
By Mr. Murphy of Peabody, petition of John E. Murphy relative to tolling the statute of limitations in certain automobile accidents covered by insurance. Insurance.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO TOLLING THE STATUTE OF LIMITATIONS IN CERTAIN AUTOMOBILE ACCIDENTS COVERED BY 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. Chapter 175 of the General Laws, as
2 amended, is hereby further amended by striking out
3 section 111C and inserting in place thereof the fol-
4 lowing:—
5 *Section 111C.* A policy of insurance issued under
6 subdivision (b) of clause sixth of section forty-seven,
7 affording insurance against legal liability for loss or
8 damage on account of the bodily injury or death of
9 any person, may also insure, or an endorsement or
10 rider may be attached thereto to insure, any person
11 including the named insured under the policy in
12 respect to the reasonable expense of medical, surgical,
13 ambulance, hospital, professional nursing and funeral
14 expenses on account of the bodily injury or death of
15 any person including the named insured; provided,
16 that such policy endorsement or rider shall contain
17 a provision specifying that the insurer must notify
18 any injured person or his legal representatives, in
19 writing, that he has rights by virtue of this section,
20 and that any limitation of time imposed by such

21 policy, endorsement or rider in which such person
22 may commence court action shall not commence to
23 run until such person receives such notice.

1 SECTION 2. Chapter 260 of the General Laws, as
2 amended, is hereby further amended by inserting after
3 section 9 thereof the following section: —

4 *Section 9A.* If, when a cause of action accrues to
5 a person who has insurance rights by virtue of an
6 insurance policy, endorsement or rider authorized by
7 section 111C of chapter 175 of the General Laws, the
8 time between the time the cause of action accrues and
9 the time of notification by the insurer of such in-
10 surance rights to such person shall be excluded in
11 determining the time limited for the commencement
12 of the action.