

Chapter 90, Section 9 states: No person shall operate, push, draw or tow any motor vehicle or trailer, and the owner or custodian of such a vehicle shall not permit the same to be operated, pushed, drawn or towed upon or to remain upon any way except as authorized by section three, unless such vehicle is registered in accordance with this chapter and carries its register number displayed as provided in section six, and, in the case of a motor vehicle, is equipped as provided in section seven...

§ 9. Operation of Unregistered or Improperly Equipped Motor Vehicles or Trailers; Certain Mistakes in Application Not to Affect Registration.

No person shall operate, push, draw or tow any motor vehicle or trailer, and the owner or custodian of such a vehicle shall not permit the same to be operated, pushed, drawn or towed upon or to remain upon any way except as authorized by section three, unless such vehicle is registered in accordance with this chapter and carries its register number displayed as provided in section six, and, in the case of a motor vehicle, is equipped as provided in section seven. A motor vehicle which is being towed or drawn by a motor vehicle designed to draw or tow such vehicles need not be so registered if (a) the towing vehicle is properly registered and displays a valid repair plate issued pursuant to section five, (b) said towing vehicle maintains insurance which also provides coverage for the motor vehicle being towed, and (c) said towing vehicle has been issued a certificate by the department of telecommunications and energy pursuant to paragraph (b) of section three of chapter one hundred and fifty-nine B. A tractor, trailer or truck may be operated without such registration upon any way for a distance not exceeding one-half mile, if said tractor, trailer or truck is used exclusively for agricultural purposes, or between one-half mile and 10 miles if said tractor, trailer or truck is used exclusively for agricultural purposes and the owner thereof maintains in full force a policy of liability insurance which conforms to the provisions of section one hundred and thirteen A of chapter one hundred and seventy-five or for a distance not exceeding three hundred yards, if such tractor, trailer or truck is used for industrial purposes other than agricultural purposes, for the purpose of going from property owned or occupied by the owner of such tractor, trailer or truck to other property so owned or occupied. A new automobile being delivered to a dealer by means of a tractor and trailer may be unloaded on a public way and driven by the person so delivering or his agents or servants without such registration to a dealer's premises over a public way for a distance not exceeding three hundred feet provided that the person so delivering, with respect to such new automobile, shall have filed with the registrar a motor vehicle liability policy or bond in compliance with the provisions of this chapter. A motor vehicle designed for the carrying of golf clubs and not more than four persons may be operated without such registration upon any way if such motor vehicle is being used solely for the purpose of going from one part of the property of said golf course, provided that the owner of such motor vehicle shall have filed with the registrar a public liability policy or bond providing for the payment of damages to any person to the amount provided by section thirty-four A due to injuries sustained as a result of the operation of such vehicle. A motor vehicle owned by a cemetery may be operated without such registration upon any way if such motor vehicle is being used solely for the purpose of going from one part of the property of a cemetery to another part of the property of said cemetery, provided that such vehicle shall not travel more than one mile on any public way and the owner of such motor vehicle shall have filed with the registrar a public liability policy or bond providing for the payment of damages to any person to the amount provided by section thirty-four A due to injuries sustained as a result of the operation of such vehicle. An earth-moving vehicle used exclusively for the building, repair and maintenance of highways which exceed the dimensions or weight limits imposed by section nineteen and the weight limits imposed by section thirty of chapter eighty-five may be operated without such registration for a distance not exceeding three hundred yards on any way adjacent to any highway or toll road being constructed, relocated or improved under contract with the commonwealth or any agency or political subdivision thereof or by a public instrumentality, provided that a permit authorizing the operation of such a vehicle in excess of the stated weight or dimension limits has been issued by the commissioner of highways or the board or officer having charge of such way, and provided that such earth-moving vehicle shall be operated under such permit only when directed by an officer authorized to direct traffic at the location where such earth-moving vehicle is being operated. The operation of such an earthmoving vehicle shall conform to any terms or conditions set forth in such permit, and any person to whom any such permit is issued shall provide indemnity for his operation by means of a motor vehicle liability policy or bond conforming to the requirements of this chapter and shall furnish a certificate conforming to the requirements of section thirty-four A with each such application for a permit. Violation of this section shall not be deemed to render the motor vehicle or trailer a nuisance or any person a trespasser upon a way and shall not constitute a defense to, or prevent a recovery in, an action of tort for injuries suffered by a person, or for the death of a person, or for damage to property, unless such violation by the person injured or killed or sustaining the damage was in fact a proximate cause of such

