

211 CMR: DIVISION OF INSURANCE

211 CMR 16.00: PETITIONS FOR THE ADOPTION, AMENDMENT OR REPEAL OF REGULATIONS

Section

16.01: Scope of Regulation and Definition

16.02: Petition for Adoption of Regulations

16.01: Scope of Regulation and Definition

(1) Scope. 211 CMR 16.00 governs the procedures to be followed when petitioning the Division to adopt, amend or repeal rules and regulations.

(2) Definition. As used in 211 CMR 16.00, except as otherwise required by the context:

(a) Division means the Division of Insurance within the Office of Consumer Affairs and Business Regulation of the Commonwealth of Massachusetts.

(b) Commissioner means the Commissioner of Insurance appointed under the provisions of M.G.L. c. 26, § 6, or his designee.

16.02: Petition for Adoption of Regulations

(1) Submission of Petition. Any interested person or his duly authorized representative may petition the Division to adopt, amend, or repeal any regulation. The petition shall be submitted to the Division by first class mail or by hand delivery during normal business hours. A petition shall set forth the text of the proposed regulations, drafted clearly and concisely, and shall include a memorandum explaining the reasons for the proposed adoption, amendment or repeal of the regulations.

(2) Consideration and Disposition of Petitions. Upon receipt of a petition for the adoption, amendment, or repeal of a regulation submitted pursuant to 211 CMR 16.02(1), the Commissioner shall determine whether to schedule the petition for further proceedings in accordance with M.G.L. c. 30A, §§ 2 and 3. Written notice of the disposition of the petition shall be sent to the petitioner within ten days of the Commissioner's decision.

REGULATORY AUTHORITY

211 CMR 16.00: M.G.L. c. 30A, § 4.

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