performance of such contract, provide by insurance for the payment of compensation and the furnishing of other benefits under G.L. c.152 to all persons to be employed under the contract, and that the contractor continue such insurance in full force and effect during the term of the contract; or (2) being a contractor who had entered into a contract with such stipulations, did thereafter fail to provide and continue in force such insurance; or (3) being an officer or agent contracting in behalf of the Commonwealth or a political subdivision thereof, did award such a contract without having been furnished with sufficient proof of compliance with such stipulations, in violation of G.L. c.149, §34A. (PENALTY: imprisonment for 6 months; or not more than \$100; or both; and contractor-defendant debarred from public works and building for 2 years.)

149/44J/A PUBLIC WORKS BIDDING, FAIL ADVERTISE FOR c149 §44J (Effective 8/15/89)
on **[DATE OF OFFENSE:]**, as the agent of a public agency or authority of the Commonwealth or a political subdivision thereof, did award a contract for which competitive bids were required by G.L. c.149, §44A or G.L. c.30, §39M, or competitive proposals were required by G.L. c.149, §44E(4): (1) without a notice inviting bids or proposals therefor having been posted no less than one week prior to the time specified in such notice for the receipt of such bids or proposals in a conspicuous place in or near the offices of the awarding authority, and having remained posted until the time so specified; or (2) without such notice having been published at least once not less than 2 weeks prior to the time so specified in the central register published by the Secretary of State pursuant to G.L. c.9, §20A, and in a newspaper of general circulation in the locality of the proposed project, and at such other times and in such other newspapers or trade periodicals as the Commissioner of Capital Planning and Operations had required, in violation of G.L. c.149, §44J. (PENALTY: state prison not more than 3 years; or jail or house of correction not more than 2½ years; or not more than \$10,000 fine; or both such imprisonment and fine; and debarment from public office.)

149/44J/B PUBLIC WORKS TO AVOID BIDDING, SPLIT c149 §44J (Effective 8/15/89)
on **[DATE OF OFFENSE:]** did cause or conspire to cause a contract or preliminary plans and specifications for which competitive bids were required by G.L. c.149, §44A or G.L. c.30, §39M, or competitive proposals were required by G.L. c.149, §44E(4), to be split or divided for the purpose of evading the provisions of G.L. c.149, §44J, in violation of G.L. c.149, §44J. (PENALTY: forfeiture to Commonwealth, political subdivision or other awarding authority: not more than \$5000; plus, apportioned among defendants, double the amount of damages that may have been sustained, plus costs.)

149/45 EMPLOYER FAIL ALLOW HOLIDAY TO FACTORY c149 §45 (Effective 12/8/87)
on **[DATE OF OFFENSE:]** did require an employee to work in a mill or factory on a legal holiday to perform work that was not both absolutely necessary and lawful to perform on Sunday, in violation of G.L. c.149, §45. (PENALTY: not more than \$1500.)

149/47 EMPLOYER FAIL ALLOW EMPLOYEE DAY OF REST c149 §47 (Effective 12/8/87)
on **[DATE OF OFFENSE:]**, other than at the request of the employee, did require an employee engaged in a commercial occupation or in the work of an industrial process not subject to G.L. c.149, §48 or in the work of transportation or communication, to do on Sunday the usual work of his or her occupation, without allowing him or her during the 6 days next ensuing 24 consecutive hours without labor, in violation of G.L. c.149, §47. (PENALTY: not more than \$300.)

149/48 EMPLOYER FAIL ALLOW EMPLOYEE DAY OF REST c149 §48 (Effective 12/8/87)
on **[DATE OF OFFENSE:]**, being an employer of labor engaged in carrying on a manufacturing, mechanical or mercantile establishment or workshop in this Commonwealth: (1) did fail to allow a person other than those specified in G.L. c.149, §50, at least 24 consecutive hours of rest, including an unbroken period comprising the hours between 8 a.m. and 5 p.m., in every seven consecutive days; or (2) did operate such a manufacturing, mechanical or mercantile establishment or workshop on Sunday without having complied with G.L. c.149, §51, in violation of G.L. c.149, §48. (PENALTY: \$300.)

149/50A WATCHMAN, FAIL ALLOW DAY OF REST TO c149 §50A (Effective 12/8/87)
on **[DATE OF OFFENSE:]**, being an employer of a person employed as a watchman in an establishment other than one described in G.L. c.149, §48, or employed in maintaining fires in such an establishment, did fail to allow such employee at least 24 consecutive hours of rest in every 7 consecutive days, in violation of G.L. c.149, §50A. (PENALTY: \$300.)

149/51 EMPLOYER FAIL POST/OBSERVE DAY OF REST c149 §51 (Effective 12/8/87)
on **[DATE OF OFFENSE:]**, being an employer subject to G.L. c.149, §48 or §50A: (1) before operating on Sunday did fail to post in a conspicuous place on the premises a schedule containing a list of his or her employees who were required or allowed to work on Sunday, and designating the day of rest for each; or (2) did require or allow an employee to work on the day of rest designated for him or her, in violation of G.L. c.149, §51. (PENALTY from §52: \$300.)

149/52 EMPLOYER FAIL KEEP EMPLOYEE TIME BOOK c149 §52 (Effective 12/8/87)
on **[DATE OF OFFENSE:]**, being an employer subject to G.L. c.149, §47-§48, did fail to keep a time book, open to inspection by the Department of Labor

and Industries, showing the names and addresses of all employees and the hours worked by each of them in each day, in violation of G.L. c.149, §52. (PENALTY: \$300.)

149/52C **PERSONNEL RECORDS VIOL** c149 §52C (Effective 4/23/93)
on **[DATE OF OFFENSE:]**, being an employer: (1) having received a written request from an employee, did fail to provide the employee with an opportunity to review, or to obtain a copy of, his or her personnel record, as such terms are defined in G.L. c.149, §52C; or (2) did fail to include in an employee's personnel record, a written statement that had been submitted by the employee explaining the employee's disagreement with some information contained in such record; or (3) while such information was retained as part of such file, did fail to include such statement when such information was transmitted to a third party; or (4) being an employer of 20 or more employees, did fail to retain the personnel record of an employee, as required to be kept by G.L. c.149, §52C, without deletions or expungement of information until 3 years after such employee's termination of employment; or (5) being an employer of 20 or more employees, did fail to retain such personnel record of an employee who had brought a cause of action against such employer in some administrative or judicial proceeding, until the final disposition thereof; or (6) being an employer of 20 or more employees who had elected to have a written personnel policy regarding the terms and conditions of employment, did fail continuously to maintain a current copy of such personnel policy at the office of such employer where personnel matters are administered, in violation of G.L. c.149, §52C. (PENALTY: not less than \$500, not more than \$2500.)

149/54 **CORE ROOMS REGULATIONS VIOLATION** c149 §54 (Effective 12/8/87)
on **[DATE OF OFFENSE:]** did **[DESCRIPTION OF OFFENSE:]**, in violation of a rule of the Department of Labor and Industries governing the employment of workers in core rooms, 441 Code Mass. Regs. §7.01 et seq., adopted pursuant to G.L. c.149, §54. (PENALTY: not less than \$100, not more than \$3000.)

149/57 **CHILD, EXCESS WORK HOURS BY** c149 §57
on **[DATE OF OFFENSE:]**: (1) being a parent or guardian, did permit a child under his or her control to be employed in violation of G.L. c.149, §56; or (2) did for himself or herself or as superintendent, overseer or agent for another, employ a person in violation of §56, or did fail to post or keep posted a notice required by §56, or did make a false report of the stopping of machinery, in violation of G.L. c.149, §57. (PENALTY: not more than \$100.)

