

211 CMR: DIVISION OF INSURANCE

211 CMR 70.00: MEMORANDUM OF ORDER RELATIVE TO THE ESTABLISHMENT OF A STATISTICAL PLAN (MASSACHUSETTS AUTOMOBILE STATISTICAL PLAN)

Whereas, the Commissioner of Insurance is required and directed by M.G.L. c. 175, § 113B, as amended, after due hearing and investigation, to fix and establish classification of risks which shall be fair and reasonable and a schedule of premium charges which shall be adequate, just, reasonable and non-discriminatory, to be used and charged by all insurance and surety companies for the motor vehicle liability policies or bonds, as defined in M.G.L. c. 90, § 34A, and for certain other coverages described in M.G.L. c. 175, § 113C, as amended, to be issued or executed in connection with the registration of motor vehicles or trailers during or for the year 1975; and

Whereas, the Commissioner of Insurance is required and directed by M.G.L. c. 175, § 113B, as amended, after due hearing and investigation to fix and establish adequate, just, reasonable and non-discriminatory premium charges to be used and charged by companies for guest occupant on the ways automobile liability insurance; and

Whereas, the Commissioner of Insurance is required to fix and establish rates for motor vehicle insurance issued under the provisions of M.G.L. c. 175, § 113C; and

Whereas, with the exception of compulsory coverage, guest occupant on the ways coverage and coverages issued under the provisions of M.G.L. c. 175, § 113C, the rates for motor vehicle liability insurance are regulated under the provisions of M.G.L. c. 175, § 113B, and insurers are required to file with the Commissioner every manual of classifications, rules, rates and any modifications of any of the foregoing applicable to such insurance; and

Whereas, the Commissioner of Insurance, under M.G.L. c. 175, § 113B, as amended, may at any time require any company to file with him such data, statistics, schedules or information as he may deem proper or necessary to enable him to fix and establish or secure and maintain fair and reasonable classifications of risks and adequate, just, reasonable and non-discriminatory premium charges; and

Whereas, the Commissioner of Insurance is required and directed by M.G.L. c. 175A, § 15(a) to promulgate rules and statistical plans which shall be used by each insurer in recording and reporting its loss experience.

Now, therefore, under the authority conferred by and pursuant to said M.G.L. c. 175, § 113B and M.G.L. c. 175A, § 15(a), I hereby order that the Statistical Plan, as attached hereto, the original of which is on file in the office of the Commissioner of Insurance, and known as the "Massachusetts Automobile Statistical Plan", Part I - Automobile Bodily Injury Coverages and Property Damage Liability, Part II - Physical Damage Coverages and Part III - Coding Section, edition of January 1, 1975, be, and the same is hereby established and fixed for all companies now licensed or which may hereafter be licensed to write motor vehicle physical damage insurance, motor vehicle property damage liability insurance, motor vehicle bodily injury liability insurance (including medical payments insurance and all other coverages included in or attached by endorsement to the motor vehicle policy) and compulsory motor vehicle liability insurance in the Commonwealth of Massachusetts, reserving the right to add to, modify, alter, amend or supersede said plan at any time.

REGULATORY AUTHORITY

211 CMR 70.00: M.G.L. c. 175, § 113B.

NON-TEXT PAGE