

EXCERPTS FROM MASSACHUSETTS GENERAL LAW

Chapter 164: Section 127. Intentional injury to electric meter or other property; penalty; prima facie evidence.

Section 127. Whoever unlawfully and with intent to avoid payment by himself or another person for a prospective or previously rendered service the charge or compensation for which is measured by a meter or other mechanical device injures or destroys, or suffers to be injured or destroyed, any meter, pipe, conduit, wire, line, pole, lamp or other apparatus belonging to a corporation engaged in the manufacture or sale of electricity or to any person, or whoever unlawfully and with intent to avoid payment by himself or another person for a prospective or previously rendered service prevents an electric meter from duly registering the quantity of electricity supplied, or in any way interferes with its proper action or just registration, or, without the consent of such corporation or person, unlawfully and intentionally diverts or suffers to be diverted any electrical current from any wire of such corporation or person, or otherwise unlawfully and intentionally uses or causes to be used, without the consent of such corporation or person, any electricity manufactured or distributed by such corporation, or charged to such person, shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both.

Chapter 164: Section 127A. Destruction of or tampering with, electric or gas lines, meters, etc.; theft of electricity or gas.

Section 127A. Whoever unlawfully and intentionally injures or destroys, or suffers to be injured or destroyed, any meter, pipe, conduit, wire, line, pole, lamp or other apparatus belonging to a corporation, including municipal corporations which own municipal lighting plants engaged in the manufacture or sale of electricity or gas or to any person, or unlawfully and intentionally prevents an electric or gas meter from duly registering the quantity of electricity or gas supplied, or in any way interferes with its proper action or just registration, or, without the consent of such corporation or person, unlawfully and intentionally diverts or suffers to be diverted any electric current from any wire or gas from any pipe of such corporation or person, or otherwise unlawfully and intentionally uses or causes to be used, without the consent of such corporation or person, any electricity or gas manufactured or distributed by such corporation, or charged to such person shall be liable to such corporation or person for triple the amount of damages sustained thereby or one thousand dollars whichever is greater. Damages shall include the value of the electricity or gas used and the cost of equipment repair and replacement. Any damages assessed under the provisions of this section in excess of the actual damages sustained by the corporation or person manufacturing, distributing or selling such electricity or gas shall be paid to the commonwealth; provided, however, that if a municipal lighting plant brings an action pursuant to this section such damages in excess of the actual damages shall be paid to such municipal lighting plant.

Chapter 164: Section 116. Entry on premises to examine and maintain gas or electric meters.

Section 116. An officer or servant of a gas or electric company who is duly authorized in writing by the president, treasurer, agent or secretary of said company and who displays on his outer garment a suitable badge bearing his photograph, issued to him by his employer, identifying him as such officer or servant, may at any reasonable time enter any premises supplied with gas or electricity by such company for the purpose of examining or removing the meters, pipes, wires, fittings and works for supplying or regulating the supply of gas or electricity and of ascertaining the quantity of gas or electricity consumed or supplied; and if any person, directly or indirectly, prevents or hinders such officer or servant from so entering such premises or from making such examination or removal, such officer or servant may make complaint to any court or magistrate authorized to issue criminal process, who may thereupon issue a warrant directed to the sheriff or to any of his deputies, or to a constable of the town where such company is located, commanding him to take sufficient aid and repair to said premises accompanied by such officer or servant, who shall examine such meters, pipes, wires, fittings and works for supplying or regulating the supply of gas or electricity, and ascertain the quantity of gas or electricity consumed or supplied therein, and shall, if required, remove any meters, pipes, wires, fittings and works belonging to said company.

