

- 120D. Removal of motor vehicles from private ways or property; penalties; liability for removal and storage charges; release of vehicle

No person shall remove a motor vehicle which is parked or standing on a private way or upon improved or enclosed property unless the operator of such vehicle has been forbidden so to park or stand, either directly or by posted notice, by the person who has lawful control of such way or property. No vehicle shall be removed from such way or property without the consent of the owner of such vehicle unless the person who has lawful control of such way or property shall have notified the Chief of Police or his designee in a city or town, or, in the city of Boston the police commissioner, or a person from time to time designated by said police commissioner, that such vehicle is to be removed. Such notification shall be made before any such vehicle shall be removed, and shall be in writing unless otherwise specified by such Chief of Police or Police Commissioner and shall include the address from which the vehicle is to be removed, the address to which the vehicle is to be removed, the registration number of the vehicle, the name of person in lawful control of the way or property from which such vehicle is being removed, and the name of the person or company or other business entity removing the vehicle. Vehicles so removed shall be stored in a convenient location. Neither the city or town, nor its chief of police or police commissioner or his designee, shall be liable for any damages incurred during the removal or storage of any such vehicle removed under this section. Any person who, without notifying the Chief of Police or his designee, or the Police commissioner or his designee, or without obtaining the consent of the owner, removes a vehicle from a private way or from improved or enclosed property as aforesaid, shall, in addition to any other penalty of law, be punished by a fine of not more than one hundred dollars. The employer of such person if any, shall also be punished by a fine or not more than one hundred dollars.

Any person who purports to authorize the removal of a vehicle from a way or property as aforesaid without having fully complied with the provision of this section shall be punished by a fine of not more than one hundred dollars.

In addition to any other penalty provided by law, the registered owner of a vehicle illegally parked or standing on a private way or upon improved or enclosed property shall be liable for charges for the removal and storage of such vehicle.

A person lawfully holding a vehicle removed under the provisions of this section may hold such vehicle until the registered owner pays the removal and storage charges.

Date \_\_\_\_\_

TO: Police Chief of Maynard

FR: \_\_\_\_\_

SUBJECT: Removal of Motor Vehicle from Private Ways or Property:

In accordance with M.G.L. C266, S120D, I \_\_\_\_\_

OF

the owner or person who has lawful control of property where a motor vehicle has been left parked or standing on a private way or upon improved or enclosed property in the Town of Maynard:

Location and Reason for Towing: \_\_\_\_\_

I am notifying you that I am having the below mentioned motor vehicle towed.

Date of Towing: \_\_\_\_\_

Address from which vehicle is being towed: \_\_\_\_\_

Description of vehicle being towed: Reg# \_\_\_\_\_

MAKE: \_\_\_\_\_ TYPE \_\_\_\_\_ COLOR \_\_\_\_\_

Name of Company Towing vehicle: \_\_\_\_\_

Address to which vehicle is being towed: \_\_\_\_\_

How owner of M/V was notified of violation: \_\_\_\_\_

In person \_\_\_\_\_ Posted Sign \_\_\_\_\_ Other \_\_\_\_\_

Signature of Person Having Vehicle Towed