149/69 **CHILD NEWSPAPER CARRIER LABOR VIOLATION** c149 §69 (Effective 7/23/87)
on **[DATE OF OFFENSE:]**, being a newspaper, did willingly and knowingly engage or employ in the sale or delivery of newspapers a boy or girl: (1) who was not 9 years of age or older; or (2) who had not been provided by the publisher or distributor with written policies regarding the activities and responsibilities of the boy or girl and of the publisher or distributor; or (3) who had not been provided by the publisher or distributor with an orientation and training program before he or she undertook responsibility for newspaper sales or delivery; or (4) who had not provided the publisher or distributor with a written statement of permission to sell or deliver newspapers from a parent or guardian who had previously reviewed the policies of the newspaper relative to sales or delivery; or (5) during the hours that the public schools in the city or town in which such boy or girl resided were in session; or (6) before 6 a.m. or after 8 p.m., in violation of G.L. c.149, §69. (PENALTY: not less than \$250, not more than \$500.)

149/78/A **CHILD LABOR VIOL** c149 §78 (Effective thru 1/2/07)
on **[DATE OF OFFENSE:]**, by himself or herself or for others, or through agents, servants or foremen, did employ, induce or permit a minor to **[DESCRIPTION OF LABOR VIOLATION:]**, and thus to work contrary to one or more provisions of G.L. c.149, §60-§74, in violation of G.L. c.149, §78. (PENALTY: imprisonment not more than 1 month; or not less than \$10, not more than \$50; or both.)

149/78/A **CHILD LABOR VIOL** c149 §78 (Effective 4/25/07)
on **[DATE OF OFFENSE:]**, by himself or herself or for others, or through agents, servants or foremen, did employ, induce or permit a minor to **[DESCRIPTION OF LABOR VIOLATION:]**, and thus to work contrary to one or more provisions of G.L. c.149, §60-§74, in violation of G.L. c.149, §78. (PENALTY: imprisonment not more than 1 month; or fine not less than \$500, not more than \$5000; or both.)

149/78/B **CHILD LABOR VIOL AFTER NOTICE** c149 §78 (Effective thru 1/2/07)
beginning on **[FIRST DATE OF OFFENSE:]** and continuing through **[LAST DATE OF OFFENSE:]**, by himself or herself or for others, or through agents, servants or foremen, did employ, induce or permit a minor to **[DESCRIPTION OF LABOR VIOLATION:]**, and thus to work contrary to one or more provisions of G.L. c.149, §60-§74, after the defendant had been so notified in writing by an authorized inspector or supervisor of attendance, in violation of G.L. c.149, §78. (PENALTY for each day of such employment: imprisonment not more than 1 month; or not less than \$10, not more than \$50; or both.)

149/78/B **CHILD LABOR VIOL AFTER NOTICE** c149 §78 (Effective 4/25/07)
beginning on **[FIRST DATE OF OFFENSE:]** and continuing through **[LAST DATE OF OFFENSE:]**, by himself or herself or for others, or through agents, servants or foremen, did employ, induce or permit a minor to **[DESCRIPTION OF LABOR VIOLATION:]**, and thus to work contrary to one or more provisions of G.L. c.149, §60-§74, after the defendant had been so notified in writing by an authorized inspector or supervisor of attendance, in violation of G.L. c.149, §78. (PENALTY for each day of such employment: imprisonment not more than 1 month; or fine not less than \$500, not more than \$5000; or both.)

149/78/C **CHILD LABOR VIOL AFTER NOTICE, SUBSQ.OFF** c149 §78 (Effective thru 1/2/07)
beginning on **[FIRST DATE OF OFFENSE:]** and continuing through **[LAST DATE OF OFFENSE:]**, by himself or herself or for others, or through agents, servants or foremen, did employ, induce or permit a minor to **[DESCRIPTION OF LABOR VIOLATION:]**, and thus to work contrary to one or more provisions of G.L. c.149, §60-§74, the defendant having previously been convicted of such an offense, after the defendant had been so notified in writing by an authorized inspector or supervisor of attendance, in violation of G.L. c.149, §78. (PENALTY for each day of such employment: imprisonment not more than 2 months; or not less than \$50, not more than \$200; or both.)

149/78/D **CHILD LABOR VIOL, SUBSQ. OFF.** c149 §78 (Effective thru 1/2/07)
on **[DATE OF OFFENSE:]**, by himself or herself or for others, or through agents, servants or foremen, did employ, induce or permit a minor to **[DESCRIPTION OF LABOR VIOLATION:]**, and thus to work contrary to one or more provisions of G.L. c.149, §60-§74, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §78. (PENALTY: imprisonment not more than 2 months; or not less than \$50, not more than \$200; or both.)

149/79 **SCHOOL ATTENDANCE OFFICER, OBSTRUCT** c149 §79 (Effective 5/12/61)
on **[DATE OF OFFENSE:]** did hinder or delay an authorized inspector of the Department of Labor and Industries or supervisor of attendance in the performance of his or her duties, or did refuse to admit to or did lock out such an inspector or supervisor from a place which such inspector or other authorized representative of such Department or supervisor was authorized to inspect, or did refuse to give to such inspector or other authorized representative of such Department or supervisor such information as was required for the proper enforcement of the provisions of, or a rule or regulation adopted under, G.L. c.149, in violation of G.L. c.149, §79. (PENALTY: imprisonment not more than 2 months; or not less than \$25, not more than \$200; or both.)

149/80 **CHILD, ASSIST ILLEGAL STREET SALES BY** c149 §80

on **[DATE OF OFFENSE:]**: (1) did furnish or sell to a minor an article with the knowledge that the minor intended to sell such article in violation of a provision of G.L. c.149, §69-§73, or after having received written notice to that effect from an officer charged with the enforcement thereof; or (2) did knowingly procure or encourage a minor to violate a provision of such sections, in violation of G.L. c.149, §80. (PENALTY: imprisonment not more than 2 months; or not less than \$20, not more than \$200; or both.)

149/81/A CHILD LABOR VIOL BY PARENT c149 §81

on **[DATE OF OFFENSE:]**, being a parent, guardian or custodian of a minor under his or her control: (1) did compel or permit such minor to **[DESCRIPTION OF LABOR VIOLATION:]**, and thus to work contrary to one or more provisions of G.L. c.149, §60-§74; or (2) did knowingly certify to one or more materially false statements for the purpose of obtaining the illegal employment of such minor, in violation of G.L. c.149, §81. (PENALTY: imprisonment not more than 5 days; or not less than \$2, not more than \$10; or both.)

149/81/B CHILD LABOR VIOL BY PARENT, SUBSQ. OFF. c149 §81

on **[DATE OF OFFENSE:]**, being a parent, guardian or custodian of a minor under his or her control: (1) did compel or permit such minor to **[DESCRIPTION OF LABOR VIOLATION:]**, and thus to work contrary to one or more provisions of G.L. c.149, §60-§74; or (2) did knowingly certify to one or more materially false statements for the purpose of obtaining the illegal employment of such minor, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §81. (PENALTY: imprisonment not more than 10 days; or not less than \$5, not more than \$25; or both.)

149/82 CHILD LABOR VIOL BY OFFICIAL c149 §82

on **[DATE OF OFFENSE:]**, being an inspector of the Department of Labor and Industries, supervisor of attendance, superintendent of schools or other person authorized to issue the badges required by G.L. c.149, §70, or some other person charged with the enforcement of any of the provisions of G.L. c.149, §60-§83, did knowingly **[DESCRIPTION OF OFFENSE:]**, and thereby knowingly violate or fail to comply with a provision of §60-§83, in violation of G.L. c.149, §82. (PENALTY: imprisonment not more than 2 months; or not less than \$10, not more than \$200; or both.)

