

HOUSE No. 1301

The Commonwealth of Massachusetts

PRESENTED BY:

Jeffrey N. Roy

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 primary insurance.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Jeffrey N. Roy</i>	<i>10th Norfolk</i>	<i>1/9/2025</i>

HOUSE No. 1301

By Representative Roy of Franklin, a petition (accompanied by bill, House, No. 1301) of Jeffrey N. Roy relative to primary insurance in the leasing of motor vehicles or trailers under the "drive-it-yourself" system, so-called. Financial Services.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to primary insurance.

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. Chapter 90, section 32C is amended by striking the first paragraph
2 and replacing it with the following: -

3 No person engaged in the business of leasing motor vehicles or trailers under the
4 "drive-

5 it-yourself" system, so called, , wherein the amount of the rental is determinable in whole
6 or in

7 part by the distance such motor vehicles or trailers travel or any similar system including
8 rentals based

9 on daily, weekly, hourly or monthly rental rates, shall lease any such vehicle whereto is

10 attached a hubodometer or other mechanical device for the purpose of registering the

11 distance

12 that such vehicle travels which does not register such distance with substantial accuracy,
13 nor
14 shall any such person, herein and in the following three sections called the lessor,
15 knowingly
16 deceive any lessee of any such vehicle under any such system, herein and in the
17 following three
18 sections called the lessee, as to the distance which such vehicle has traveled under the
19 lease, or
20 make or collect a charge for the use thereof based wholly or in part on such deception, or
21 lease
22 any such vehicle for operation on any public way by any person whom he knows or has
23 reason to
24 believe to be under the influence of intoxicating liquor or of any drug. No lessor shall
25 lease any
26 motor vehicle or trailer until the lessee shows that he or his authorized operator is the
27 holder of a
28 duly issued license to operate the type of motor vehicle or trailer which is being leased.
29 Further, no
30 lessor is required to verify such license with the Registry of Motor Vehicles or via any
31 other electronic

32 services.

33 SECTION 2. Section 32E is amended by striking the title and replacing it with the
34 following: -

35 Section 32E: Leasing motor vehicles on mileage basis; operation of vehicles or
36 use of

37 trailers; insurance coverage; vehicles leased on daily, weekly, hourly or monthly rental
38 rate

39 Section 32E is further amended by striking the second paragraph and replacing
40 it with the following:

41 Every lessor shall provide and maintain, during such time as he engages in the business
42 of leasing motor vehicles under any system referred to in section thirty-two C, a motor vehicle
43 liability policy or bond or deposit up to the minimum financial requirements imposed on owners
44 or registrants , on a secondary or contingent basis if the lessee or operator does not have a motor
45 vehicle liability policy, or other coverage, which, in addition to providing indemnity, protection
46 or security for personal injuries, shall, except in the case of vehicles leased for a term of more
47 than thirty days, further provide indemnity, protection or security for damage to property as
48 required by the provisions of this chapter. If another valid and collectible liability policy or other
49 form of financial security satisfies the minimum financial requirements imposed on owners or
50 registrants, a lessor's obligation under the law is satisfied.

51 SECTION 3. Section 34M is further amended by adding the following words:
52 "and/or thirty-two E" any time "section thirty-four A" appears in this section. -,