

SENATE No. 407

[Senate, No. 407. Substituted by amendment by the Senate for Senate Bill No. 13.]

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Twenty-Three.

RESOLVE

To Provide for a Commission to Determine on a Plan for Compulsory Insurance against Personal Injuries caused by Motor Vehicles and Trailers, and for Participation by the Commonwealth therein.

1 *Resolved*, That the public good requires provision for
2 compulsory insurance against personal injuries caused by
3 motor vehicles and trailers, and

4 *Resolved*, That an unpaid special commission be es-
5 tablished, to consist of nine persons, three Senators to be
6 designated by the President of the Senate, and six Repre-
7 sentatives to be designated by the Speaker of the House
8 of Representatives, to consider the entire question of pro-
9 viding security for the public for personal injuries caused
10 by motor vehicles and trailers, including the subject-
11 matter of House Document 1346 and of the bills on which
12 it was reported and of Senate Document 13. Said com-
13 mission shall particularly investigate and consider the
14 advisability and methods of establishing and administer-

15 ing a state fund for carrying such insurance, and the
16 relative advantages of an exclusive and non-exclusive state
17 fund plan, the manner in which such fund, whether ex-
18 clusive or non-exclusive, should be administered and the
19 minimum and maximum amounts of insurance which
20 should be written on any one policy, provisions for in-
21 vestigation and prompt adjustment of claims, with mini-
22 mum expense to the insurer and to claimants, including
23 amounts recoverable in case of death or in certain injuries
24 or classes of injuries, whether payment should be made in
25 certain cases in weekly or other periodical instalments,
26 whether any limitation should be made on instalment
27 payments either as to maximum duration or with refer-
28 ence to period of disability, or both, whether there should
29 be any changes in the rules of law respecting liability,
30 what provision should be made with respect to notice and
31 filing of claims, what steps might be taken in connection
32 with such insurance for decreasing the number of motor
33 vehicle accidents, whether such insurance should be made
34 to cover injuries to operators of motor vehicles or their
35 passengers, and if so, on what conditions and in what
36 cases, and what other exceptions, if any, should be made,
37 how the premiums payable should be determined, and
38 what scale of premiums should be charged so as to meet
39 all liabilities, including administration and overhead ex-
40 penses of such plan or alternative plans for establishment
41 of a state fund as the commission shall recommend, to-
42 gether with drafts for legislation to carry out such plan
43 or plans and with drafts for any other legislation recom-
44 mended by the commission. The commission shall also
45 consider and report upon the approximate number of
46 motor vehicles now insured against liability for personal
47 injuries, the approximate annual net premium cost, and
48 how the cost is distributed, including the approximate

49 amount paid on account of deaths and injuries and, the
50 approximate number of deaths and number of injuries
51 covered by such payments, with comparative figures
52 showing the total number of reported injuries and deaths
53 during the same period or periods together with such
54 other information as the commission deems helpful. Any
55 member of the commission shall have authority to ad-
56 minister oaths and to require the attendance and testi-
57 mony of witnesses and the production of books and docu-
58 ments and other papers, in the same manner and subject
59 to the same provisions of law as in the summoning of
60 witnesses in civil cases. The commission shall be fur-
61 nished with quarters in the state house, and for
62 travel, expert, clerical and other services and expenses
63 may expend such sums not exceeding ten thousand
64 dollars as the general court shall appropriate.

65 The commission shall report to the general court its
66 findings and recommendations, with drafts for legisla-
67 tion, on or before the first day of November, nineteen
68 hundred and twenty-three, by filing said report with the
69 clerk of the house of representatives.

