

SENATE NO. 580

AN ACT RELATIVE TO UNINSURED MOTORIST COVERAGE

*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 113L of chapter 175 of the General Laws, as appearing in the 2004 Official
2 Edition is hereby amended in paragraph (2) by striking out the first sentence and inserting in place
3 thereof the following sentence:-

4 For the purpose of said coverage, if the policyholder or obligor elects to purchase the coverage
5 described in this paragraph, the term “uninsured motor vehicle” shall also include protection of
6 persons injured thereunder who are legally entitled to recover damages from owners or operators of
7 insured motor vehicles, trailers, or semitrailers to which a bodily injury liability bond or policy applies
8 at the time of the accident and the amount collected by the person injured thereunder from the bodily
9 injury liability amount or policy is less than the policy limit for uninsured motor vehicle coverage and
10 is insufficient to satisfy the damaged of persons insured thereunder and only to the extent that the
11 uninsured motor vehicle coverage limits exceed the amount collected by said insured under said limits
12 of bodily injury liability subject to the terms of the policy/

13 SECTION 2. Said section 113L of said chapter 175 is hereby amended by adding the following
14 paragraph:-

15 (6) Uninsured motorist coverage shall provide that regardless of the number of vehicles
16 involved, whether insured or not, persons covered or claims made, in no event shall the limit of bodily
17 injury liability for two or more bodily injury liability bonds or policies be added together, combined or
18 stacked in determining, pursuant to paragraph (2), the extent to which said uninsured motorists
19 coverage exceeds the amount of bodily injury liability proceeds collected; and further, that such
20 determination shall be governed by the bodily injury liability bond or policy involved that provides the
21 lowest limits.