149/83 CHILD LABOR VIOL BY CHILD c149 §83

on **[DATE OF OFFENSE:]**, being a minor, did engage in one of the trades or occupations mentioned in G.L. c.149, §69 in violation of one or more provisions of §69-§70 or §72-§74, the defendant having previously done so and been warned by the supervisors or officers mentioned in §77, and his or her parent, guardian or custodian notified, in violation of G.L. c.149, §83. (PENALTY if defendant under 17: dealt with as a delinquent child. PENALTY if defendant over 17: not more than \$15; and work badge may be revoked for violation of §70-§73.)

149/86 CHILD LABOR PERMIT, FAIL RETURN c149 §86

on **[DATE OF OFFENSE:]**, upon termination of the employment of a child over 14 and under 16 years of age whose permit for employment was on file, did fail to return such permit within two days after such termination to the office of the superintendent of schools or school committee from which it was issued, and did retain such permit, in violation of G.L. c.149, §86. (PENALTY: not less than \$10, not more than \$100.)

149/90/A CHILD LABOR PERMIT, ALTER c149 §90

on **[DATE OF OFFENSE:]** did without authority alter an employment permit issued under G.L. c.149, §89 after it had been issued, in violation of G.L. c.149, §90. (PENALTY: \$10.)

149/90/B CHILD LABOR PERMIT, FORGE ID TO OBTAIN c149 §90

on **[DATE OF OFFENSE:]**, for the purpose of fraudulently obtaining an employment permit under G.L. c.149, §86: (1) did forge, procure to be forged, or assist in forging a certificate of birth or other evidence of the age of a child under 16 years of age; or (2) did present or assist in presenting a forged certificate of evidence of birth to the superintendent of schools or to a person authorized by law to issue such employment permits, in violation of G.L. c.149, §90. (PENALTY: imprisonment not more than 1 year; or not less than \$10, not more than \$500; or both.)

149/90/C CHILD LABOR PERMIT, ISSUE FALSE c149 §90

on **[DATE OF OFFENSE:]**, being authorized to sign an employment permit issued under G.L. c.149, §86, did knowingly certify to a materially false statement therein, in violation of G.L. c.149, §90. (PENALTY: not less than \$10, not more than \$200.)

149/90/D CHILD UNDER 16, EMPLOY c149 §90

on **[DATE OF OFFENSE:]**: (1) did employ, or procure to be employed, a child under 16 contrary to the requirements of G.L. c.149, §86; or (2) having under his or her control a child under 16, did permit him or her to be employed contrary to the requirements of G.L. c.149, §86, in violation of G.L. c.149, §90. (PENALTY: imprisonment not more than 1 month; or not less than \$10, not more than \$50.)

149/90/E CHILD UNDER 16, EMPLOY AFTER NOTICE c149 §90

beginning on **[FIRST DATE OF OFFENSE:]** and continuing through **[LAST DATE OF OFFENSE:]**: (1) did employ, or procure to be employed, a child under 16 contrary to the requirements of G.L. c.149, §86; or (2) having under his or her control a child under 16, did permit him or her to be employed contrary to the requirements of G.L. c.149, §86, after having been notified thereof by a supervisor of attendance or by an inspector of the Department of Labor and Industries, in violation of G.L. c.149, §90. (PENALTY for each day of such employment: imprisonment not more than 2 months; or not less than \$50, not more than \$200.)

149/91 CHILD UNDER 16, EMPLOYER REFUSE DISCHARGE c149 §91

on **[DATE OF OFFENSE:]**, being the employer of a minor between 14 and 16 who was required by G.L. c.71, §22 to attend a continuation school or course of instruction, did fail to cease forthwith to employ such minor when notified in writing by the superintendent of schools, or by his or her representative duly authorized in writing, having jurisdiction over such minor's attendance, of such minor's non-attendance in accordance with §22, in violation of G.L. c.149, §91. (PENALTY: not less than \$10, not more than \$100.)

149/95 CHILD EDUC CERTIF, FRAUD/ALTER/RETAIN c149 §95

(Effective thru 1/2/07)

on **[DATE OF OFFENSE:]** did fraudulently secure or alter, or did retain contrary to a provision of G.L. c.149, §95, an educational certificate issued pursuant to G.L. c.149, §95, in violation of G.L. c.149, §95. (PENALTY: not less than \$10, not more than \$100.)

149/97 CHILD EDUC CERTIF VIOLATION BY EMPLOYER c149 §97

(Effective thru 1/2/07)

on **[DATE OF OFFENSE:]** did employ a minor over 16 and under 18 in a factory, workshop, manufacturing, mechanical or mercantile establishment, or in a public or private bowling alley, pool or billiard room, bootblack stand or establishment, barber shop, or in the construction or repair of buildings, or by an express or transportation company, other than as provided for pupils in co-operative courses, without having procured and kept on file an educational certificate showing the age of the minor and whether or not he or she met the requirements for the completion of the sixth grade of the public schools of the

towns where he or she resided, as required by G.L. c.149, §95, in violation of G.L. c.149, §97. (PENALTY: not more than \$100 [§98:] "to the use of the evening schools of the town".)

149/98 **CHILD EDUC CERTIF VIOLATION BY PARENT** c149 §98 (Effective thru 1/2/07)
on [DATE OF OFFENSE:], being a parent, guardian or custodian of a minor over 16 and under 18, did permit such minor to be employed in a factory, workshop, manufacturing, mechanical or mercantile establishment, or in a public or private bowling alley, pool or billiard room, bootblack stand or establishment, barber shop, or in the construction or repair of buildings, or by an express or transportation company, other than as provided for pupils in co-operative courses, without such employer having procured and kept on file an educational certificate showing the age of the minor and whether or not he or she met the requirements for the completion of the sixth grade of the public schools of the towns where he or she resided, as required by G.L. c.149, §95, in violation of G.L. c.149, §98. (PENALTY: not more than \$20 "to the use of the evening schools of the town".)

149/100 **EMPLOYER FAIL PROVIDE MEAL TIME** c149 §100 (Effective 12/8/87)
on [DATE OF OFFENSE:], being an employer, superintendent, overseer or agent, did require a person to work for more than 6 hours during a calendar day without an interval of at least 30 minutes for a meal, in violation of G.L. c.149, §100. (PENALTY: not less than \$300, not more than \$600.)

149/103 **EMPLOYER FAIL PROVIDE SEATS** c149 §103 (Effective 12/8/87)
on [DATE OF OFFENSE:], being an employer: (1) did fail to provide suitable seats for the use of his or her employees and to permit such employees to use such seats whenever they were not necessarily engaged in the active duties of their employment; or (2) did fail to provide for the use of employees, and permit them to use, suitable seats while at work, when such work could properly be performed in a sitting position and when such seats would not reasonably have been expected to result in an unsafe or hazardous working condition, in violation of G.L. c.149, §103. (PENALTY: not less than \$50, not more than \$200.)

149/104 **CHILD ENTERTAINER, EMPLOY** c149 §104
on [DATE OF OFFENSE:] did employ a child under 15 years of age, or permit him or her to appear, as a participant in a theater, circus or some other public exhibition as a singer, dancer, acrobat, actor or in some other entertainment capacity, not being excepted by law, in violation of G.L. c.149, §104. (PENALTY: imprisonment not more than 6 months; or not more than \$200.)

149/105B/A **SEX DISCRIM COMPLAINT, RETALIATE FOR** c149 §105B
on [DATE OF OFFENSE:], being an employer, did discharge or in some other manner discriminate against an employee because such employee had made a complaint to his or her employer, the Commissioner of Labor and Industries, or some other person, or instituted, or caused to be instituted, or had testified or was about to testify in, a proceeding under or related to G.L. c.149, §105A-§105C, in violation of G.L. c.149, §105B. (PENALTY: not more than \$100.)

149/105B/B **SEX DISCRIMINATION IN EMPLOYMENT** c149 §105B
on [DATE OF OFFENSE:], being an employer, did discriminate in some way in the payment of wages as between the sexes, or did pay some person in his or her employ salary or wage rates less than the rates paid to employees of the opposite sex for work of like or comparable character or work on like or comparable operations, contrary to the requirements of G.L. c.149, §105A, and in violation of G.L. c.149, §105B. (PENALTY: not more than \$100.)

