

HOUSE No. 974

By Mr. Kennedy of Everett, petition of John P. Kennedy that classifications of risks and premium charges under the compulsory motor vehicle liability insurance law be uniform throughout the Commonwealth. Insurance.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-One.

AN ACT PROVIDING THAT CLASSIFICATIONS OF RISKS AND PREMIUM CHARGES UNDER THE COMPULSORY MOTOR VEHICLE LIABILITY INSURANCE LAW BE UNIFORM 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 1. Section 113B of chapter 175 of the General Laws,
2 as amended, is hereby further amended by striking out the first
3 sentence of the second paragraph, as appearing in section 4 of
4 chapter 459 of the acts of 1935, and inserting in place thereof the
5 following sentence: — The commissioner shall, annually on or
6 before September fifteenth, after due hearing and investigation,
7 fix and establish **fair and reasonable classifications of risks,**
8 **and** adequate, just, reasonable and nondiscriminatory premium
9 charges to be used and charged by companies in connection with
10 the issue or execution of **motor vehicle** liability policies or bonds,
11 **both as defined in section thirty-four A of chapter ninety,**
12 for the ensuing calendar year or any part thereof, [which provide
13 indemnity for or protection to the insured or to the obligor and
14 any person responsible for the operation of the motor vehicle of
15 the insured or of the obligor with his express or implied consent
16 against loss by reason of the liability to pay damages to others
17 for bodily injuries, including death at any time resulting there-
18 from, or consequential damages consisting of expenses incurred
19 by a husband, wife, parent or guardian for medical, nursing,
20 hospital or surgical services in connection with or on account of
21 such bodily injuries or death, sustained during the term of such

22 policy or bond by a guest occupant of such motor vehicle, as
 23 defined in section thirty-four A of chapter ninety, and arising
 24 out of the ownership, operation, maintenance, control or use
 25 upon the ways of the commonwealth of such motor vehicle; pro-
 26 vided, that the parties to any such policy or bond may contract
 27 for the payment of a higher premium charge than that fixed and
 28 established as aforesaid. **But said classifications and pre-
 29 mium charges shall be uniform throughout the com-
 30 monwealth and shall not be fixed or established according
 31 to districts or zones.**

1 SECTION 2. The state secretary shall cause to be placed on the
 2 official ballot to be used at the next biennial state election the
 3 following question: — Do you approve of an act passed by the
 4 general court in the current year which provides that classifica-
 5 tion of risks and premium charges under the com-
 6 pulsory motor vehicle insurance law be uniform
 7 throughout the commonwealth?

YES.	<input type="checkbox"/>
NO.	<input type="checkbox"/>

8 If the majority of votes cast in answer to said question is in
 9 the affirmative, this act shall take effect, but not otherwise.