COMMONWEALTH OF MASSACHUSETTS
Office of Consumer Affairs and Business Regulation
DIVISION OF INSURANCE

One South Station • Boston, MA 02110-2208
(617) 521-7794 • FAX (617) 521-7475
TTY/TDD (617) 521-7490
http://www.mass.gov/doi

DEVAL L. PATRICK
GOVERNOR

TIMOTHY P. MURRAY
LIEUTENANT GOVERNOR

DANIEL O'CONNELL
SECRETARY OF HOUSING AND ECONOMIC DEVELOPMENT

DANIEL C. CRANE
DIRECTOR

NONNIE S. BURNES
COMMISSIONER OF INSURANCE

BULLETIN 2007-10

TO: Insurance Producers and Insurance Companies Soliciting, Negotiating, Selling or Servicing Private Passenger Motor Vehicle Policies in Massachusetts

FROM: Nonnie S. Burnes, Commissioner of Insurance

DATE: October 26, 2007

RE: Product Form, Endorsement and New Business Application Requirements for Private Passenger Motor Vehicle Insurance Policies with Policy Effective Dates of April 1, 2008 through March 31, 2009

This Bulletin is being issued to inform insurance producers and insurance companies who sell or service private passenger motor vehicle insurance policies about the Division of Insurance's ("Division") product form, endorsement and new business application filing requirements that apply as the market transitions to managed price competition. These requirements shall apply to all private passenger motor vehicle insurance policies with policy effective dates of April 1, 2008 through March 31, 2009.

All insurance companies and insurance company groups (collectively "insurers") who submit private passenger motor vehicle insurance rate filings on November 19, 2007 to be effective on or after April 1, 2008 are required to submit a comprehensive form filing to the Division no later than **November 26, 2007**. The comprehensive form filing shall verify the policy forms and endorsements, including new business applications, that they intend to offer for private passenger motor vehicle insurance policies with effective dates of April 1, 2008 through March 31, 2009.

Changes to the Massachusetts Private Passenger Motor Vehicle Insurance Policy Contract, Mandatory Endorsement, and New Business Application

Each insurer's comprehensive form filing shall satisfy the following minimum

requirements.

1. Standard Insurance Policy Contract. Each insurer's comprehensive form filing shall adopt the exact content of the Massachusetts Automobile Insurance Policy, Seventh Edition (1-00) and the Massachusetts Mandatory Endorsement M-0099-S (Ed. 4-07) as its standard policy contract for private passenger motor vehicle insurance, with modification only as described below. This standard policy contract shall be used for the insurer's voluntary risks, as well as those risks the insurer writes in the residual market.

If the insurer is proposing changes to its merit rating plan from the plan applicable to private passenger motor vehicle insurance policies with effective dates of April 1, 2007 through March 31, 2008 the insurer shall submit changes to the Massachusetts Mandatory Endorsement M-0099-S.

Alternatively, the insurer may file a standard insurance policy contract that incorporates the provisions of the Massachusetts Automobile Insurance Policy, Seventh Edition (1-00) and the Massachusetts Mandatory Endorsement M-0099-S (Ed. 4-07). Such a filing must include a red-lined version of the Automobile Insurance Policy, Seventh Edition (1-00) contract showing how the provisions of the Automobile Insurance Policy, Seventh Edition (1-00) and the Massachusetts Mandatory Endorsement M-0099-S (Ed. 4-07) have been merged into a single document.

Customized private passenger motor vehicle insurance contracts issued on a voluntary basis for motorcycles, trailers and other specialty vehicles may also be submitted for coverage with effective dates on or after April 1, 2008.

2. Coverage Selections Page. Each comprehensive form filing submitted by an insurer shall include a coverage selection page that contains substantially the same content and format as the coverage selection page approved by the Division for use for private passenger motor vehicle insurance policies with effective dates of April 1, 2007 through March 31, 2008. The filing may propose changes to this document, including modifications to the sections titled Discounts and Safe Driver Insurance Plan.

3. New Business Application. Each comprehensive form filing submitted by an insurer shall include a new business application with the same content and format as the new business application approved by the Division for private passenger motor vehicle insurance policies with effective dates of April 1, 2007 through March 31, 2008, which shall incorporate only minor changes regarding the safe driver insurance plan, if necessary. Further changes to the new business application will not be considered prior to October 1, 2008. A red-lined version of the existing application illustrating the changes must be included in the comprehensive form filing if changes are sought. This new business application shall be used for all policies voluntarily issued by an insurer, as well as those policies the insurer issues through the residual market.