injury, death or damage, but violation of this section shall be deemed evidence of negligence on the part of the violator. A motor vehicle or trailer shall be deemed to be registered in accordance with this chapter notwithstanding any mistake in so much of the description thereof contained in the application for registration or in the certificate required to be filed under section thirty-four B as relates to the type of such vehicle or trailer or to the identifying number or numbers required by the registrar or any mistake in the statement of residence of the applicant contained in said application or certificate. A person convicted of a violation of this section shall be punished by a fine of not more than one hundred dollars for the first offense and not more than one thousand dollars for any subsequent offense.

§ 3. Motor Vehicles Owned by Non-Residents; Operation; Insurance; Registration.

Subject to the provisions of section three A and except as otherwise provided in this section and in section ten, a motor vehicle or trailer owned by a non-resident who has complied with the laws relative to motor vehicles and trailers, and the registration and operation thereof, of the state or country of registration, may be operated on the ways of this commonwealth without registration under this chapter, to the extent, as to length of time of operation and otherwise, that, as finally determined by the registrar, the state or country of registration grants substantially similar privileges in the case of motor vehicles and trailers duly registered under the laws and owned by residents of this commonwealth; provided, that no motor vehicle or trailer shall be so operated on more than thirty days in the aggregate in any one year or, in any case where the owner thereof acquires a regular place of abode or business or employment within the commonwealth, beyond a period of thirty days after the acquisition thereof, except during such time as the owner thereof maintains in full force a policy of liability insurance providing indemnity for or protection to him, and to any person responsible for the operation of such motor vehicle or trailer with his express or implied consent, against loss by reason of the liability to pay damages to others for bodily injuries, including death at any time resulting therefrom, caused by such motor vehicle or trailer, at least to the amount or limits required in a motor vehicle liability policy as defined in section thirty-four A.

In any prosecution or proceeding other than an action to recover damages for bodily injuries or death arising out of an accident in which such a motor vehicle or trailer was involved, proof that the owner or operator of such a motor vehicle or trailer, while operating the same during such additional time, fails to have on his person or in the vehicle in an easily accessible place a policy providing such insurance or a certificate of an insurance company stating that such a policy has been issued, shall be prima facie evidence that insurance was not being maintained as required by this section, and in any such action to recover damages proof of such failure at the time of the accident shall create a presumption, which may be rebutted, that such insurance was not then being maintained as so required.

Every nonresident enrolled as a student at a school or college in the commonwealth who operates a motor vehicle registered in another state or country during any period beginning on September the first of any year and ending on August the thirty-first of the following year shall file in quadruplicate with the police department of the city or town in which such school or college is located, on a form approved by the registrar of motor vehicles, a statement signed by him under the penalties of perjury providing the following information:-- the registration number and make of the motor vehicle and the state or country of registration, the name and local and out-of-state address of the owner, the names and addresses of all insurers providing liability insurance covering operation of the motor vehicle, the legal residence of such nonresident and his residence while attending such school or college and the name and address of the school or college which he is attending. He shall also maintain in full force a policy of liability insurance providing indemnity for or protection to him and to any person responsible for the operation of such motor vehicle with his express or implied consent against loss by reason of the liability to pay damages to others for bodily injuries, including death at any time resulting therefrom, caused by such motor vehicle, at least to the amount or limits required in a motor vehicle liability policy as defined in section thirtyfour:

