

# HOUSE . . . . . No. 1697

---

By Ms. Reinstein of Revere, petition of Kathi-Anne Reinstein for legislation to impose a penalty for commercial motor vehicle oil spills on public ways. The Judiciary.

---

## The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO OIL SPILLS ON PUBLIC WAYS.

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

1 Chapter 85 of the General Laws is hereby amended by adding the  
2 following section:—  
3 Section 37. Any commercial motor vehicle or trailer used to  
4 deliver gasoline, oil or other flammable material which causes a spill  
5 in excess of 100 gallons on any way as defined in section one of  
6 chapter 90 shall be subject to a civil penalty not to exceed \$10,000  
7 for each such spill. Said penalty shall be in addition to liability for  
8 costs incurred by the Commonwealth or any political subdivision  
9 thereof on cleaning and removing such spill. The superior court  
10 department of the trial court shall have jurisdiction to enforce the  
11 provisions of this section. Any civil penalty imposed under the pro-  
12 visions of this section shall be paid over to the treasury of the city or  
13 town wherein the spill took place.