

By Mr. LaBrecque of Quincy, petition of Alfred N. LaBrecque for uniform premium charges in connection with the liability insurance of owners of motor vehicles and for the abolition of territorial divisions established by the Commissioner of Insurance. Insurance. Jan. 6.

The Commonwealth of Massachusetts

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

An Act providing that the Classifications and Premium Charges for Motor Vehicle Liability Insurance shall be the Same throughout the Commonwealth.

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 one hundred and thirteen B of chapter one
2 hundred and seventy-five of the General Laws, as in-
3 serted by section four of chapter three hundred and
4 forty-six of the acts of nineteen hundred and twenty-
5 five, is hereby amended by inserting after the word
6 "bonds" in the seventeenth line the words:— and shall
7 be the same throughout the commonwealth,— so as to
8 read as follows:— *Section 113B.* No company shall
9 issue any motor vehicle liability policy or act as surety
10 on any motor vehicle liability bond, both as defined in
11 section thirty-four A of chapter ninety, until it has
12 filed with the commissioner, in such form and detail as
13 he may prescribe, the classifications of risks and a
14 schedule of the premium charges which it proposes to
15 use and charge in connection with the issue or execu-

16 tion of such policies or bonds, nor until such classifica-
17 tions have been approved by the commissioner in
18 writing as fair and reasonable and such premium
19 charges have been approved in like manner as ade-
20 quate, just, reasonable and non-discriminatory for the
21 classifications to which they apply. The commissioner
22 may approve or disapprove such classifications or sched-
23 ule in whole or in part. The classifications and pre-
24 mium charges approved by the commissioner shall be
25 used by all companies issuing such policies or acting as
26 surety on such bonds and shall be the same throughout
27 the commonwealth. The commissioner, from time to
28 time after due hearing and full investigation, may by
29 written order modify, alter or revise such classifications
30 or any part thereof or increase or decrease any such
31 premium charge, whenever he deems it proper, expedient
32 or necessary. Any such order shall apply only to the
33 classifications or premium charges in respect to such
34 policies or bonds to be issued or executed in connection
35 with the registration of motor vehicles or trailers for the
36 subsequent year and shall be filed in the office of the
37 commissioner on or before September first of the year
38 when the order is made. A duly certified copy of any
39 such order shall forthwith after such filing be trans-
40 mitted to each company authorized to issue such policies
41 or execute such bonds. The commissioner may make
42 and amend reasonable rules and regulations to facilitate
43 the operation of this section and to govern hearings and
44 investigations hereunder. He may at any time require
45 any company to file with him such data, statistics,
46 schedules or information as he may deem necessary to
47 enable him to fix or approve fair and reasonable classi-
48 fications of risks and adequate, just, reasonable and
49 non-discriminatory premium charges for such policies

50 or bonds. He may issue such orders as he finds proper,
51 expedient or necessary to administer the provisions of
52 this section and to secure compliance with any rules or
53 regulations made thereunder. The supreme judicial
54 court for the county of Suffolk shall have jurisdiction
55 in equity upon the petition of the commissioner and
56 upon a summary hearing, to enforce all lawful orders
57 of the commissioner. Memoranda of all actions, orders,
58 findings and decisions of the commissioner shall be
59 signed by him and filed in his office as public records
60 open to public inspection. Any person or company
61 aggrieved by any action, order, finding or decision of
62 the commissioner under this section may, within twenty
63 days from the filing of such memorandum thereof in
64 his office, file a petition in the supreme judicial court
65 for the county of Suffolk for a review of such action,
66 order, finding or decision. The court shall have juris-
67 diction in equity to modify, amend, annul, reverse or
68 affirm such action, order, finding or decision, shall re-
69 view all questions of fact and of law involved therein
70 and may make any appropriate order or decree. An
71 order of notice returnable not later than seven days
72 from the filing of such petition shall forthwith issue
73 and be served upon the commissioner. Within ten days
74 after the return of said order of notice, the petition
75 shall be assigned for a speedy and summary hearing on
76 the merits. The action, order, finding or decision of
77 the commissioner shall remain in full force and effect
78 pending the final decision of the court unless the court
79 or a justice thereof after notice to the commissioner
80 shall by a special order otherwise direct. The decision
81 of the court shall be final and conclusive on the parties.
82 The court may make such order as to costs as it deems
83 equitable. The court shall make such rules or orders as

84 it deems proper governing proceedings under this sec-
85 tion to secure prompt and speedy hearings and to ex-
86 pedite final decisions thereon. The commissioner, his
87 deputies or examiners shall at all times have access to
88 the certificates defined in said section thirty-four A
89 filed with the registrar of motor vehicles.