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By Mr. Webber, a petition (accompanied by bill, Senate, No. 939) of Peter C. Webber for legislation to further regulate motor vehicle insurance. Insurance.

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*The Commonwealth of Massachusetts*

In the Year One Thousand Nine Hundred and Eighty-four.

AN ACT FURTHER REGULATING MOTOR VEHICLE INSURANCE.

*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. Section 113B of chapter 175 of the General Laws,  
2 as most recently amended by chapter 241 of the acts of 1983,  
3 is hereby further amended by adding at the end of the seventh  
4 paragraph, the following sentence: —

5 No increase in aggregate premiums may be charged to those  
6 not defined as safe drivers while said insured not defined as a  
7 safe driver has an appeal or appeals pending under the pro-  
8 visions of section 113P of this chapter.

1 SECTION 2. Section 113P of chapter 175 of the General Laws,  
2 as most recently amended by chapter 241 of the acts of 1983, is  
3 hereby further amended by adding at the end of the first para-  
4 graph the following sentence: —

5 No increase in premiums may be charged to those not de-  
6 fined as safe drivers under the provisions of section 113B until  
7 the board has reached a finding following such a hearing.

1 SECTION 3. Section 113P of chapter 175 of the General Laws,  
2 as most recently amended by chapter 241 of the acts of 1983,  
3 is hereby further amended by striking the second paragraph  
4 and inserting in place thereof the following new paragraph: —

5 The board shall provide the insurer and the insured with at  
6 least ten days notice of any hearing held under this section.  
7 If, after a hearing, the board finds that the application of the  
8 safe driver insurance plan was in accordance with the stand-  
9 ards promulgated by the board and the provisions of the safe  
10 driver insurance plan established by the commissioner, it shall

11 deny the appeal and order the insurer to make the appropriate  
12 premium adjustment. If the boards finds that the insurer's ap-  
13 plications of the safe driver insurance plan was not in accord-  
14 ance with said standards and provisions, it will uphold the  
15 appeal. The board may designate a person to act as a hearing  
16 officer pursuant to this section. The hearing officer shall file  
17 a memorandum of his findings or order in the office of the  
18 board, and shall send a copy to the insurer and the insured.

1 SECTION 4. Notwithstanding the provisions of any general  
2 or special law to the contrary, no merit rating surcharge  
3 which had been assessed to an insured prior to January 1,  
4 1984, and which was appealed under the provisions of chapter  
5 175 of the General Laws, may be collected by the insurer until  
6 said appeal has been heard and a ruling made by the board of  
7 appeals on motor vehicle policies and bonds.