149/106 **EMPLOYER FAIL PROVIDE DRINKING WATER** c149 §106 (Effective 5/18/56)
on [DATE OF OFFENSE:], being the owner, in whole or in part, manager, superintendent, or in control of an industrial establishment or construction project, did fail to provide fresh and pure drinking water to which all employees had access during working hours, in violation of G.L. c.149, §106. (PENALTY: \$100.)

149/107 **EMPLOYER FAIL PROVIDE HUMIDIFYING WATER** c149 §107
on [DATE OF OFFENSE:], being the operator of a factory or workshop, did use water for humidifying purposes (1) that was of such a degree of purity as to give rise to any impure or foul odors; or (2) that was used in such manner as to be injurious to the health of persons employed in such factories or workshops, in violation of G.L. c.149, §107. (PENALTY: not less than \$10, not more than \$1000.)

149/112 **EMPLOYER HUMIDITY VIOL, TEXTILE** c149 §112 (Effective 12/8/87)
on [DATE OF OFFENSE:], being an owner, occupier, manager, or person for the time being in charge of a textile factory, did [DESCRIPTION OF OFFENSE:], contrary to a provision of G.L. c.149, §108-§111, after being required to comply with such provision by an inspector of the Department of Labor and Industries, in violation of G.L. c.149, §112. (PENALTY: not more than \$300.)

149/115 **EMPLOYER FAIL OBEY EYE PROTECTION ORDER** c149 §115 (Effective 12/8/87)
beginning on [FIRST DATE OF OFFENSE:] and continuing through [LAST DATE OF OFFENSE:], being an employer in an industrial establishment, for more than four weeks after receiving an order of an inspector of the Department of Labor and Industries, on direction of such Department, requiring such employer to decrease or prevent the danger of injury to the eyes of employees by use of a mechanical device or other practical means, did neglect to comply with such order, in violation of G.L. c.149, §115. (PENALTY for each week during which violation continues: not less than \$100, not more than \$1000.)

149/116 **EMPLOYER FAIL OBEY LIGHTING ORDER** c149 §116
beginning on [FIRST DATE OF OFFENSE:] and continuing through [LAST DATE OF OFFENSE:], being the owner or lessee of a factory or workshop, did fail as soon as it could be done with reasonable diligence to obey an order of the Department of Labor and Industries specifying what changes should be made in order to light such factory or workshop properly, such failure not being the result of causes beyond his or her control, in violation of G.L. c.149, §116. (PENALTY: not more than \$500.)

149/122/A **EMPLOYER VENTILATION VIOL** c149 §122
on [DATE OF OFFENSE:], being the owner or operator of a place of employment, did neglect within four weeks of receipt thereof to comply with a written order from an inspector of the Department of Labor and Industries to correct a violation of G.L. c.149, §117-§121, in violation of G.L. c.149, §122. (PENALTY: not less than \$25, not more than \$100.)

149/122/B **EMPLOYER VENTILATION VIOL, SUBSQ. OFF.** c149 §122
on [DATE OF OFFENSE:], being the owner or operator of a place of employment, did neglect within four weeks of receipt thereof to comply with a written order from an inspector of the Department of Labor and Industries to correct a violation of G.L. c.149, §117-§121, the defendant having previously been convicted of such a violation, in violation of G.L. c.149, §122. (PENALTY: jail not more than 2 months; or not less than \$25, not more than \$100; or both.)

149/124 **STEAM MACHINERY LACK COMMUNICATIONS** c149 §124 (Effective 12/8/87)
on [DATE OF OFFENSE:], being the occupant or manager of a manufacturing establishment where the machinery was operated by steam, did neglect to comply with a written order from an inspector of the Department of Labor and Industries to provide communication between each room where such machinery

was placed and the room where the engineer was stationed by means of speaking tubes, electric bells or appliances to control the motive power, or such other means as was satisfactory to such inspector, in violation of G.L. c.149, §124. (PENALTY from §125: forfeiture of not less than \$100, not more than \$500.)

149/126 **FIRE DOORS LOCKED DURING BUSINESS HOURS** c149 §126 (Effective 12/8/87)
on **[DATE OF OFFENSE:]** was the owner, lessor or lessee, or other person in charge, of a building or portion thereof, a door of which was during business hours found locked, bolted or otherwise fastened or obstructed in a manner which would not permit free egress, contrary to a provision of G.L. c.149, §126, in violation of G.L. c.149, §126. (PENALTY: imprisonment not more than 1 year; or not less than \$500, not more than \$3000; or both.)

149/128 **EMPLOYER USE COTTON TRAVERSING CARRIAGE** c149 §128
on **[DATE OF OFFENSE:]** was the owner of a cotton factory: (1) erected after May 28, 1896 in which there was a traversing carriage of a self-acting mule installed; or (2) erected previously to May 28, 1896 in which thereafter such traversing carriage was installed; or (3) in which factory the defendant did permit such carriage to travel within twelve inches of a pillar, column, pier or fixed structure, in violation of G.L. c.149, §128. (PENALTY: not less than \$20, not more than \$50.)

149/129B/A **EMPLOYER PERMIT STILTS** c149 §129B (Effective 12/8/87)
on **[DATE OF OFFENSE:]**, being engaged in construction work, did require or knowingly permit a person employed by him or her in such work to use certain devices, commonly called stilts, designed to be attached to the feet or legs of such employee for the purpose of elevating such employee to high placed or positioned work, in violation of G.L. c.149, §129B. (PENALTY: not more than \$500.)

149/129B/B **EMPLOYER PERMIT STILTS, 2ND OFF.** c149 §129B (Effective 12/8/87)
on **[DATE OF OFFENSE:]**, being engaged in construction work, did require or knowingly permit a person employed by him or her in such work to use certain devices, commonly called stilts, designed to be attached to the feet or legs of such employee for the purpose of elevating such employee to high placed or positioned work, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §129B. (PENALTY: not more than \$3000.)

149/129B/C **EMPLOYER PERMIT STILTS, 3RD OFF.** c149 §129B (Effective 12/8/87)
on **[DATE OF OFFENSE:]**, being engaged in construction work, did require or knowingly permit a person employed by him or her in such work to use certain devices, commonly called stilts, designed to be attached to the feet or legs of such employee for the purpose of elevating such employee to high placed or positioned work, the defendant having previously been twice convicted of such an offense, in violation of G.L. c.149, §129B. (PENALTY: not more than \$5000.)

149/129C **EMPLOYER ELECTRIC LINES SAFETY VIOLATION** c149 §129C (Effective 12/8/87)
on **[DATE OF OFFENSE:]**, being engaged in the business of transmitting electricity or installing or repairing live wires or electrical equipment, did knowingly permit: (1) a journeyman or first class lineman, while on a pole or structure, to work on live wires in excess of 750 volts to ground without being assisted on or at the base of each such pole or structure by a journeyman lineman, a fourth-year apprentice, a second class lineman or a lineman having a title commonly accepted as the equivalent of the foregoing; or (2) any of its personnel to work on live wires, electrical equipment or other energized conductor in excess of 15,000 volts phase-to-phase or 8500 volts phase-to-ground directly with rubber gloves, or in a manner other than with insulated hot line tools and while maintaining as a minimum clearance from such wire, equipment or conductor a distance consistent with the minimum requirements of the occupational safety and health act, so-called, in violation of G.L. c.149, §129C. (PENALTY: not more than \$500.)

149/131 **EMPLOYER PERMIT LOOM W/O SAFETY GUARD** c149 §131
beginning on **[FIRST DATE OF OFFENSE:]** and continuing through **[LAST DATE OF OFFENSE:]**, did own, manage or operate a factory where looms were used without having equipped them with such guards or other devices, made of such material and placed as approved by the Department of Labor and Industries, as would prevent injury to employees from shuttles falling or being thrown from the looms, in violation of G.L. c.149, §131. (PENALTY for each week during which violation continues: not more than \$100.)

