

HOUSE No. 2932

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, June 9, 1955.

The committee on Bills in the Third Reading, to whom was referred the Bill relative to tolling the statute of limitations in certain automobile accidents covered by insurance (House, No. 1093), report recommending that the same be amended by the substitution of the accompanying bill (House, No. 2932).

For the committee,

JOSEPH P. GRAHAM.

The Commonwealth of Massachusetts

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

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 Chapter 175 of the General Laws is hereby amended
2 by striking out section 111C, as amended by chapter
3 287 of the acts of 1948, and inserting in place thereof
4 the following section:—

5 *Section 111C.* A policy of insurance issued under sub-
6 division (b) of clause Sixth of section forty-seven afford-
7 ing insurance against legal liability for loss or damage
8 on account of the bodily injury or death of any person
9 may also insure, or an endorsement or rider may be
10 attached thereto to insure, any person including the
11 named insured under the policy in respect to the reason-
12 able expense of medical, surgical, ambulance, hospital,
13 professional nursing and funeral expenses and in the case
14 of an automobile liability policy, may also provide dis-
15 ability benefits to injured persons and death benefits to
16 dependents, beneficiaries or personal representatives of
17 persons who are killed, on account of the bodily injury
18 or death of any person including the named insured, ir-
19 respective of legal liability of the insured. The pro-
20 visions of sections one hundred and eight and one hun-
21 dred and nine shall not apply to any such policy or any
22 endorsement or rider providing for any or all of the
23 benefits permitted by this section. Persons insured under
24 the provisions of a policy of insurance referred to in this
25 section, or their dependents, beneficiaries or personal
26 representatives, as the case may be, shall have the right

27 to recover the benefits provided therein in an action of
28 contract.

29 The time limited for the commencement of an action
30 under the provisions of this section shall not begin to
31 run until it is shown that notice was given to the person
32 or persons insured hereunder.

