

By Mrs. Gray of Framingham, petition of Barbara E. Gray and Alan D. Sisitsky for a change in the law relative to insurance premiums for motor vehicles. Insurance.

**The Commonwealth of Massachusetts**

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

AN ACT PROVIDING FOR CERTAIN CHANGES IN AUTOMOBILE INSURANCE PREMIUMS.

*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 113B of Chapter 175 of the General Laws is hereby  
2 amended by striking out the fourth paragraph as presently  
3 amended and inserting in place thereof the following new  
4 paragraph:—

5 “The commissioner shall annually, on or before September  
6 fifteenth, after due hearing and investigation, fix and establish  
7 adequate, just, reasonable and nondiscriminatory premium  
8 charges to be used and charged by companies in connection with  
9 the issue or execution of liability policies or bonds, for the ensuing  
10 calendar year or any part thereof, which provide indemnity or  
11 protection to the insured or to the obligor and any person  
12 responsible for the operation of the motor vehicle of the insured or  
13 of the obligor and any person responsible for the operation of the  
14 motor vehicle of the insured or of the obligor with his express or  
15 implied consent against loss by reason of the liability to pay  
16 damages to others for bodily injuries, including death at any time  
17 resulting therefrom, or for injury to or destruction of property of  
18 others, 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 bonds by a guest occupant of such motor vehicle, as  
23 defined in section thirty-four A of Chapter ninety, and arising out  
24 of the ownership, operation, maintenance, control or use upon the

25 ways of the Commonwealth of such motor vehicle; provided, that  
26 the parties to any such policy or bond may contract for the  
27 payment of a higher premium charge than that fixed and  
28 established as aforesaid. The provisions of this section applicable  
29 to motor vehicle liability policies or bonds, as defined in said  
30 section thirty-four A, shall, so far as apt, apply to the premium  
31 charges fixed under this paragraph. He shall annually, at the time  
32 that he fixes and establishes premium charges and classification of  
33 risks, establish rules requiring companies to provide an informa-  
34 tion sheet of the provisions of such policies or bonds which outline  
35 the various choices of coverage available to motorists and an  
36 approximation of the differences in cost between the various types  
37 of coverages, provided however, that the commissioner shall, in  
38 determining all rates under this paragraph, provide for a  
39 reasonable reduction in premiums for drivers who are the  
40 successful graduates of defensive driving courses that are licensed  
41 and sanctioned by the commonwealth and its agencies. Every  
42 company, agent, or broker shall forward this information sheet to  
43 every person it seeks to insure or renew at the time such person is  
44 provided with an application for such insurance. He shall  
45 promulgate a standard form of application to be used by the  
46 companies for issuance and reissuance of such policies or bonds  
47 and all other coverages included within such policies or bonds, but  
48 any company issuing or reissuing said policies may do so without  
49 requiring such application. In fixing and establishing the charges,  
50 as provided in this paragraph, the commissioner shall take into  
51 account investment income from unearned premium and loss  
52 reserve.