

HOUSE No. 3409

The Commonwealth of Massachusetts

PRESENTED BY:

Susan Williams Gifford and Stephen L. DiNatale

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:	DATE ADDED:
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>	<i>1/20/2011</i>
<i>Stephen L. DiNatale</i>	<i>3rd Worcester</i>	<i>1/25/2011</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>1/20/2011</i>
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>	<i>1/20/2011</i>
<i>John P. Fresolo</i>	<i>16th Worcester</i>	<i>1/26/2011</i>
<i>George N. Peterson, Jr.</i>	<i>9th Worcester</i>	<i>1/26/2011</i>
<i>Dennis A. Rosa</i>	<i>4th Worcester</i>	<i>1/20/2011</i>
<i>William Smitty Pignatelli</i>	<i>4th Berkshire</i>	<i>1/28/2011</i>
<i>James B. Eldridge</i>		<i>2/4/2011</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>1/31/2011</i>
<i>Timothy R. Madden</i>	<i>Barnstable, Dukes and Nantucket</i>	<i>2/3/2011</i>
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>	<i>2/2/2011</i>
<i>Cory Atkins</i>	<i>14th Middlesex</i>	<i>1/31/2011</i>
<i>Lillian Faust</i>	<i>46 Pinehurst Dr. Wareham, MA 02571</i>	

HOUSE No. 3409

By Representatives Gifford of Wareham and DiNatale of Fitchburg, a petition (accompanied by bill, House, No. 3409) of Susan Williams Gifford, Stephen L. DiNatale and others relative to the property damage threshold for surchargeable incidents under a safe driver motor vehicle insurance plan. Financial Services.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

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:

1 SECTION 1. The first paragraph of section 183 of chapter 6 of the General Laws, as
2 appearing in the 2008 Official Edition, is hereby amended by inserting after the word “five”, in
3 line 13, the following words: - or a merit rating plan, as defined in 211 CMR 134.03, of an
4 insurer filed with the commissioner of insurance”.

5
6 SECTION 2. The second paragraph of said section 183 of said chapter 6, as so
7 appearing, is hereby further amended by inserting after the first sentence the following 2
8 sentences: - For motor vehicle insurance purposes, as it pertains to an at-fault accident claim, a
9 major accident shall be an accident wherein the claim payment, exclusive of any deductible,
10 exceeds \$3,000 under either: property damage liability coverage; collision coverage; limited
11 collision coverage; or for accidents occurring on or after January 1, 2006, bodily injury liability

12 coverage if there is neither a surchargeable property damage liability coverage claim, nor a
13 surchargeable collision coverage claim, or as a result of the incident with the bodily injury
14 liability coverage claim. A minor accident shall be an accident wherein the claim payment,
15 exclusive of any deductible, exceeds \$1,000, but no more than \$3,000 under either: property
16 damage liability coverage; collision coverage; limited collision coverage, or for accidents
17 occurring on or after January 1, 2006, bodily injury liability coverage if there is neither a
18 surchargeable property damage liability coverage claim, nor a surchargeable collision coverage
19 claim, or as a result of the incident with the bodily injury liability coverage claim.