

§ 85E. Motor vehicles; defenses in subrogation claims

Library References

Comments.

Automobile negligence, damages, see M.P.S. vol. 17, Bishop, § 652.

§ 85F. Imputation of negligence of operator of motor vehicle to passenger-owner

Library References

Comments.

Imputed negligence, see M.P.S. vol. 17, Bishop, § 660.

Operator, passenger, owner of motor vehicle, negligence, see M.P.S. vol. 37A, Nolan and Sartorio, § 391.

§ 85G. Parents' liability for willful acts of minor children

Parents of an unemancipated child under the age of eighteen and over the age of seven years shall be liable in a civil action for any willful act committed by said child which results in injury or death to another person or damage to the property of another, which shall include any damages resulting from a larceny or attempted larceny of property as set forth in section thirty A of chapter two hundred and sixty-six, damage to cemetery property or damage to any state, county or municipal property. This section shall not apply to a parent who, as a result of a decree of any court of competent jurisdiction, does not have custody of such child at the time of the commission of the tort. Recovery under this section shall be limited to the amount of proved loss or damage but in no event shall it exceed five thousand dollars.

Amended by St.1985, c. 442; St.1986, c. 335, § 1.

Historical and Statutory Notes

1985 Amendment. St.1985, c. 442, approved Oct. 29, 1985, in the first sentence deleted a comma following "cemetery property", and rewrote the third sentence.

damages resulting from shoplifting or attempted shoplifting.

1986 Legislation

St.1986, c. 335, § 1, approved July 22, 1986, and by § 3 made effective Jan. 1, 1987, included

Cross References

Uninsured motorists, amounts recoverable not affected by liability limits under this section, see c. 175, § 113L.

Library References

Comments.

Capacity, parent and child, see M.P.S. vol. 17, Bishop, § 547.

Parent-child relations, negligence, see M.P.S. vol. 37, Nolan and Sartorio, § 154; vol. 37A, Nolan and Sartorio, § 384.



City of Cambridge

36.

IN CITY COUNCIL

June 20, 1994

VICE MAYOR RUSSELL
COUNCILLOR BORN
COUNCILLOR DUEHAY
COUNCILLOR TRIANTAFILLOU
COUNCILLOR WALSH

WHEREAS: The problem of graffiti throughout the city seems to be worsening; and

WHEREAS: Citizens are being urged to be watchful and report incidents when they are observed; and

WHEREAS: Massachusetts General Law, Chapter 231, Section 85G states that parents are to be held liable for property damage done by a minor child under the age of eighteen up to the amount of \$5000; now therefore be it

RESOLVED: That copies of this statute, along with a warning about graffiti, be sent out in all the schools, both public and private, and through the Community Schools and summer programs to alert parents as to their responsibility regarding their children's actions and perhaps alleviate some of the graffiti problem in the city.

In City Council June 20, 1994.

Adopted by the affirmative vote of nine members.

Attest:- D. Margaret Drury, City Clerk

A true copy;

ATTEST:-

D. Margaret Drury
D. Margaret Drury
City Clerk



City of Cambridge

36.

IN CITY COUNCIL

June 20, 1994

VICE MAYOR RUSSELL

WHEREAS: The problem of graffiti throughout the city seems to be worsening; and

WHEREAS: Citizens are being urged to be watchful and report incidents when they are observed; and

WHEREAS: Massachusetts General Law, Chapter 231, Section 85G states that parents are to be held liable for property damage done by a minor child under the age of eighteen up to the amount of \$5000; now therefore be it

RESOLVED: That copies of this statute, along with a warning about graffiti, be sent out in all the schools, both public and private, and through the Community Schools and summer programs to alert parents as to their responsibility regarding their children's actions and perhaps alleviate some of the graffiti problem in the city.

Born, Dukey, Triantafyllou,
Walsh

Consent Order #36

S-294

Vice Mayor Russell re: Graffiti problem
throughout the City.

In City Council June 20, 1994