149/132 **EMPLOYER PERMIT SUCTION SHUTTLE** c149 §132
on **[DATE OF OFFENSE:]** did require or permit the use of suction shuttles, or some form of shuttle in the use of which some part of the shuttle or a thread was put in the mouth or touched by the lips of the operator, in violation of G.L. c.149, §132. (PENALTY: not less than \$50.)

149/137 **EMPLOYER FAIL PROVIDE FOUNDRY TOILET** c149 §137
on **[DATE OF OFFENSE:]**, being the proprietor of a foundry engaged in the casting of iron, brass, steel or other metal, and employing ten or more persons, did fail to establish and maintain therein a water closet and toilet room complying with the requirements of G.L. c.149, §137, after having been requested to do so by an inspector of the Department of Labor and Industries, other than in a town where it would be impracticable by reason of the absence of public or private sewerage or of a running water system, in violation of G.L. c.149, §137. (PENALTY: not more than \$50.)

149/138 **TOILET, VANDALIZE WORKPLACE** c149 §138
on **[DATE OF OFFENSE:]** did wilfully destroy, deface, injure or defile a toilet appliance provided in a place of employment, in violation of G.L. c.149, §138. (PENALTY: not more than \$50.)

149/139 **EMPLOYER FAIL PROVIDE LOCKERS** c149 §139
on **[DATE OF OFFENSE:]**, in a mercantile or manufacturing establishment or hotel or railroad where the nature of the work rendered it necessary for some or all employees, before beginning work, to make a substantially complete change of clothing, exclusive of underclothing, did fail to provide separate lockers, closets or other receptacles, each with a lock and key, for the use of such employees, in violation of G.L. c.149, §139. (PENALTY: not less than \$5, not more than \$20.)

149/141/A **EMPLOYER LACK FIRST AID SUPPLIES** c149 §141 (Effective 8/5/80)
beginning on **[FIRST DATE OF OFFENSE:]** and continuing through **[LAST DATE OF OFFENSE:]**: (1) being the operator of a factory, shop or mechanical establishment where machinery was used other than for elevators or for heating or hoisting apparatus, did fail to keep and maintain, free of expense to the employees, such medical or surgical chest, or both, as was required by the Department of Labor and Industries, containing plasters, bandages, absorbent cotton, gauze, and all other necessary medicines, instruments and appliances for the treatment of persons injured or taken ill upon the premises; or (2) being such an employer of 100 or more persons, did fail as required by such Department to provide accommodations satisfactory to it for the treatment of persons injured or taken ill upon the premises; or (3) being the operator of a mercantile establishment employing 20 or more persons, did fail in such manner to provide such medical and surgical chest as such Department had required, in violation of G.L. c.149, §141. (PENALTY for every week during which violation continues: not less than \$5, not more than \$500.)

149/141/B **EMPLOYER LACK FOOD WARMING FACILITIES** c149 §141 (Effective 8/5/80)
beginning on **[FIRST DATE OF OFFENSE:]** and continuing through **[LAST DATE OF OFFENSE:]**, being the operator of a factory, shop or mechanical establishment employing 100 or more persons, did fail as required by the Department of Labor and Industries to provide suitable and sanitary facilities for heating or warming food to be consumed by those employees of the factory, shop or mechanical establishment who so desired, in violation of G.L. c.149, §141. (PENALTY for every week during which violation continues: not less than \$5, not more than \$500.)

149/142F/A **BENZOL MARKING VIOLATION** c149 §142F (Effective 12/8/87)
on **[DATE OF OFFENSE:]**: (1) being charged with the duty of marking a receptacle containing benzol, carbon tetrachloride or other substance which, in the joint opinion of the Departments of Labor and Workforce Development and of Public Health, was so hazardous to health as to warrant regulation, or a material in which benzol, carbon tetrachloride or other substance which, in the opinion of such departments, acting jointly, was so hazardous to health as to warrant regulation, was contained, did fail so to mark the same; or (2) did wilfully remove or deface a marking made in accordance with a provision of G.L. c.149, §142A-§142F or a rule or regulation adopted under G.L. c.149, §142A-§142E, in violation of G.L. c.149, §142F. (PENALTY: not more than \$1000.)

149/142F/B **BENZOL VIOLATION** c149 §142F (Effective 12/8/87)
on **[DATE OF OFFENSE:]** did **[DESCRIPTION OF OFFENSE:]**, contrary to a provision of G.L. c.149, §142A-§142C, or a rule or regulation adopted under G.L. c.149, §142A-§142E, in violation of G.L. c.149, §142F. (PENALTY: not more than \$1000.)

149/147G **EMPLOYER INDUSTRIAL HOMEWORK VIOLATION** c149 §147G (Effective 12/8/87)
on **[DATE OF OFFENSE:]**, being an employer or an employer's agent: (1) without having in his possession a valid employer's permit did deliver or cause to be delivered to another person materials for manufacture or to be worked upon by industrial homework; or (2) did refuse to allow the Commissioner of Labor and Industries or his or her authorized representative to enter such employer's place of business for the purpose of making an investigation authorized by G.L. c.149, §144-§147H, or necessary to carry out a provision thereof; or (3) did refuse to permit such Commissioner or his or her authorized representative to inspect or copy the pay roll or other records or documents relating to the enforcement of such sections; or (4) did falsify such records or documents or a statement which he or she was required by the Commissioner or such representative, acting under authority of such sections, to make; or (4) did otherwise violate some provision of such sections or a provision of his or her permit, in violation of G.L. c.149, §147G. (PENALTY: imprisonment not more than 2 months; or not less than \$300, not more than \$3000; or both.)

149/148/A **EMPLOYER FAIL GIVE PAY STUB** c149 §148 (Effective 1/1/92-11/4/98)
on **[DATE OF OFFENSE:]**, being an employer, did fail when paying one or more employees their wages to furnish to such employee a suitable pay slip, check stub or envelope conforming to the requirements of G.L. c.149, §148, in violation of G.L. c.149, §148. (PENALTY: house of correction not more than 2 months; or not less than \$500, not more than \$3000; or both.)

149/148/A **EMPLOYER FAIL GIVE PAY STUB** c149 §148 (Effective 11/5/98)
on **[DATE OF OFFENSE:]**, being an employer, or an officer, agent, superintendent, foreman or employee thereof, did fail when paying one or more employees their wages to furnish to such employee a suitable pay slip, check stub or envelope conforming to the requirements of G.L. c.149, §148, in violation of G.L. c.149, §148. (PENALTY from §27C[a][2]: imprisonment not more than 6 months; or not more than \$10,000. §27[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 6 months.)

149/148/C **EMPLOYER FAIL GIVE PAY STUB, SUBSQ.** c149 §148 (Effective 11/5/98)
on **[DATE OF OFFENSE:]**, being an employer, or an officer, agent, superintendent, foreman or employee thereof, did fail when paying one or more employees their wages to furnish to such employee a suitable pay slip, check stub or envelope conforming to the requirements of G.L. c.149, §148, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §148. (PENALTY from §27C[a][2]: imprisonment not more than 1 year; or not more than \$25,000; or both. §27[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for up to 3 years.)

149/148/D **EMPLOYER WILFULLY FAIL GIVE PAY STUB** c149 §148 (Effective 11/5/98)
on **[DATE OF OFFENSE:]**, being an employer, or an officer, agent, superintendent, foreman or employee thereof, did wilfully fail when paying one or more employees their wages to furnish to such employee a suitable pay slip, check stub or envelope conforming to the requirements of G.L. c.149, §148, in violation of G.L. c.149, §148. (PENALTY from §27C[a][2]: imprisonment not more than 1 year; or not more than \$25,000; or both. §27[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 5 years.)

