

SENATE No. 00460

The Commonwealth of Massachusetts

PRESENTED BY:

Michael J. Rodrigues

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 the property damage threshold for surchargeable incidents..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Michael J. Rodrigues</i>	<i>First Bristol and Plymouth</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>
<i>John P. Fresolo</i>	<i>16th Worcester</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>F. Jay Barrows</i>	<i>1st Bristol</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>

SENATE No. 00460

By Mr. Rodrigues, petition (accompanied by bill, Senate, No. 460) of Gifford, Barrows, Puppolo and other members of the General Court for legislation relative to the property damage threshold for surchargeable incidents [Joint Committee on Financial Services].

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to the property damage threshold for surchargeable incidents..

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 183 of chapter 6 of the General Laws, as appearing in the 2008
2 Official Edition, is hereby amended by striking out the fourth sentence of the first paragraph in
3 lines 6 to 13, inclusive, and inserting in place thereof the following sentence: - The board shall
4 formulate and administer a plan for the compiling, gathering and disseminating of information,
5 operator records and histories, and such other data as it deems necessary or appropriate
6 pertaining to motor vehicle accidents, claims under motor vehicle policies and motor vehicle
7 violations in order to facilitate the implementation and operation of the safe driver insurance plan
8 provided in section one hundred and thirteen B of chapter one hundred and seventy-five or a
9 merit rating plan of an insurer filed with the commissioner of insurance.

10 SECTION 2. Section 183 of chapter 6 of the General Laws, as so appearing, is hereby
11 further amended by inserting after the word "insurer" in line 20 of the following sentences: - For

12 motor vehicle insurance purposes, as pertains to an at-fault accident claim, a major accident shall
13 be an accident wherein the claim payment, exclusive of any deductible, exceeds \$3,000 under
14 either: property damage liability coverage; collision coverage; limited collision coverage; or for
15 accidents occurring on or after January 1, 2006, bodily injury liability coverage if there is neither
16 a surchargeable property damage liability coverage claim, nor a surchargeable collision coverage
17 claim, or as a result of the incident with the bodily injury liability coverage claim.

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