HOUSE DOCKET, NO. 380 FILED ON: 1/14/2011

HOUSE . . . . . No. 280

The Commonwealth of Massachusetts

PRESENTED BY:

Viriato Manuel deMacedo

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:

An Act realtive to rental vehicle and replacement vehicle transactions and services.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Viriato Manuel deMacedo	*1st Plymouth*
Sheila C. Harrington	*1st Middlesex*

HOUSE DOCKET, NO. 380 FILED ON: 1/14/2011

HOUSE . . . . . No. 280

By Mr. deMacedo of Plymouth, a petition (accompanied by bill, House, No. 280) of Viriato Manuel deMacedo and Sheila C. Harrington relative to rental vehicle and replacement vehicle transactions and services. Financial Services.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *886* OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act realtive to rental vehicle and replacement vehicle transactions and services.

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. Notwithstanding any general or special law to the contrary, no insurance company, third party biller, agent or adjuster for such insurance company that issues or renews in the commonwealth any policy of insurance covering in whole or in part any motor vehicle may require that any person insured under said policy use a particular company or location for the providing of rental vehicle and replacement vehicle transactions and services or products insured in part by that policy.

No such insurance company, third party biller, agent or adjuster for such insurance company may engage in any act or practice of intimidation, coercion, threat or inducement for or against any such insured person to use a particular company or location to provide such services or products, nor shall such insurance company, producer or adjuster provide for, allow or facilitate telephonic claims information directly to preferred rental vehicle and replacement vehicle companies.

The provisions of this section are applicable only to replacement vehicle companies who will accept payments from insurance companies. Failure to comply with the provisions of the above paragraph will result in a fine of not less than $300 or more than $500 for each incident, and shall be payable to the division of insurance by the insurer.