

**HOUSE . . . . . No. 1024**

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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 banning the use of certain socio-economic factors for insurance underwriting and rating of motor vehicle liability insurance.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Michael J. Rodrigues	8th Bristol
John P. Fresolo	16th Worcester
Angelo J. Puppolo, Jr.	12th Hampden
Rosemary Sandlin	3rd Hampden
Michael O. Moore	Second Worcester

# The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine  
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## AN ACT BANNING THE USE OF CERTAIN SOCIO-ECONOMIC FACTORS FOR INSURANCE UNDERWRITING AND RATING OF MOTOR VEHICLE LIABILITY INSURANCE.

*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. Chapter 175 of the General Laws is hereby amended by inserting after Section 4C, as appearing in the 2006 official edition, the following section:-

Section 4D. No insurer, engaged in writing motor vehicle liability insurance in the commonwealth, shall in connection with underwriting of said insurance, shall refuse to issue or renew a motor vehicle liability policy or bond or any other insurance based on the ownership or operation of a motor vehicle based upon credit information, including but not limited to a numerical credit-based insurance score, other credit rating of an insured, or education or occupation or any other information or factors that would be considered as proxies for credit scores, education or occupation; and provided, further, no insurer shall file rates, pursuant to chapter 175E, based on credit information, including but not limited to a numerical credit-based insurance score, other credit rating of an applicant or insured, or the education or occupation of the insured or any other information or factors that would be considered as proxies for credit scores, education or occupation.

SECTION 2. Section 113B of said chapter 175, as so appearing in the 2006 official edition, is hereby amended by adding the following paragraph:- The commissioner shall not fix

or establish any rates, premium charges, premium adjustments, or classifications of risks based in whole or in part on credit information relating to an insured, including but not limited to a numerical credit based insurance score, other credit rating of an insured, or education or occupation or any other information or factors that would be considered as proxies for credit scores, education or occupation; and provided, further, that no insurer, in connection with underwriting motor vehicle liability insurance or bonds on any other insurance based on the ownership or operation of a motor vehicle, shall refuse to issue or renew said insurance or bond based upon credit information, including but not limited to a numerical credit-based insurance score, other credit rating of an insured or applicant, or education or occupation, or any other information or factors that would be considered as proxies for credit scores, education or occupation.

SECTION 3. Subsection (a) of section 5 of chapter 175A of the General Laws, as so appearing in the 2006 Official Editions, is hereby amended by striking out subdivision 4. and inserting in place thereof the following subdivision:-

4. Rates shall not be excessive, inadequate or unfairly discriminatory and shall not be based in part or in whole on credit information relating to an insured, including but not limited to a numerical credit-based insurance score, other credit rating of an insured, or education or occupation or any other information or factors that would be considered as proxies for credit scores, education or occupation.

SECTION 4. Section 4 of chapter 175E of the General Laws, as so appearing in the 2006 Official Edition, inserting after the work “discriminatory”, in line 5, the following words:- and shall not be based in whole or in part on any credit information relating to an insured, including but not limited to, a numerical credit-based insurance score, other credit rating of an insured, or

education or occupation, or any other information or factors that would be considered as proxies for credit scores, education or occupation; and provided, further, that no insurer, in connection with underwriting motor vehicle liability insurance or bonds or any other insurance based on the ownership or operation of a motor vehicle, shall refuse to issue or renew said insurance or bond based upon credit information, including but not limited to a numerical credit-based insurance score, other credit rating of an insured or applicant, or education or occupation or any other information or factors that would be considered as proxies for credit scores, education or occupation.

SECTION 5. Section 3 of chapter 176D of the General Laws, as so appearing in the 2006 Official Edition, is hereby amended by inserting after the word “sections”, in line 170, the following words:- four D

SECTION 6. Section 51 of chapter 93 subsections (a) (3) (iii) is hereby deleted.