

HOUSE No. 1058

By Mr. Quinn of Dartmouth, petition of John F. Quinn for legislation to protect consumers in the issuance of automobile insurance policies and bonds. Financial Services.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT TO PROTECT CONSUMERS IN THE ISSUANCE OF AUTOMOBILE INSURANCE 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 113A of chapter 175 of the General Laws,
2 as appearing in the 2000 Official Edition, is hereby amended by
3 striking out lines 1 through 14 and inserting in place thereof the
4 following:—

5 Notwithstanding the provisions of section 2B 193F through 193H
6 of this chapter, or any other contrary provision of law, no motor
7 vehicle liability policy or bond both as defined in section thirty-four
8 A of chapter ninety, including any coverage contained in the plan
9 provided by section one hundred thirteen H of this chapter, shall be
10 issued or delivered in the commonwealth, or changed in any cov-
11 erage, condition of definition in such policy or bond, except by
12 approval of the commissioner, after public notice and hearing in
13 accordance with the procedure established for the promulgation of
14 regulations pursuant to section two of chapter thirty A, and after
15 notice of the proposed change has been given to the Financial Serv-
16 ices Committee of the general court which notice shall be no later
17 than twenty-one days before the public hearing, or if the commis-
18 sioner notifies the company in writing that in his opinion the form of
19 said policy does not comply with the laws of the commonwealth,
20 specifying his reasons therefore, provided that he shall notify the
21 company in writing of his approval or disapproval thereof, and pro-
22 vided, further, that such action of the commissioner shall be subject
23 to review by the supreme judicial court, nor shall a motor vehicle
24 liability policy, as defined in section thirty-four A of chapter 90, be

25 issued or delivered in the commonwealth if it contains any excep-
26 tions or exclusions as to specified accidents or injuries or causes
27 thereof, nor unless it contains in substance the following provi-
28 sions:—.

1 SECTION 2. Section one of this act shall apply to all proposed
2 changes in motor vehicle liability bonds or policies submitted on or
3 after the effective date of this act.