149/148/E **EMPLOYER WILFULLY FAIL GIVE PAY STUB, SUBSQ.** c149 §148 (Effective 11/5/98)
on **[DATE OF OFFENSE:]**, being an employer, or an officer, agent, superintendent, foreman or employee thereof, did wilfully fail when paying one or more employees their wages to furnish to such employee a suitable pay slip, check stub or envelope conforming to the requirements of G.L. c.149, §148, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §148. (PENALTY from §27C[a][2]: imprisonment not more than 2 years; or not more than \$50,000; or both. §27[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 5 years.)

149/148/B **EMPLOYER FAIL PAY WAGES TIMELY** c149 §148 (Effective 12/8/87-11/4/98)
on **[DATE OF OFFENSE:]**, having employed **[NAME OF EMPLOYEE:]**, did fail to pay earned wages, or commissions that had been definitely determined and had become due and payable, to such employee within the time period required by law, in violation of G.L. c.149, §148. (PENALTY: house of correction not more than 2 months; or not less than \$500, not more than \$3000; or both.)

149/148/B **EMPLOYER FAIL PAY WAGES TIMELY** c149 §148 (Effective 11/5/98)
on **[DATE OF OFFENSE:]**, having employed **[NAME OF EMPLOYEE:]**, did fail to pay earned wages, or commissions that had been definitely determined and had become due and payable, to such employee within the time period required by law, in violation of G.L. c.149, §148. (PENALTY from §27C[a][2]: imprisonment not more than 6 months; or not more than \$10,000. §27[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 6 months.)

149/148/F **EMPLOYER FAIL PAY WAGES TIMELY, SUBSQ.** c149 §148 (Effective 11/5/98)
on **[DATE OF OFFENSE:]**, having employed **[NAME OF EMPLOYEE:]**, did fail to pay earned wages, or commissions that had been definitely determined and had become due and payable, to such employee within the time period required by law, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §148. (PENALTY from §27C[a][2]: imprisonment not more than 1 year; or not more than \$25,000; or both. §27[a][3]: If

defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for up to 3 years.)

149/148/G **EMPLOYER WILFULLY FAIL PAY WAGES TIMELY** c149 §148 (Effective 11/5/98)
on [DATE OF OFFENSE:], having employed [NAME OF EMPLOYEE:], did wilfully fail to pay earned wages, or commissions that had been definitely determined and had become due and payable, to such employee within the time period required by law, in violation of G.L. c.149, §148. (PENALTY from §27C[a][2]: imprisonment not more than 1 year; or not more than \$25,000; or both. §27[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 5 years.)

149/148/H **EMPLOYER WILFULLY FAIL PAY WAGES TIMELY, SUBSQ. OFF.** c149 §148 (Effective 11/5/98)
on [DATE OF OFFENSE:], having employed [NAME OF EMPLOYEE:], did wilfully fail to pay earned wages, or commissions that had been definitely determined and had become due and payable, to such employee within the time period required by law, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §148. (PENALTY from §27C[a][2]: imprisonment not more than 2 years; or not more than \$50,000; or both. §27[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 5 years.)

149/148A/A **EMPLOYER RETALIATE FOR WAGE COMPLAINT** c149 §148A (Effective 11/5/98)
on [DATE OF OFFENSE:], being an employer, contractor or subcontractor, or an officer, agent, superintendent, foreman, or employee thereof, did discharge or in some other manner discriminate against an employee because such employee had made a complaint to the Attorney General or to some other person, or had assisted the Attorney General in an investigation under G.L. c.149, or had instituted, or caused to be instituted a proceeding under or related to G.L. c.149, or had testified or was about to testify in such proceedings, in violation of G.L. c.149, §148A. (PENALTY from §27C[a][2]: imprisonment not more than 6 months; or not more than \$10,000. §27[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 6 months.)

149/148A/B **EMPLOYER RETALIATE FOR WAGE COMPLAINT, SUBSQ. OFF.** c149 §148A (Effective 11/5/98)
on [DATE OF OFFENSE:], being an employer, contractor or subcontractor, or an officer, agent, superintendent, foreman, or employee thereof, did discharge or in some other manner discriminate against an employee because such employee had made a complaint to the Attorney General or to some other person, or had assisted the Attorney General in an investigation under G.L. c.149, or had instituted, or caused to be instituted a proceeding under or related to G.L. c.149, or had testified or was about to testify in such proceedings, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §148A. (PENALTY from §27C[a][2]: imprisonment not more than 1 year; or not more than \$25,000; or both. §27[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for up to 3 years.)

149/148A/C **EMPLOYER WILFULLY RETALIATE FOR WAGE COMPLAINT** c149 §148A (Effective 11/5/98)
on [DATE OF OFFENSE:], being an employer, contractor or subcontractor, or an officer, agent, superintendent, foreman, or employee thereof, did willfully discharge or in some other manner discriminate against an employee because such employee had made a complaint to the Attorney General or to some other person, or had assisted the Attorney General in an investigation under G.L. c.149, or had instituted, or caused to be instituted a proceeding under or related to G.L. c.149, or had testified or was about to testify in such proceedings, in violation of G.L. c.149, §148A. (PENALTY from §27C[a][2]: imprisonment not more than 1 year; or not more than \$25,000; or both. §27[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 5 years.)

149/148A/D **EMPLOYER WILFULLY RETALIATE FOR WAGE COMPLAINT, SUBSQ. OFF.** c149 §148A (Effective 11/5/98)
on [DATE OF OFFENSE:], being an employer, contractor or subcontractor, or an officer, agent, superintendent, foreman, or employee thereof, did willfully discharge or in some other manner discriminate against an employee because such employee had made a complaint to the Attorney General or to some other person, or had assisted the Attorney General in an investigation under G.L. c.149, or had instituted, or caused to be instituted a proceeding under or related to G.L. c.149, or had testified or was about to testify in such proceedings, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §148A. (PENALTY from §27C[a][2]: imprisonment not more than 2 years; or not more than \$50,000; or both. §27[a][3]: If defendant was contractor or subcontractor, CLERK-MAGISTRATE MUST REPORT CONVICTION TO ATTORNEY GENERAL, who shall notify public agencies that defendant is debarred from public works for 5 years.)

149/150B **UNION REQUIRE IMPROPER EMPLOYMENT FEE** c149 §150B (Effective 12/8/87)
on [DATE OF OFFENSE:], being a labor union or a person acting in its behalf, did require a person, as a condition of securing or continuing employment, to pay a fee or assessment other than such initiation fees, dues and assessments as were, by the constitution and by-laws of such union, chargeable upon members thereof, in violation of G.L. c.149, §150B. (PENALTY: not less than \$500.)

149/150C **EMPLOYER FAIL PURCHASE DISABILITY INSUR** c149 §150C (Effective 3/31/88)
on [DATE OF OFFENSE:], having withheld or deducted wages from employees in his or her service for the purpose of purchasing or contributing toward the purchase of a blanket or general policy of insurance pursuant to G.L. c.175, §110, did fail to purchase such coverage or keep such coverage in force, in violation of G.L. c.149, §150C. (PENALTY: one or any combination of the following: jail or house of correction for not more than 6 months; or not more than \$1000; or restitution to employees "for any wages withheld or deducted that were not put toward the use for which they were withheld or deducted" or "for all costs incurred by an employee that would have been paid for or reimbursed by insurance if such insurance coverage had been in force.")

149/151 **EMPLOYER FAIL PAY WAGES DURING WRKNG HRS** c149 §151
on [DATE OF OFFENSE:], being a person carrying on a manufacturing business employing 100 or more persons, did on the day chosen as pay day fail to pay such of his or her employees as were on that day working in such manufacturing establishment, before the close of the regular working hours, in violation of G.L. c.149, §151. (PENALTY from §152: not more than \$50.)

