

**HOUSE . . . . . No. 02034**

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The Commonwealth of Massachusetts

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PRESENTED BY:

***Garrett J. Bradley***

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*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to uninsured motorist coverage.

\_\_\_\_\_  
PETITION OF:

NAME:

*Garrett J. Bradley*

DISTRICT/ADDRESS:

*3rd Plymouth*

# HOUSE . . . . . No. 02034

By Mr. Bradley of Hingham, a petition (accompanied by bill, House, No. 2034) of Bradley relative to uninsured motorist motor vehicle insurance coverage Joint Committee on Financial Services.

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE  
□ HOUSE  
□ , NO. 870 OF 2009-2010.]

## The Commonwealth of Massachusetts

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**In the Year Two Thousand Eleven**  
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An Act relative to uninsured motorist coverage.

*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 113L of chapter 175 of the General Laws, as appearing in the 2008
- 2 Official Edition, is hereby amended in paragraph (2) by striking out the first sentence and
- 3 inserting in place thereof the following sentence:-
  
- 4 For the purpose of said coverage, if the policyholder or obligor elects to purchase the coverage
- 5 described in this paragraph, the term “uninsured motor vehicle” shall also include protection of
- 6 persons injured thereunder who are legally entitled to recover damages from owners or operators
- 7 if insured motor vehicles, trailers, or semitrailers to which a bodily injury liability bond or policy
- 8 applies at the time of the accident and the amount collected by the person injured thereunder
- 9 from the bodily injury liability amount or policy is less than the policy limit for uninsured motor

10 vehicle coverage and is insufficient to satisfy the damaged of persons insured thereunder and  
11 only to the extent that the uninsured motor vehicle coverage limits exceed the amount collected  
12 by said insured under said limits of bodily injury liability subject to the terms of the policy.

13 SECTION 2. Said section 113L of said chapter 175 is hereby amended by adding the following  
14 paragraph:-

15 (6) Uninsured motorist coverage shall provide that regardless of the number of vehicles involved,  
16 whether insured or not, persons covered or claims made, in no event shall the limit of bodily  
17 injury liability for two or more bodily injury liability bonds or policies be added together,  
18 combined or stacked in determining, pursuant to paragraph (2), the extent to which said  
19 uninsured motorists coverage exceeds the amount of bodily injury liability proceeds collected;  
20 and further, that such determination shall be governed by the bodily injury liability bond or  
21 policy involved that provides the lowest limits.