

Motor Vehicle Pre-Insurance Inspection Plan Filings

This checklist is designed to set forth minimum filing guidelines for insurers submitting independent motor vehicle pre-insurance inspection plans authorized by 211 CMR 94.00 and G.L. c. 175, § 113S. It is not intended to be all-inclusive. Nothing contained herein shall limit or otherwise affect the Division of Insurance’s ability to disapprove any plan that it determines is not in compliance with any Massachusetts law, regulation and/or standard.

Instructions: This checklist must accompany all rule filings for motor vehicle pre-insurance inspection plans. For each component of this checklist, the filer shall certify that the filing complies with the listed provisions by initialing the space provided. If a listed provision does not apply to the rules contained in the filing, the filer shall write “N/A” in the space provided.

_____ This filing has been submitted to the Division of Insurance at least 30 days prior to the proposed effective date identified therein. This filing shall not take effect until the Commissioner of Insurance has approved it.

_____ This SERFF filing is a complete filing as defined in [Division of Insurance Bulletin 2008-08](#), and contains:

1. Material outlined in the General Information and State Specific tabs on SERFF
2. Filing memorandum
3. Annotated comparisons for plan changes
4. Certification of Compliance
5. Checklist

_____ The plan described in this filing defines the terms and conditions where an inspection of a motor vehicle is not required prior to the issuance of a motor vehicle liability policy providing comprehensive, collision, or limited collision coverage as defined in G.L. c. 90, § 34O and G.L. c. 175, § 113O that are clear and unambiguous.

_____ The plan described in this filing defines the following terms and conditions that determine when an inspection of a motor vehicle is not required prior to the issuance of a motor vehicle liability policy pursuant to G.L. c. 175, § 113S:

1. The motor vehicle is new;
2. The customer has been insured by the insurer for three years or longer without interruption under a motor vehicle liability policy or policies;
3. The motor vehicle is already insured for comprehensive, collision, or limited collision by the insurer;
4. When requiring an inspection would cause serious hardship to the insurer, the insured, or an applicant for insurance; and
5. When the insurer has no inspection facility or authorized representative to

perform the inspection within five miles of the city or town in which the vehicle is principally garaged

The plan described in this filing contains procedures that ensure that any decision to require an inspection of a motor vehicle prior to the issuance of comprehensive, collision, or limited collision under a motor vehicle liability policy will be

1. based on underwriting criteria uniformly applied;
2. is reasonable and supported by objective facts;
3. is not based on the age, race, sex, marital status, creed, national origin, religion, occupation, income, education, credit information or homeownership of the applicant/insured or the customary operators of the vehicle;
4. is not based on the principal place of where the vehicle is garaged; and
5. is not based on the fact that the motor vehicle liability policy has been issued through the residual market.

The plan described in this filing clearly describes the procedures that apply to the pre-insurance inspection process, including:

1. The decision criteria for requiring or waiving a pre-insurance inspection that are in compliance with 211 CMR 94.06(2);
2. The period of time the insured or applicant has to obtain the motor vehicle inspection;
3. The means by which the insured or applicant will be notified of the motor vehicle inspection requirement, and any consequences of their failure to obtain it;
4. The insurer's process for authorizing people to perform pre-insurance motor vehicle inspections;
5. The insurer's policy records for the applicant/insured shall include
 - a. The reason for requiring a pre-insurance inspection
 - b. The reason for any other exceptions to other provisions of the plan; and
 - c. The notifications made to the applicant/insured in connection with any inspections required by the insurer; and
6. The applicant/insured will not be charged for the inspection pursuant to 211 CMR 94.08(4)

The plan described in this filing provides for inspections, when conducted, to include at least two photographs of the vehicle and physical verification of the vehicle's vehicle identification number.

The plan described in this filing allows the insured at least ten calendar days (not including legal holidays and Sundays) to have the vehicle inspected from the day he is notified of the need to have the vehicle inspected.