HOUSE DOCKET, NO. 2228 FILED ON: 1/15/2015

HOUSE . . . . . No. 806

The Commonwealth of Massachusetts

PRESENTED BY:

Antonio F. D. Cabral and Michael J. Rodrigues

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the property damage threshold for surchargeable incidents under a safe driver insurance plan.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Antonio F. D. Cabral	*13th Bristol*
Michael J. Rodrigues	*First Bristol and Plymouth*
John V. Fernandes	*10th Worcester*

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HOUSE . . . . . No. 806

By Representative Cabral of New Bedford and Senator Rodrigues, a joint petition (accompanied by bill, House, No. 806) of Antonio F. D. Cabral, Michael J. Rodrigues and John V. Fernandes relative to the property damage threshold for surchargeable incidents under a safe driver insurance plan. Financial Services.

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act relative to the property damage threshold for surchargeable incidents under a safe driver insurance plan.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Clause (a) of Section 57A of Chapter 6C of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out the fourth sentence of the first paragraph in lines 6 to 13, inclusive, and inserting in place thereof the following sentence: - The board shall formulate and administer a plan for the compiling, gathering and disseminating of information, operator records and histories, and such other data as it deems necessary or appropriate pertaining to motor vehicle accidents, claims under motor vehicle policies and motor vehicle violations in order to facilitate the implementation and operation of the safe driver insurance plan provided in section one hundred and thirteen B of chapter one hundred and seventy-five or a merit rating plan of an insurer filed with the commissioner of insurance.

SECTION 2. Clause (b) of Section 57A of Chapter 6C of the General Laws, as so appearing, is hereby further amended by inserting after the word “insurer” in line 18 of the

12 following sentences: - For motor vehicle insurance purposes, as pertains to an at-fault accident
13 claim, a major accident shall be an accident wherein the claim payment, exclusive of any
14 deductible, exceeds $5,000 under either: property damage liability coverage; collision coverage;
15 limited collision coverage; or for accidents occurring on or after January 1, 2006, bodily injury
16 liability coverage if there is neither a surchargeable property damage liability coverage claim,
17 nor a surchargeable collision coverage claim, or as a result of the incident with the bodily injury
18 liability coverage claim.

19 A minor accident shall be an accident wherein the claim payment, exclusive of any
20 deductible, exceeds $1,000, but no more than $5,000 under either: property damage liability
21 coverage; collision coverage; limited collision coverage, or for accidents occurring on or after
22 January 1, 2006, bodily injury liability coverage if there is neither a surchargeable property
23 damage liability coverage claim, nor a surchargeable collision coverage claim, or as a result of
24 the incident with the bodily injury liability coverage claim.