

HOUSE No. 870

The Commonwealth of Massachusetts

PRESENTED BY:

Garrett J. Bradley

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 passage of the accompanying bill:

An Act Relative to Uninsured Motorist Coverage.

PETITION OF:

NAME:

Garrett J. Bradley

DISTRICT/ADDRESS:

3rd Plymouth

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO UNINSURED MOTORIST COVERAGE.

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

1 SECTION 1. Section 113L of chapter 175 of the General Laws, as appearing in the 2004
2 Official Edition is hereby amended in paragraph (2) by striking out the first sentence and
3 inserting in place thereof the following sentence:-

4 For the purpose of said coverage, if the policyholder or obligor elects to purchase the coverage
5 described in this paragraph, the term “uninsured motor vehicle” shall also include protection of
6 persons injured thereunder who are legally entitled to recover damages from owners or operators
7 if insured motor vehicles, trailers, or semitrailers to which a bodily injury liability bond or policy
8 applies at the time of the accident and the amount collected by the person injured thereunder
9 from the bodily injury liability amount or policy is less than the policy limit for uninsured motor
10 vehicle coverage and is insufficient to satisfy the damaged of persons insured thereunder and
11 only to the extent that the uninsured motor vehicle coverage limits exceed the amount collected
12 by said insured under said limits of bodily injury liability subject to the terms of the policy/

13 SECTION 2. Said section 113L of said chapter 175 is hereby amended by adding the following
14 paragraph:-

15 (6) Uninsured motorist coverage shall provide that regardless of the number of vehicles involved,
16 whether insured or not, persons covered or claims made, in no event shall the limit of bodily
17 injury liability for two or more bodily injury liability bonds or policies be added together,
18 combined or stacked in determining, pursuant to paragraph (2), the extent to which said
19 uninsured motorists coverage exceeds the amount of bodily injury liability proceeds collected;
20 and further, that such determination shall be governed by the bodily injury liability bond or
21 policy involved that provides the lowest limits.