

By Mrs. Walrath of Stow, petition of Patricia A. Walrath for legislation to further regulate compulsory motor vehicle liability insurance. Insurance.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Ninety-Five.

AN ACT FURTHER REGULATING COMPULSORY MOTOR VEHICLE LIABILITY INSURANCE.

*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. Chapter 10 of the General Laws is hereby amend-  
2 ed by inserting after section 35N the following section: —

3 Section 35O. There shall be established in the books of the  
4 commonwealth a separate fund to be known as the Automobile  
5 Insurance Fund to be expended without further appropriation by  
6 the division of automobile insurance established pursuant to sec-  
7 tion eight K of chapter twenty-six for the purposes of said section  
8 eight J.

9 All monies collected from the surcharge on the gasoline tax  
10 pursuant to section three B of chapter sixty-four A.

1 SECTION 2. Chapter twenty-six of the General Laws is hereby  
2 amended by inserting after section 8J the following section: —

3 Section 8K. There shall be a division of automobile insurance  
4 within the department of insurance. Said division shall establish  
5 and administer a compulsory motor vehicle insurance liability  
6 program. Said division shall be responsible for the investigation  
7 and resolution of all claims for personal injuries and property  
8 damage arising in connection with the operation of motor vehicles  
9 up to the statutory limit imposed in chapter one hundred and  
10 seventy-five. Said division and program shall be funded by the  
11 fund established by section thirty-five O of chapter ten. Said divi-  
12 sion shall annually make a recommendation to the General Court

13 of the amount of money needed to fund its operations and pro-  
14 grams and the amount of surcharge on the gasoline tax necessary  
15 to raise such monies.

1 SECTION 3. Chapter 64A of the General Laws is hereby  
2 amended by inserting after section 3A the following section: —

3 Section 3B. There shall be a surcharge of fifty cents on each  
4 gallon of fuel sold in the commonwealth. All monies reserved  
5 under the provisions of this section shall be deposited in the  
6 Automobile Insurance Fund established by section thirty-five O of  
7 chapter ten.

1 SECTION 4. Chapter 175 of the General Laws is hereby  
2 amended by inserting after section 113T the following section: —

3 Section 113U. Notwithstanding any other provisions of this  
4 chapter companies shall not offer compulsory motor vehicle lia-  
5 bility policies but may offer any other type of motor vehicle  
6 insurance.