
[Senate, No. 662. — Moved (Madden) as a substitute for House Bill printed in Senate, No. 466, Appendix D.]

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Nine.

AN ACT RELATIVE TO THE CONTENTS OF MOTOR VEHICLE LIABILITY INSURANCE POLICIES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 175 of the General Laws is hereby
2 amended by striking out section 111C, as amended by chapter
3 287 of the acts of 1948, and inserting in place thereof the fol-
4 lowing section: — *Section 111C.* A policy of insurance issued
5 under subdivision (b) of clause Sixth of section forty-seven
6 insuring any person against legal liability for loss or damage
7 on account of the injury or death of any other person may
8 also insure, or an endorsement or rider may be attached thereto
9 to insure, irrespective of any such legal liability, any person,
10 including the named insured under the policy, in respect to
11 (1) the reasonable expense of medical, surgical, x-ray, dental
12 (including prosthetic devices), ambulance, hospital, profession-
13 al nursing and funeral expenses and (2), in the case of a motor
14 vehicle liability policy as defined in section thirty-four A of
15 chapter ninety, disability benefits on account of injury and
16 death benefits to dependents, beneficiaries or personal repre-
17 sentatives on account of death, resulting from the ownership,
18 maintenance or use of motor vehicles. The provisions of sec-
19 tions one hundred and eight shall not apply to any such policy
20 or any endorsement or rider providing for any or all of the
21 benefits permitted by this section.

1 SECTION 2. Chapter 175 of the General Laws is hereby

2 amended by inserting after section 111C the following section:
3 — *Section 111D.* A policy of motor vehicle liability insurance
4 issued under sub-division (b) of clause Sixth of section forty-
5 seven, or an endorsement or rider attached thereto, may pro-
6 vide for the payment of all sums which the insured or his legal
7 representative shall be legally entitled to recover as damages
8 from the owner or operator of an uninsured motor vehicle
9 because of bodily injury, sickness or disease, including death
10 resulting therefrom, sustained by the insured, caused by acci-
11 dent and arising out of the ownership, maintenance or use
12 of such uninsured motor vehicle. Such policy or endorsement
13 or rider shall provide that determination as to whether the
14 insured or his legal representative is legally entitled to recover
15 such damages, and if so the amount thereof, shall be made
16 by agreement between the insured or such representative and
17 the insurer or, if they fail to agree, by arbitration. The pro-
18 visions of section one hundred and eight shall not apply to
19 any such policy or endorsement or rider providing for the
20 payment of the sums permitted by this section.