

PROPOSED TRAFFIC REGULATION PERTAINING TO EXPIRED OR
REJECTED MASSACHUSETTS SAFETY INSPECTION CERTIFICATES

Regulations Concerning Vehicles Without Current Certificates of Inspection or Rejection.

A. Definitions.

For the purposes of this Regulation, the following terms shall have the respective meanings ascribed to them except in those instances where the context clearly indicates a different meaning:

1. Certificate of Inspection - shall have the same meaning as "Certificate of Inspection" is defined in 540 CMR 4.02.
2. Certificate of Rejection - shall have the same meaning as "Certificate of Rejection" set forth in 540 CMR 4.02.
3. Owner - shall mean the record title holder, or if the vehicle is leased, the lessee of the vehicle.

B. Prohibited Acts

1. No owner of a vehicle subject to periodic inspection pursuant to M.G.L. Chapter 90, Section 7A, Chapter 90, Section 7V, Chapter 111, Section 142M and the provisions of 540 CMR 4.00, et. seq. shall permit a vehicle owned by said owner to remain upon a public way within the city of New Bedford without either a Certificate of Inspection or a Certificate of Rejection displayed in accordance with the provisions of the above-referenced statutes and regulations of the Commonwealth of Massachusetts.
2. No owner of a vehicle subject to periodic inspection pursuant to M.G.L. Chapter 90, Section 7A, Chapter 90, Section 7V, Chapter 111, Section 142M and the provisions of 540 CMR 4.00, et. seq. shall permit a vehicle owned by said owner to remain upon a public way within the city of New Bedford with an expired Certificate of Registration in accordance with the provisions of the above-referenced statutes and regulations of the Commonwealth of Massachusetts that has not expired within the last thirty (30) days.
3. No owner of a vehicle subject to periodic inspection pursuant to M.G.L. Chapter 90, Section 7A, Chapter 90, Section 7V, Chapter 111, Section 142M and the provisions of 540 CMR 4.00, et. seq. shall permit a vehicle owned by said owner to remain upon a public way within the city of New Bedford with a Certificate of Rejection displayed in accordance with the provisions of the above-referenced

statutes and regulations of the Commonwealth of Massachusetts which was issued beyond the last sixty (60) days.

C. Enforcement/Penalties

1. The New Bedford Traffic Commission shall have the authority to enforce any provision of this Regulation.
2. Penalties – a violation of any provision of this Regulation shall be subject to an initial fine of fifty dollars (\$50.00) and, when applicable, with each day constituting a separate offense. An initial fine of fifty dollars (\$50.00) not paid after twenty one (21) days shall be increased to fifty five dollars (\$55.00). Any fine not paid after thirty five (35) days shall be increased to a total of seventy five dollars (\$75.00). Any fine subject to this Regulation not paid after sixty (60) days shall be subject to a total fine of ninety five dollars (\$95.00).
3. Impoundment. The New Bedford Police Department shall have the authority to impound any vehicle found in violation of this Regulation if said vehicle is required to be registered pursuant to M.G.L. Chapter 90B, Section 22 and is not so registered, pursuant to an arrest, if the vehicle impedes traffic, threatens public safety or there is a danger of vandalism or property damage to the vehicle. No such impounded vehicle shall be released until proof of ownership is verified and applicable towing and storage charges are paid. Towing and storage fees for vehicles impounded pursuant to this Regulation by either the City or a private towing company shall be at the maximum rates permitted by law. The impoundment provisions of Section 17-23, 17-24 and 17-25.1 of the Code of Ordinances of the City of New Bedford shall not be applicable to vehicles as defined in this Regulation.

D. Applicability

If any provision of this Regulation imposes greater restrictions or obligations than those imposed by any other General Law, special law, regulation, rule, ordinance, order or policy this Regulation shall control.

This Regulation shall take effect in accordance with the provisions of Chapter 630, Section 3 of the Acts of 1958.