4. Renewal Forms. Each comprehensive form filing submitted by an insurer may include a renewal form containing information similar to that on the renewal form approved by

the Division for private passenger motor vehicle insurance policies with effective dates of April 1, 2007 through March 31, 2008. Any insurer that proposes to use renewal forms that differ from those in effect for policies with effective dates of April 1, 2007 through March 31, 2008 shall submit such renewal form with its comprehensive form filing.

5. Introduction of Single Limit Liability Coverage. Single limit coverage for bodily injury liability and property damage liability may not be filed for private passenger motor vehicle insurance policies with effective dates of April 1, 2008 through March 31, 2009.

Policy Issuance/Binding

The standard policy contract and endorsements shall include the insurer's name as well as the signatures of two corporate officers of the insurer. The standard policy contract and endorsements shall be produced in compliance with the provisions of M.G.L. 175, § 2B, including the following:

1. The standard policy contract and endorsements must be printed, except for tables, in not less than ten point type, one point leaded.

2. The standard policy contract and endorsements must be printed on white paper.

3. The text of the standard policy contract and endorsements may be in black, brown, or blue ink.

3. The paper size of the standard policy contract and endorsements may be either 8.5 x 11.0 or 8.5 x 10.75

4. The standard policy contract must contain a table of contents or an alphabetic subject index.

5. The standard policy contract and endorsement must contain page numbers that run consecutively.

Insurers may continue to use the form numbers assigned to the forms previously approved by the Division, or they may create their own form numbers and edition dates.

New Endorsements/Coverage Options

Insurers also may file to offer additional endorsements or coverage options to their policyholders as part of the comprehensive form filing.

Administrative Requirements

Each comprehensive form filing submitted by an insurer shall include the attached Independent Form S Abstract indicating the endorsement(s) the insurer intends to offer for private passenger motor vehicle insurance policies with effective dates of April 1, 2008 through March 31, 2009. Because private passenger motor vehicle insurance rates effective April 1,

2007 will expire on March 31, 2008, the Conditional Premium and Coverage Endorsement (M-0101-S) no longer will be valid for use following that date.

Insurance company groups may submit one comprehensive form filing and corresponding filing fee for all insurance companies within the group. The filing fee for each comprehensive form filing is $75. A single Lockbox form, SRB-LB-1, is required for each form filing and is to be sent with an accompanying check made payable to the Commonwealth of Massachusetts to the Division's designated lockbox bank.

If you have any questions regarding this Bulletin, please contact Ed Charbonnier, at 617-521-7481or at edward.charbonnier@state.ma.us.

MASSACHUSETTS DIVISION OF INSURANCE
INITIAL INDEPENDENT FORM S ABSTRACT FOR POLICIES EFFECTIVE APRIL 1, 2008

Company:_____ NAIC #:_____

_____ _____

_____ _____

_____ _____

Are the rates, rating rules, rating plans and classifications to be used in connection with this form filing submitted in a separate filing document? Yes _____ No _____

If yes, indicate company file number for rates: _____

List of New Forms or Endorsements Being Filed:	Previously Approved In Other States ?(Y, N, Not Filed)

Filing Form Instructions

This form must accompany each insurance company's or insurance company group's comprehensive form filing as required by Bulletin 2007-10. This filing form lists all of the currently approved endorsements on file with the Division of Insurance, as filed by the Automobile Insurers Bureau of Massachusetts ("AIB"). Filers shall identify in this form any other endorsements the filer currently has on file with the Division, as well as any new endorsements proposed in this filing.

Part 1

Policy Contract: Indicate the policy contract the insurance company or insurance company group plans to offer for private passenger motor vehicle insurance policies with effective dates of April 1, 2008 through March 31, 2009.

Option	Standard Policy Contract	Check all that Apply
1	AIB Automobile Insurance Policy, Seventh Edition (1-00) and the Massachusetts Mandatory Endorsement M-0099-S (Ed. 4-07)	_____
2	AIB Massachusetts Automobile Insurance Policy, 2008 Edition	_____
3	Independent Policy (please enclose with this filing.	_____

Part 2

Usage: Indicate whether the insurance company or insurance company group currently offers the listed endorsement, as well as whether the it plans to offer the listed endorsement for private passenger motor vehicle insurance policies with effective dates of April 1, 2008 through March 31, 2009.

