

HOUSE No. 5827

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, June 22, 1971.

The Committee on Bills in the Third Reading, to whom was referred the bill relative to the effect of certain evidence in action to recover from an insurer for theft of personal property from a motor vehicle (House, No. 5811), report recommending that the same be amended by the substitution of the accompanying bill (House, No. 5827).

For the committee,

RAYMOND M. LaFONTAINE

The Commonwealth of Massachusetts

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

AN ACT MAKING CERTAIN EVIDENCE IN ACTION TO RECOVER FROM AN INSURER FOR THEFT OF PERSONAL PROPERTY FROM A MOTOR VEHICLE OR TRAILER PRIMA FACIE EVIDENCE OF FORCIBLE ENTRY INTO SUCH VEHICLE.

Be it enacted by the Senate and House of Representatives, General Court assembled, and by the authority of the same, as follows:

1 Chapter 233 of the General Laws is hereby amended by
2 inserting after section 79H the following section: —

3 *Section 79I.* In an action to recover from an insurer under a
4 policy which provides coverage for theft of personal articles from
5 a motor vehicle or trailer if all windows and doors are locked
6 and if there are visible signs of forcible entry into the vehicle or
7 trailer, the fact that such motor vehicle or trailer was stolen, shall
8 be prima facie evidence that there was a forcible entry.