

By Mr. Burke of Boston (by request), petition of John B. Nordgren for the establishment of the Massachusetts highway safety rating board to determine rates of motor vehicle liability insurance and to regulate and determine points under the merit system of motor vehicle insurance. Insurance.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO THE ESTABLISHMENT OF THE MASSACHUSETTS HIGHWAY SAFETY RATING BOARD TO REGULATE, DETERMINE THE VARIOUS RATES OF INSURANCE FOR AUTOMOBILE COMPULSORY INSURANCE COVERAGE FOR VEHICLES OPERATING ON THE HIGHWAYS OF MASSACHUSETTS, AND TO REGULATE AND DETERMINE ANY MERIT SYSTEM, OR POINTS THEREOF WHEN ANY PERSON QUESTIONS HIS NUMBER OF MERITS OR DEMERITS.

1 *Whereas*, The deferred operation of this act would
2 tend to defeat its purpose, which is to make the
3 provisions contained therein effective immediately,
4 therefore it is hereby declared to be an emergency
5 law necessary for the immediate preservation of
6 the public convenience.

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

1 The General Laws are hereby amended by inserting
2 after chapter 90A the following new chapter:—

3 CHAPTER 90B.

4 There shall be a Massachusetts highway safety
5 rating board, consisting of five members, to regulate
6 and determine the various rates of insurance coverage
7 for automobile compulsory insurance coverage for

8 vehicles operating on the highways of Massachusetts
9 and to regulate and determine any merit system or
10 points thereof when any person questions his number
11 of merits or demerits, or the formula by which these
12 merits or demerits are created.

13 The findings or decisions of this Massachusetts
14 highway safety rating board are final and binding on
15 the registrar of motor vehicles, his agents, servants or
16 deputies or colleagues or member of the Massachusetts
17 highway safety committee. These said findings and
18 decisions are final and binding upon all insurance
19 companies, associations and others issuing compulsory
20 insurance policies on vehicles in the commonwealth
21 of Massachusetts. Any insurance company or associ-
22 ation feeling aggrieved at the findings or decision
23 may appeal to a justice of the superior court.

24 The same right of appeal shall be had by any
25 person within the commonwealth of Massachusetts.

26 The five members of the Massachusetts highway
27 safety rating board shall be appointed by the gov-
28 ernor and confirmed by the governor's council.

29 The membership on the said board shall be re-
30 munerated at the rate of thirty dollars per diem for
31 each day they sit. The president of the senate and
32 the speaker of the house shall together designate the
33 member who is to act as chairman at each sitting of
34 the said board.

35 There shall be a permanent secretary to the said
36 board appointed by the governor, with the approval
37 of the president of the senate and the speaker of the
38 house and confirmed by the governor's council.

39 Necessary offices, quarters and clerical help and
40 investigators, necessary to the functioning of the
41 said board shall be furnished by the insurance com-
42 missioner and the registrar of motor vehicles as the
43 said board shall determine.

44 The board shall sit at various places within the
45 commonwealth as the board determines for the con-
46 venience of the public.

47 The membership of the board and the employees
48 shall receive travel expense in addition to their regular
49 stipend.

50 The permanent secretary shall receive a salary of
51 eight thousand dollars per annum.

52 The board shall have the power to engage attorneys
53 at fifty dollars per diem. But no attorney shall be
54 engaged for more than five sittings in any one year.

55 The commissioner of administration and finance
56 shall determine the costs and the expense of the said
57 board, and give the same to the president of the
58 senate and to the speaker of the house for approval;
59 and shall issue warrants on the treasurer of the com-
60 monwealth for the payment of necessary sums for
61 the operation of the said board.

62 The findings of said board are to be made within
63 three days after the said hearing or sitting.

64 On any appeal to the superior court the said
65 membership of the board whose finding or decision is
66 appealed, who have to appear in court either as
67 principals or witnesses shall be paid the same as if
68 they were sitting.

69 The justice of the superior court shall, if he deems
70 it necessary, have a jury impanelled to hear the facts
71 and make findings of fact.

72 If any part of this act is declared to be unconstitu-
73 tional, it shall not affect the legality or validity of
74 the other parts of this bill.