Filing Type: If the insurance company or insurance company group plans to offer the endorsement for private passenger motor vehicle insurance policies with effective dates of April 1, 2008 through March 31, 2009, this section must be completed. If adopting a currently approved endorsement, as filed by the AIB, place a check mark in the "Adopt AIB Endorsement" column. Endorsements of this type do not need to be included in this filing. For independent endorsements currently on file or being proposed with this submission including proposed revisions to the AIB endorsement, place a check mark in the "Independent Endorsement Filed" column. Endorsements of this type must be included with this filing.

Companion Rate: If the endorsement for private passenger motor vehicle insurance is to be offered on policies with effective dates of April 1, 2008 through March 31, 2009, this section must be completed. If the insurance company's or insurance company group's companion rate filing will include a premium for this endorsement that is a percentage of the 2007 state set rate, place a check mark in the "Reference Rate AIB 2007 Rate" column. Otherwise, place a check mark in the "Independent Rating Filed" column. ***Rates for endorsements should not be included in this filing.***

	Usage		Filing Type (Check only 1)		Companion Rate (Check only 1)	
Endorsements Applicable to Vehicles Subject To Compulsory Insurance Statutes	Currently Offer (Y/N)	Will Offer in Future (Y/N)	Adopt AIB Endorsement	Independent Endorsement Filed	Reference Rate AIB 2007 Rate	Independent Rating Filed
Agreed Amount Coverage – Comprehensive MPY-0034-S MPY-0034-S Ed. 04-08	_____	_____				
Antique Auto M-0047-S M-0047-S Ed. 04-08	_____	_____				
Coverage for Anyone Renting an Auto to You/Additional Insured – Lessor M-0070-S M-0070-S Ed. 04-08	_____	_____				
Commonwealth of Massachusetts Employees Using Autos They Do Not Own in the Course of Employment M-0069-S	_____	_____				
Coverage for Customized Vans and Pick-ups MPY-0037-S MPY-0037-S Ed. 04-08	_____	_____				
Excess Electronic Equipment Coverage MPY-0041-S MPY-0041-S Ed. 04-08	_____	_____				
Federal Employees Using Autos They Do Not Own in the Course of Employment M-0049-S	_____	_____				
$100 Glass Deductible – Comprehensive MPY-0039-S MPY-0039-S Ed. 04-08	_____	_____				
Mobile Home Endorsement MPY-0002-S MPY-0002-S Ed. 04-08	_____	_____				
Non-Renewal of Policy – Motorcycles, Recreational Vehicles, & Trailers M-0103-S M-0103-S Ed. 04-08	_____	_____				
Operator Exclusion Form M-0106-S M-0106-S Ed. 04-08	_____	_____				

	Usage		Filing Type (Check only 1)		Companion Rate (Check only 1)	
Endorsements Applicable to Vehicles Subject To Compulsory Insurance Statutes	Currently Offer (Y/N)	Will Offer in Future (Y/N)	Adopt AIB Endorsement	Independent Endorsement Filed	Reference Rate AIB 2007 Rate	Independent Rating Filed
Guest Occupants Exclusion M-0002-S						
Original Equipment Manufacturer Parts Coverage MPY-0040-S MPY-0040-S Ed. 04-08						
Other Optional Insurance Combined Additional Coverage MPY-0031-S						
Other Optional Insurance – Fire, Lightening, & Transportation MPY-0028-S						
Other Optional Insurance – Theft MPY-0029-S						
Restriction for Personal Injury Protection for Employers Subject to the Massachusetts Workers' Compensation Act M-0063-S						
Stated Amount Coverage MPY-0027-S MPY-0027-S Ed. 04-08						
Substitute Transportation Coverage M-0105-S						
Suspension of Coverage and Reduction of Limits MPY-0032-S MPY-0032-S Ed. 04-08						
Transportation of Fellow Employees, Students, or Others M-0004-S M-0004-S Ed. 04-08						
Trust Endorsement M-0107-S						
Use of Other Autos Furnished or Available for Regular Use M-0051-S M-0051-S Ed. 04-08						
Use of Other Autos Furnished or Available for Use as Public or Livery Conveyance M-0052-S M-0052-S Ed. 04-08						
Waiver of Deductible MPY-0016-S MPY-0016-S Ed. 04-08						

Other Endorsements (List Below)	**Usage** Continue to Offer (Y/N)	**Form Number**	**Companion Rate** (Y/N)

Part 3

For any endorsement listed above that currently is offered and will not be offered for policies with effective dates of April 1, 2008 through March 31, 2009, please provide the number of vehicles affected by this decision.

Endorsement/Form Name	Number of Vehicles Affected Annually
1.	
2.	
3.	
4.	
5.	
6.	