

By Mr. Carey of Easthampton, petition of William A. Carey relative to increasing the tort threshold under the no-fault motor vehicle insurance law. Insurance.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Two.

AN ACT INCREASING THE TORT THRESHOLD UNDER THE NO-FAULT MOTOR VEHICLE INSURANCE LAW.

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 34M of chapter 90 of the General Laws,
2 as appearing in section 4 of chapter 670 of the acts of 1970, is
3 hereby amended by striking out the seventh paragraph and insert-
4 ing in place thereof the following paragraph: —

5 Amounts deducted from payment in accordance with the provi-
6 sions of the preceding paragraph shall not have any effect upon the
7 determination of whether or not the reasonable and necessary
8 expenses incurred as a result of any injury exceed or do not exceed
9 one thousand dollars, of such other amount as may be established
10 pursuant to section six D of chapter two hundred and thirty-one,
11 which determination may affect an injured person's rights under
12 said section six D.

1 SECTION 2. Section 6D of chapter 231 of the General Laws, as
2 appearing in section 5 of said chapter 670, is hereby amended by
3 striking out, in line 10, the words "five hundred" and inserting in
4 place thereof the words: — one thousand.

1 SECTION 3. Said section 6D of said chapter 231 is hereby
2 further amended by adding the following: —
3 The expense threshold established in the preceding paragraph
4 shall be applicable to calendar year nineteen hundred and eighty-

5 one. Prior to the commencement of subsequent calendar years, the
6 commissioner of insurance shall determine the ratio that the medi-
7 cal care component of the consumer price index for the period
8 most representative of the cost of medical, surgical, x-ray and
9 dental services for the then current calendar year bears to such index
10 for the calendar year nineteen hundred and eighty. This ratio shall
11 then be applied to seven hundred and fifty dollars and the product
12 shall be rounded to the nearest multiple of one hundred dollars,
13 which shall be the expense threshold for the subsequent calendar
14 year.

1 SECTION 4. This act shall take effect on January first, nine-
2 teen hundred and eighty-two.