



# Notice of Unsatisfied Judgment for Property Damage

Pursuant to M.G.L. c. 90, §22A

PO Box 55896, Boston, MA 02205

## A. Plaintiff Information

Last Name of Plaintiff		First Name	Middle Name	Suffix
Phone #				
Address				
Street	Apt. #	City	State	Zip Code

## B. Defendant Information

Last Name of Defendant		First Name	Middle Name	Suffix
Defendant's DOB (MM/DD/YYYY)	License #	State	Registration #	State

## C. Court Information

Court	Docket #	Incident Date (MM/DD/YYYY)
Location of Incident		
Street/Route	MA City/Town	
Date of Judgement (MM/DD/YYYY)	Amount of Judgement	

Attach a certified copy of each of the following (Required in all cases):

- The Complaint
- The court execution of the judgement
- The capias or contempt order issued against the defendant (a default judgement is **NOT** sufficient)

## D. Certification

I hereby certify that the Defendant in the action above has failed to satisfy in full the judgment rendered against him or her for property damage caused on the ways of the Commonwealth, and has willfully and intentionally failed to pay an order of the court under the provisions of Chapter 224 of the General Laws.

I further certify that the Defendant was not insured against loss or damage on account of his legal liability for such injury by or under a policy of insurance pursuant to Massachusetts General Law at the time of this incident.

**These statements are made under the penalties of perjury:**

Name (Print) \_\_\_\_\_

Signed (Plaintiff/Attorney): \_\_\_\_\_ Date: \_\_\_\_\_

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## **Filing a Complaint with The Registrar to Have a Defendant's License Suspended for an Unsatisfied Judgment in a Motor Vehicle Property Damage Case**

Massachusetts General Laws Chapter 90, Section 22A requires the Registrar of Motor Vehicles to suspend, following a hearing, the Massachusetts drivers license of any operator who has failed to pay a judgment debt for property damage arising out of the operation of a motor vehicle or trailer on the roads of the Commonwealth.

In order for the Registrar to suspend a driver's license, M.G.L. c. 90, §22A requires that sixty days after a finding by the court, a judgment debt has been entered against the defendant and that the defendant has willfully and intentionally failed to pay that debt in full, as shown by the issuance of a *capias* or contempt order.

1. The plaintiff must have brought an action in a court of the Commonwealth to recover damages for injury to property arising out of the use, operation, and maintenance of a motor vehicle or trailer on the roadways of Massachusetts.
2. The court must have entered a judgment against the defendant in such action.
3. Within 60 days after the court's finding, the Registrar must be notified that a judgment has been entered and that the judgment debtor has willfully and intentionally failed to pay such judgment.
4. The plaintiff must file the following documents with the Registry of Motor Vehicles, Driver Control Unit, located at Haymarket Center, 136 Blackstone Street, Boston:
  - A. Registry form # DCU105\_0218 titled "Notice of Unsatisfied Judgment for Property Damage."
  - B. A copy of the complaint
  - C. A copy of the execution of the case.
  - D. A court certified copy of the *capias* or contempt order issued against the defendant,

Upon receipt of the above documentation from the plaintiff, the Registrar will send the defendant a Notice of Intent to Suspend the defendant's Massachusetts drivers license, (or if defendant is a business entity, all certificates of registration issued to defendant), UNLESS the defendant obtains ONE of the following:

- (1) A signed and witnessed release from the plaintiff, releasing the defendant from the judgment obligation;
- OR
- (2) An affidavit from an insurance company indicating that at the time of the property damage, the defendant was covered by motor vehicle liability insurance of at least \$5,000.00, which was effective at the time the judgment was rendered.

To avoid the suspension, such release or affidavit must be presented to a Hearings Officer at the Boston Office of the Registry of Motor Vehicles, Haymarket Center, 136 Blackstone Street, before the intended date of suspension indicated in the Registry notice of intent to suspend.

If a release or affidavit is not on file at the Boston Registry of Motor Vehicles office before the intended date of suspension, the defendant's license will be suspended, and will remain suspended until a release or affidavit is filed, unless some other court action supersedes said judgment.

Once a suspension has been released, it cannot be reimposed unless all the requirements of **M.G.L. c. 90, §22A** are complied with and a new application filed.

**NOTE: Under the provisions of M.G.L. c.90, §22A, the Registrar shall take action only in cases involving property damage. Cases involving death or bodily injuries must contain a separate finding or verdict for property damage to permit the Registrar to take suspension action under the law.**