

By Mr. Alexander of Marblehead (by request), petition of Melvin E. Silberstein for legislation to require compulsory motor vehicle liability insurance for each licensed operator instead of each motor vehicle for the purpose of establishing just and reasonable insurance rates. Insurance.

The Commonwealth of Massachusetts

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

AN ACT TO REQUIRE COMPULSORY MOTOR VEHICLE LIABILITY INSURANCE FOR EACH LICENSED OPERATOR, INSTEAD OF EACH MOTOR VEHICLE, THEREBY ESTABLISHING JUST AND REASONABLE INSURANCE RATES FOR INDIVIDUALS.

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. Chapters 90 and 175 of the General Laws, as
2 amended, are hereby further amended as they relate to compulsory
3 motor vehicle liability insurance by striking out any and all refer-
4 ences to the requirements that the owner of a motor vehicle shall
5 buy liability insurance on the vehicle against damages in the min-
6 imum amount of five thousand dollars for death or injury to one
7 person in any one accident upon the ways of the commonwealth,
8 and in the minimum amount of ten thousand dollars for death or
9 injury to more than one person in any one accident.

10 In place thereof shall be the requirement that such liability
11 insurance in said amounts shall be purchased by a licensed opera-
12 tor, and that the licensee shall carry while operating a motor
13 vehicle evidence of such insurance. When the insurance coverage is
14 purchased by the licensed driver who is also the owner no duplicate
15 liability insurance on the vehicle shall be required.

16 The insurance companies are authorized to set anniversary dates
17 of liability policies at various times of the year and to write policies
18 for periods of three and five years. The resultant savings shall be
19 passed on to the policy holders.

1 SECTION 2. The commissioner of insurance shall establish
2 insurance rates for licensed operators based upon the personal
3 driving record of the licensee and shall establish proper classifica-
4 tions for the purpose of making these rates adequate, just, rea-
5 sonable, and non-discriminatory.

1 SECTION 3. The rates charged shall reflect, as accurately as
2 possible, the true accident and claim experience of each licensee, so
3 that the good driver will receive a lower rate based upon fewer
4 accidents and insurance claims, while the poor driver shall receive a
5 higher rate based upon more accidents and claims.

1 SECTION 4. All commercial vehicles, as defined in chapter
2 ninety, shall carry liability insurance as set forth in chapters ninety
3 and one hundred and seventy-five. The licensee's driving expe-
4 rience while operating a commercial vehicle shall not be considered
5 in the determination of his or her personal driving record nor when
6 establishing his other insurance rate for operation of a non-
7 commercial vehicle.