

HOUSE No. 1205

The Commonwealth of Massachusetts

PRESENTED BY:

Ronald Mariano

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 amending the board of appeals on motor vehicle liability policies and bonds.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Ronald Mariano</i>	<i>3rd Norfolk</i>	<i>1/20/2011</i>

HOUSE No. 1205

By Mr. Mariano of Quincy, petition (accompanied by bill, House, No. 1205) of Ronald Mariano relative to the Board of Appeals on Motor Vehicle Liability Policies and Bonds. Financial Services.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act amending the board of appeals on motor vehicle liability policies and bonds.

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 8A of Chapter 26 the General Laws, as so appearing in the 2008
2 Official Edition, is hereby amended by striking out the section in its entirety and replacing with
3 the following:-

4 Section 8A. There shall be an independent board of appeal on motor vehicle liability
5 policies and bonds serving in the office of consumer affairs and business regulations, and
6 consisting of the commissioner of insurance or his representative, the registrar of motor vehicles
7 or a representative, the attorney general or a representative, and the commissioner of public
8 health or a representative. The board of appeals shall not be subject to the jurisdiction of the
9 executive office of consumer affairs, except to the extent of compliance with reasonable requests
10 from the undersecretary for the sharing of information, which does not interfere with the efficient
11 and independent functioning of the board. The commissioner of insurance, the registrar of motor
12 vehicles, the attorney general and the commissioner of public health, may in writing, in such
13 form as he may prescribe, filed in his office, designate from time to time a representative to act

14 in his place. The board members shall serve for a term of seven years, with incumbents serving
15 three years upon enactment, subject to removal by the appointing authority only for nonfeasance
16 or malfeasance in office. All board members shall receive equal compensation. The
17 compensation of such a representative, if not an employee of the commonwealth, shall be fixed
18 by the board, subject to the approval of the governor and council. With the approval of the
19 governor and council, the board may appoint and remove a secretary and such clerical and other
20 assistants as its work may require. All expenditures incurred under this section shall be paid
21 from the division of insurance. The secretary shall keep a record of all proceedings before the
22 board, and he and such clerical and other assistants shall perform such duties as the board may
23 direct. Any member of the board shall have power to summon and compel the attendance and
24 testimony of witnesses and the production of books, records and documents and may administer
25 oaths. Sections nine and eleven of chapter two hundred and thirty-three of the general laws shall
26 apply to the board and witnesses summoned before it. The fees of witnesses before the board for
27 attendance and travel shall be the same as for witnesses before a court in civil cases and need not
28 be paid nor tendered to them prior to their attendance, and shall be paid by the commonwealth
29 upon the certificate of the board or a member thereof filed with the comptroller. An office and a
30 room for hearings shall be provided by the commonwealth, to be assigned by the governor and
31 council. The board may hold hearings at any place within the commonwealth and the members
32 and secretary thereof shall be allowed their necessary traveling and other expenses in holding
33 hearings outside the city of Boston. The board, with the approval of the governor and council,
34 may make and amend reasonable rules and regulations to expedite and regulate hearings and the
35 procedure before it.