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COMMISSIONER OF INSURANCE

BULLETIN NO. 2002-10

TO: All Massachusetts Private Passenger Automobile Insurers

FROM: Julianne M. Bowler, Commissioner of Insurance

DATE: June 12, 2002

RE: Implementation of amendments to 211 CMR 94.00

In November, 2001 the Automobile Insurers Bureau proposed changes to 211 CMR 94.00, the regulation addressing mandatory pre-insurance inspections of private passenger motor vehicles. A hearing on the proposed changes took place on April 2, 2002, and the regulation, in final form, was published in the Massachusetts Register of May 10, 2002, and took effect on that day. At no time during the review process did the AIB or any individual insurer request a future effective date for the regulatory changes.

The AIB thereafter asked to postpone the effective date of those changes to permit the companies to reprogram their computer systems and to set up the additional methods for providing lists of inspection sites to consumers that the regulation allows. Rather than amend the regulation, we are issuing this bulletin on procedures for phasing-in the new requirements.

1. Insurers are expected to complete the reprogramming of their systems promptly and, in any event, by August 15, 2002.
2. Insurers must immediately train their staff and their agents to take appropriate steps to override notices directed to consumers that do not comply with the requirements of the revised regulation.
3. Insurers must promptly develop systems for notifying consumers of inspection sites that comply with the new regulation. Such systems shall be in place by August 15. In the interim, they may continue to provide that information in the form of hard copy.

So long as insurers comply with the timetables in this bulletin, the Division will not take any enforcement action against insurers for failure to comply immediately with the requirements of the regulation, as amended.