149/152 **EMPLOYER PENALIZE TARDINESS IMPROPERLY** c149 §152
on [DATE OF OFFENSE:] did deduct from the wages of an employee in a factory, workshop, manufacturing, mechanical or mercantile establishment, or from the wages of a mechanic, workman or laborer, on account of the employee's coming late to work, a sum in excess of the proportionate wage which would have been earned during the time actually lost, in violation of G.L. c.149, §152. (PENALTY: not more than \$50.)

149/152A **EMPLOYER KEEP EMPLOYEE TIPS** c149 §152A (Effective 11/5/83)
on [DATE OF OFFENSE:] (1) did solicit, demand, request or accept from an employee engaged in the serving of food or beverage a payment of some nature

from tips or gratuities received by such employee during the course of his or her employment, or from wages earned by such employee; or (2) did retain for himself some tips or gratuities given directly to the employer for the benefit of the employee, as a condition of employment; or (3) having submitted a bill or invoice indicating a service charge, did fail to remit the total proceeds of such charge to such employees in proportion to the service provided by them, in violation of G.L. c.149, §152A. (PENALTY: not more than \$1000; and "the court may require such employer or other person to make restitution for any tips or gratuities accepted or retained".)

149/153/A EMPLOYER PENALIZE WEAVER IMPROP c149 §153

on **[DATE OF OFFENSE:]** did as a manufacturer: (1) use a system for grading the work of a weaver that did affect or lessen the wages of such weaver other than for imperfections in his or her own work; or (2) affect by fines or otherwise the wages of a person engaged in weaving without having first exhibited and pointed out to the person whose wages were to be affected the imperfections complained of; or (3) impose a fine upon a person for imperfect weaving without having first complied with the provisions of G.L. c.149, §153 and the amount of the fines agreed upon by both parties, in violation of G.L. c.149, §153. (PENALTY from §154: not more than \$100.)

149/153/B EMPLOYER PENALIZE WEAVER IMPROP, SUBSQ. c149 §153

on **[DATE OF OFFENSE:]** did as a manufacturer: (1) use a system for grading the work of a weaver that did affect or lessen the wages of such weaver other than for imperfections in his or her own work; or (2) affect by fines or otherwise the wages of a person engaged in weaving without having first exhibited and pointed out to the person whose wages were to be affected the imperfections complained of; or (3) impose a fine upon a person for imperfect weaving without having first complied with the provisions of G.L. c.149, §153 and the amount of the fines agreed upon by both parties, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §153. (PENALTY from §154: not more than \$300.)

149/154/A EMPLOYER FINE WEAVER c149 §154

on **[DATE OF OFFENSE:]** did as an employer impose a fine upon an employee engaged at weaving for imperfections arising during the process of weaving, in violation of G.L. c.149, §154. (PENALTY: not more than \$100.)

149/154/B EMPLOYER FINE WEAVER, SUBSQ. OFF. c149 §154

on **[DATE OF OFFENSE:]** did as an employer impose a fine upon an employee engaged at weaving for imperfections arising during the process of weaving, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §154. (PENALTY: not more than \$300.)

149/155/A COTTON MANUFACTURER VIOLATION c149 §155

on **[DATE OF OFFENSE:]**, being the occupier or manager of a cotton factory, did fail to supply: (1) to each person engaged as a weaver in such factory and paid by the piece, cut or yard a printed or written ticket with each warp, as required by G.L. c.149, §155; or (2) to each person engaged as a frame tender a specification of the number of roving and price per hank; or (3) to each person engaged as a warper or web drawer a specification of the number of threads in the warp and the rate of compensation; or (4) to each operative paid by the pound a specification of the price to be paid per pound on a printed or written ticket within three days after such operative began work, in violation of G.L. c.149, §155. (PENALTY from §157: not less than \$25, not more than \$50.)

149/155/B COTTON MANUFACTURER VIOLATION, SUBSQ.OFF c149 §155

on **[DATE OF OFFENSE:]**, being the occupier or manager of a cotton factory, did fail to supply: (1) to each person engaged as a weaver in such factory and paid by the piece, cut or yard a printed or written ticket with each warp, as required by G.L. c.149, §155; or (2) to each person engaged as a frame tender a specification of the number of roving and price per hank; or (3) to each person engaged as a warper or web drawer a specification of the number of threads in the warp and the rate of compensation; or (4) to each operative paid by the pound a specification of the price to be paid per pound on a printed or written ticket within three days after such operative began work, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §155. (PENALTY from §157: not less than \$50, not more than \$100.)

149/156/A EMPLOYER PIECEWORK WEAVING VIOL c149 §156

on **[DATE OF OFFENSE:]**, being the occupier or manager of a textile factory: (1) did fail to post in every room where some employees worked by the job, specifications of the character of each kind of work to be done by them, and the rate of compensation, in the form required by G.L. c.149, §156; or (2) did fail to have each warp bear a designating ticket or mark of identification; or (3) in a factory operating the looms on a piece rate basis did fail to place a pick clock on each loom other than a gang loom, so called, and to pay each weaver according to the number of picks registered on such clock, not being excepted by law; or (4) in a roving or spinning room did fail to have each machine bear a ticket stating the number of the roving or yarn made upon it; or (5) in a spooling room did fail to have each box bear a ticket stating the number of pounds such box contained and the price per pound, in violation of G.L. c.149, §156. (PENALTY: \$100.)

149/156/B EMPLOYER PIECEWORK WEAVING VIOL, 2ND OFF. c149 §156

on **[DATE OF OFFENSE:]**, being the occupier or manager of a textile factory: (1) did fail to post in every room where some employees worked by the job, specifications of the character of each kind of work to be done by them, and the rate of compensation, in the form required by G.L. c.149, §156; or (2) did fail to have each warp bear a designating ticket or mark of identification; or (3) in a factory operating the looms on a piece rate basis did fail to place a pick clock on each loom other than a gang loom, so called, and to pay each weaver according to the number of picks registered on such clock, not being excepted by law; or (4) in a roving or spinning room did fail to have each machine bear a ticket stating the number of the roving or yarn made upon it; or (5) in a spooling room did fail to have each box bear a ticket stating the number of pounds such box contained and the price per pound, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §156. (PENALTY: \$200.)

149/156/C EMPLOYER PIECEWORK WEAVING VIOL, 3RD OFF. c149 §156

on **[DATE OF OFFENSE:]**, being the occupier or manager of a textile factory: (1) did fail to post in every room where some employees worked by the job, specifications of the character of each kind of work to be done by them, and the rate of compensation, in the form required by G.L. c.149, §156; or (2) did fail to have each warp bear a designating ticket or mark of identification; or (3) in a factory operating the looms on a piece rate basis did fail to place a pick clock on each loom other than a gang loom, so called, and to pay each weaver according to the number of picks registered on such clock, not being excepted by law; or (4) in a roving or spinning room did fail to have each machine bear a ticket stating the number of the roving or yarn made upon it; or (5) in a spooling room did fail to have each box bear a ticket stating the number of pounds such box contained and the price per pound, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §156. (PENALTY: imprisonment not more than 1 month; or \$500; or both.)

149/157/A WEAVING INSPECTOR, OBSTRUCT c149 §157

on **[DATE OF OFFENSE:]** did interfere with an inspector of the Department of Labor and Industries in the discharge of his or her duties in connection with G.L. c.149, §155-§156, in violation of G.L. c.149, §157. (PENALTY: not less than \$25, not more than \$50.)

149/157/B WEAVING INSPECTOR, OBSTRUCT, SUBSQ. OFF. c149 §157

on **[DATE OF OFFENSE:]** did interfere with an inspector of the Department of Labor and Industries in the discharge of his or her duties in connection with G.L. c.149, §155-§156, the defendant having previously been convicted of such an offense, in violation of G.L. c.149, §157. (PENALTY: not less than \$50, not more than \$100.)

