



**COMMONWEALTH OF MASSACHUSETTS**  
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**DIVISION OF INSURANCE**

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**Property & Casualty Insurance**  
**Filing Guidance Notice 2010-B**

TO: Insurers Issuing Private Passenger Motor Vehicle Insurance Policies

FROM: Kevin Beagan, <sup>KB</sup> Deputy Commissioner and Director, State Rating Bureau

DATE: March 12, 2010

RE: Rate and Form Filing Requirements for Insuring Low-speed Private Passenger Motor Vehicles

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The purpose of this notice is to inform insurance companies filing requirements and documents for providing private passenger motor vehicle insurance for low speed vehicles.

Chapter 523 of the Massachusetts 2008 General Session Laws amends several laws that require low-speed vehicles to be registered with the Massachusetts Registry of Motor Vehicles ("RMV") and maintain minimum compulsory insurance. These law changes took effect on July 31, 2009.

Definition of Low-speed Motor Vehicle

G.L. c. 90, §1 defines a "Low-speed motor vehicle" or "low-speed vehicle", a motor vehicle as defined in 49 C.F.R. § 571.3 is a vehicle that is 4-wheeled, whose speed attainable in 1 mile is more than 20 miles per hour and not more than 25 miles per hour on a paved level surface and whose gross vehicle weight rating is less than 3,000 pounds that meets certain federal motor vehicle safety standards<sup>1</sup>.

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<sup>1</sup> G.L. c. 90, § 1 requires all low-speed motor vehicles shall comply with the standards established in 49 C.F.R. § 571.500, as amended, and pursuant thereto, shall be equipped with headlamps, front and rear turn signal lamps, tail lamps, stop lamps, an exterior mirror mounted on the driver's side of the vehicle and either an exterior mirror mounted on the passenger's side of the vehicle or an interior mirror, a parking brake, a windshield that conforms to the federal standards on glazing materials, a vehicle identification number that conforms to the requirements of 49 C.F.R. pt 565 for such numbers, a Type 1 or Type 2 seat belt assembly conforming to 49 C.F.R. § 571.209, installed at each designated seating position and reflex reflectors; provided, that 1 reflector is red on each side as far to the rear as practicable and 1 reflector is red on the rear. A low speed motor vehicle that meets the requirements of 49 C.F.R. § 571.500, as amended, and is equipped as herein provided, may be registered in the commonwealth, subject to inspection and insurance requirements.

Registration and Insurance of Low-speed Motor Vehicles and “Lower Speed” Motor Vehicles

G.L. c. 90, §1F and §1H require the registration of low-speed and “lower speed” motor vehicles that meet federal motor vehicle safety standards. G.L. c. 90, § 1F prohibits low-speed vehicles from being operated on public ways unless they are registered in accordance with G.L. 90, §5 and insured in accordance with G.L. 90, §34B. G.L. c. 90, § 1H permits the RMV to register “lower speed” vehicles that are designed by the manufacturer to be operated on public ways at a speed that can exceed 30 m.p.h. but does not exceed 40 m.p.h. on a paved surface.

Rate and Policy Form Filing Requirements for Low-speed Motor Vehicles and “Lower Speed” Motor Vehicles

Both low-speed and lower speed vehicles operating on public ways shall be insured for the minimum compulsory insurance required by law, including personal injury protection. Insurers are free to customize insurance policies or endorsements for these vehicle types provided they comply with all state laws and requirements otherwise applicable to motor vehicle insurance. Policy and endorsement filings are subject to prior approval by the Commissioner, and must be accompanied by the Motor Vehicle Form checklist on the Division’s website (<http://www.mass.gov/doi>).

Rates and rules for insuring low-speed or “lower speed” motor vehicles are subject to the requirements of regulation 211 CMR 79.00 and relevant Division of Insurance bulletins, including Bulletin 2008-08. Rates and rules for these vehicle types are not subject to the requirements of Division of Insurance Filing Guidance Notice 2008-H, Filing Guidance Notice 2008-I, or Bulletin 2009-13.

If you have any questions concerning this Filing Guidance Notice please contact Cara Blank at [cara.blank@state.ma.us](mailto:cara.blank@state.ma.us).