

HOUSE No. 435

By Mr. Flaherty of Waltham, petition of Thomas M. Flaherty that a merit rating system be established for fixing premiums for compulsory motor vehicle liability insurance. Insurance.

The Commonwealth of Massachusetts

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

AN ACT ESTABLISHING A MERIT RATING SYSTEM FOR
FIXING PREMIUMS FOR COMPULSORY MOTOR VEHICLE
LIABILITY 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 Notwithstanding any contrary provision of general
2 or special law, the commissioner of insurance is hereby
3 authorized, empowered and directed to establish a
4 new and revised system for fixing premiums for com-
5 pulsory motor vehicle liability insurance, said system
6 to be based upon a merit rating of each individual reg-
7 istered motor vehicle owner. Said system shall clas-
8 sify all such owners into four classes, depending upon
9 the accident-experience of motor vehicles registered
10 to them during the preceding five years, and shall
11 provide for a sliding scale of premium rates, to the
12 end that an owner of an accident-free motor vehicle
13 shall pay a lower premium for compulsory insurance
14 protection than owners of motor vehicles involved in
15 one or more accidents during such period. There

16 shall be established, within the department of insur-
17 ance, a state premium rating board, consisting of
18 five persons, of which the commissioner shall be a
19 member and the chairman, which shall keep and study
20 accident records of all motor vehicles registered to
21 such owners, correlate the same, annually make said
22 classification of registered owners, and supervise the
23 functioning of said system.

24 Any person aggrieved by the classification assigned
25 to him by said board may appeal, within ten days of
26 notice to him of the same, to the superior court sitting
27 in the county of his residence, which said court, after
28 hearing, may order his classification changed by said
29 board.