The police department with whom any such statement is filed in quadruplicate shall send one copy thereof to the registrar of motor vehicles, 1 copy to the local assessor's office and one copy to such school or college. Any such nonresident who fails to comply with the provisions of this paragraph shall be punished by a fine of not more than \$200. From the copies of the statements received from the police department, as hereinbefore provided, each such school or college shall compile and maintain a register of all such nonresidents enrolled as students thereat which shall be available for inspection at all reasonable times by the registrar, his agents, and police officers. Each such school or college shall provide to all nonresident students the following warning in bold type not less than 1/2 inch in height: ***"it is unlawful for a nonresident student to fail to file a nonresident driver statement with the police department located in the***

same city or town as the school or college attended, in accordance with [section 3 of chapter 90](#) of the massachusetts general laws. failure to file such statement is punishable by a fine not to exceed \$200."

A written acknowledgment of receipt of this warning shall be required. Each such school or college shall issue to each such student such serially numbered or lettered decal as may be prescribed by the registrar, which decal shall be affixed to the uppermost center portion of the windshield. Such register shall contain the written acknowledgement of receipt of the nonresident driver statement warning, the numbers or letters of the decal issued to each such student, the name and address of the owner of the motor vehicle, the residential address of the student within the commonwealth, if any, while attending such school or college, the residential address of the student without the commonwealth, the registration number, make and type of the motor vehicle and the state, province or country of registration, and the names and addresses of all insurers providing liability insurance covering the operation of the motor vehicle, which information shall be forwarded by the school or college to the assessor's office of the municipality listed as the student's local residence. Any such school or college which fails to compile and maintain a register, to issue a decal as required by this paragraph or to forward register data to the assessor's office of a municipality in which a nonresident student resides shall be punished by a fine of not more than one hundred dollars for each such offense.

A motor vehicle or trailer owned by a non-resident and used in direct connection with a place of business of such non-resident within this commonwealth shall be registered in this commonwealth; provided, that a non-resident who uses motor vehicles or trailers both in direct connection with his place of business in this commonwealth and in connection with a place or places of business outside the commonwealth need not register in this commonwealth more than the number of his vehicles which equals the average number of his vehicles regularly used in connection with his place of business in this commonwealth. For the purposes of such registration, the registrar may determine what vehicles or what proportion of vehicles owned by such non-resident are so used, and such determination shall be final. The registrar may suspend the right of any nonresident operator to operate in this commonwealth, and may suspend the right of any nonresident owner to operate or have operated in this commonwealth any motor vehicle or trailer for the same causes and under the same conditions that he can take such action regarding resident owners, operators, motor vehicles and trailers owned in this commonwealth. Every such vehicle so operated shall have displayed upon it number plates, substantially as provided in section six, bearing the distinguishing number or mark of the state or country in which such vehicle is registered, and none other except as authorized by this chapter.

A corporation organized under the laws of this commonwealth, or a person resident therein, having a place of business in another state or a foreign country shall, with respect to the operation upon the ways of this commonwealth of a commercial motor vehicle, trailer or semi-trailer which is used in connection with such place of business, is customarily garaged in such other state or foreign country and is registered therein, have the rights and privileges and be subject to the obligations imposed by this section. Except as provided in the preceding paragraph, a motor vehicle or trailer, owned by a nonresident, that is in the possession or under the control of a resident of this commonwealth for a period greater than thirty days, in the aggregate within a calendar year, whether under terms of a lease, or otherwise, and such vehicle is registered in another state or country, shall not be operated on the ways of this commonwealth, unless registered under this chapter. Whoever operates or allows to be operated a motor vehicle or trailer in violation of this paragraph, shall be punished by a fine of not less than one hundred nor more than two hundred fifty dollars. Notwithstanding any other provisions of this chapter, when records maintained by the registrar show that the use of a motor vehicle or trailer owned by any person or corporation has resulted in three or more convictions for a violation of this section within any twenty-four month period, he may suspend the right to operate, or right to have operated, in this commonwealth any motor vehicle or trailer owned by such person or corporation for a period not to exceed six months.