149/158 **EMPLOYER FAIL PAY WHEN MACHINERY STOPPED** c149 §158 (Effective 8/5/80)
on **[DATE OF OFFENSE:]**: (1) did make a deduction from the wages of a person paid by the day or hour and employed in a manufacturing or mechanical establishment while machinery was stopped and while such person was refused the privilege of leaving such mill while the damage to such machinery was being repaired; or (2) did compel such an employee who was detained in his or her workroom during such time to make up time lost by such stopping without being compensated therefor at his or her regular rate of wages, in violation of G.L. c.149, §158. (PENALTY: not more than \$20.)

149/158A **VOLUNTEER WORK FROM EMPLOYEE, REQUIRE** c149 §158A (Effective 8/5/80)
on **[DATE OF OFFENSE:]** did require or permit a person, as a condition of securing employment, to work in a factory, workshop, manufacturing, mechanical or mercantile establishment without monetary compensation, in violation of G.L. c.149, §158A. (PENALTY: not more than \$50.)

149/159A **EMPLOYER KEEP CHECKING-ATTENDANT TIPS** c149 §159A (Effective 12/8/87)
on **[DATE OF OFFENSE:]**, being a licensee under G.L. c.138 or c. 140 or under a special licensing law, or the holder of a concession on such licensed premises, or the owner or operator of a restaurant, hotel or motel, or the holder of a concession on such premises, did require a person employed in or upon such premises, or in or upon such part of such premises as was under his or her control, to check or care for articles of clothing or baggage or to sell cigarettes, cigars, tobacco or other articles of merchandise, and to pay over or account for the whole or some portion of the tips or gratuities which were received by the person so employed, there being no sign displayed in a conspicuous place where such service was rendered, stating the percentage of the tips or gratuities which such employees were permitted to retain, or that such persons were not permitted to retain any percentage of such tips or gratuities, in violation of G.L. c.149, §159A. (PENALTY: not more than \$1000.)

149/159C/A **EMPLOYER TRANSPORTATION SERVICE VIOL** c149 §159C (Effective 5/19/02)
on **[DATE OF OFFENSE:]**, being a staffing agency or work site employer, as defined in G.L. c. 149, §159C(a), or a person acting directly or indirectly in either's interest, did offer transportation services to one or more employees and: (1) did charge for such services a fee that was more than that permitted by §159C; or (2) did deduct the costs for transportation services from the wages of one or more employees without the express written authorization of such employee or employees and having furnished to such employee or employees a copy of the signed authorization in a language that such employee could understand; in violation of G.L. c.149, §159C. (PENALTY from §27C[a][2]: imprisonment not more than 6 months; or not more than \$10,000 fine.)

149/159C/B **EMPLOYER TRANSPORTATION SERVICE VIOL, SUBSQ. OFF.** c149 §159C (Effective 5/19/02)
on **[DATE OF OFFENSE:]**, being a staffing agency or work site employer, as defined in G.L. c. 149, §159C(a), or a person acting directly or indirectly in either's interest, did offer transportation services to one or more employees and: (1) did charge for such services a fee that was more than that permitted by §159C; or (2) did deduct the costs for transportation services from the wages of one or more employees without the express written authorization of such employee or employees and having furnished to such employee or employees a copy of the signed authorization in a language that such employee could understand; the defendant having previously been convicted of such an offense; in violation of G.L. c.149, §159C. (PENALTY from §27C[a][2]: imprisonment not more than 1 year; or not more than \$25,000 fine; or both such imprisonment and fine.)

149/159C/C **EMPLOYER TRANSPORTATION SERVICE WILFUL VIOL** c149 §159C (Effective 5/19/02)
on **[DATE OF OFFENSE:]**, being a staffing agency or work site employer, as defined in G.L. c. 149, §159C(a), or a person acting directly or indirectly in either's interest, did offer transportation services to one or more employees and: (1) willfully did charge for such services a fee that was more than that permitted by §159C; or (2) willfully did deduct the costs for transportation services from the wages of one or more employees without the express written authorization of such employee or employees and having furnished to such employee or employees a copy of the signed authorization in a language that such employee could understand; in violation of G.L. c.149, §159C. (PENALTY from §27C[a][1]: imprisonment not more than 1 year; or not more than \$25,000 fine; or both such imprisonment and fine.)

149/159C/D **EMPLOYER TRANSPORTATION SERVICE WILFUL VIOL, SUBSQ. OFF.** c149 §159C (Effective 5/19/02)
on **[DATE OF OFFENSE:]**, being a staffing agency or work site employer, as defined in G.L. c. 149, §159C(a), or a person acting directly or indirectly in either's interest, did offer transportation services to one or more employees and: (1) willfully did charge for such services a fee that was more than that permitted by §159C; or (2) willfully did deduct the costs for transportation services from the wages of one or more employees without the express written authorization of such employee or employees and having furnished to such employee or employees a copy of the signed authorization in a language that such employee could understand; the defendant having previously been convicted of such an offense; in violation of G.L. c.149, §159C. (PENALTY from §27C[a][1]: imprisonment not more than 2 years; or not more than \$50,000 fine; or both such imprisonment and fine.)

149/163 **DOLI EMPLOYMENT OFFICE ACCEPT FEE** c149 §163
on **[DATE OF OFFENSE:]**, being a superintendent or clerk of an employment office established by the Department of Labor and Industries pursuant to G.L. c.149, §160-§166, did charge or receive a fee in the performance of his or her duties, in violation of G.L. c.149, §163. (PENALTY: jail not more than 1 month; or not more than \$100; and debarment from further employment with such office.)

149/168 **TOWN CLERK FAIL POST DOLI JOB BULLETIN** c149 §168
on **[DATE OF OFFENSE:]**, being a town clerk, did fail to post a list showing the demand for employment received from the Commissioner of Labor and Industries pursuant to G.L. c.149, §167, in violation of G.L. c.149, §168. (PENALTY: not more than \$10.)

149/179A **PUBLIC WORKS, FAIL PREFER CITIZENS ON** c149 §179A
on **[DATE OF OFFENSE:]** did knowingly and willfully fail to give preference to persons who are citizens of the United States and to partnerships all of whose members are such citizens in the awarding of a contract for public work by the Commonwealth or by a county, city or town or by persons contracting therewith to do such work, in violation of G.L. c.149, §179A. (PENALTY: not more than \$200.)

149/179B **EMPLOYER FAIL NOTIFY DOLI** c149 §179B
on **[DATE OF OFFENSE:]**, being the owner of a factory, workshop, manufacturing, mechanical, mercantile or other establishment or industry in which 12 more persons were employed, did knowingly fail to give notice to the Commissioner of Labor and Industries upon the commencement, or a change of location, of its operations within this Commonwealth, in such form as the Commissioner had prescribed, in violation of G.L. c.149, §179B. (PENALTY: imprisonment not more than 2 months; or not more than \$100; or both.)

149/180 **LABOR VIOLATION, MISCELLANEOUS** c149 §180 (Effective 12/8/87)

on **[DATE OF OFFENSE:]** did **[DESCRIPTION OF OFFENSE:]**, contrary to G.L. c.149, § **[SECTION OF G.L. C.149 VIOLATED:]**, and in violation of G.L. c.149, §180. (PENALTY: not more than \$500.)

149/181 **EMPLOYER FAIL MAKE HEALTH/PENSION PAYMNT** c149 §181 (Effective 11/20/79)
on **[DATE OF OFFENSE:]**, being an employer who had entered into a collective bargaining agreement with a labor organization or association of employees providing for payments to a health or welfare fund or pension fund or other such plan for the benefit of employees, did wilfully fail to make a payment required by the terms of such agreement within sixty days after it became due and payable, in violation of G.L. c.149, §181. (PENALTY: not less than \$100, not more than \$500.)