



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

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**Property & Casualty Insurance**  
**Filing Guidance Notice 2008-E**

TO: Insurers Intending to Make Motor Vehicle Insurance Rate Filings

FROM: Kevin Beagan, Dep. Commissioner and Dir, State Rating Bureau

DATE: August 15, 2008

RE: Motor Vehicle Insurance Premium Modifications for Motor Vehicle Safety Devices or Features

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The purpose of this notice is to inform insurance companies and insurance company groups (collectively "insurers") who sell motor vehicle insurance policies about the Division of Insurance's ("Division") rate filing procedures for premium modifications reflecting the safety features or devices of motor vehicles insured under private passenger motor vehicle policies as authorized under G.L. c. 175, § 113B and G.L. c. 175E, §§ 4(d).

Upon repeal of 211 CMR 124.00, insurers' may submit private passenger motor vehicle rate filings that modify the so-called "passive restraint discount" currently applicable to the personal injury protection, medical payments, uninsured motorists, and underinsured motorists coverages under many motor vehicle insurance policies. Such rate filings shall include sound actuarial data supporting the changes.

Modifications to the current passive restraint discount shall be accompanied by a corresponding change in the manual rate so that the premium collected prior to the change in discount value is the same as the premium collected after the change.

Insurers' may also make motor vehicle insurance rate filings that introduce new rating factors that reflect the occupant safety features of an insured vehicle, provided they are supported actuarially.

Any questions regarding this notice should be directed to Ed Charbonnier at 617-521-7481 or Kevin Beagan at 617-521-7323.