

**HOUSE . . . . . No. 03409**

The Commonwealth of Massachusetts

PRESENTED BY:

*Susan Williams Gifford and*

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 the property damage threshold for surchargeable incidents under a safe driver insurance plan.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>
<i>Stephen L. DiNatale</i>	<i>3rd Worcester</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>Kimberly Ferguson</i>	<i>1st Worcester</i>
<i>John P. Fresolo</i>	<i>16th Worcester</i>
<i>George N. Peterson, Jr.</i>	<i>9th Worcester</i>
<i>Dennis A. Rosa</i>	<i>4th Worcester</i>
<i>William "Smitty" Pignatelli</i>	<i>4th Berkshire</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>
<i>Timothy R. Madden</i>	<i>Barnstable, Dukes and Nantucket</i>
<i>Elizabeth Poirier</i>	<i>14th Bristol</i>
<i>Cory Atkins</i>	<i>14th Middlesex</i>
<i>Lillian Faust</i>	<i>46 Pinehurst Dr. <input type="checkbox"/> Wareham, MA 02571</i>

# HOUSE . . . . . No. 03409

By Representatives Ms. Gifford of Wareham and Mr. DiNatale, a petition (accompanied by bill, House, No. 3409) of Susan Williams Gifford and others relative to the property damage threshold for surchargeable incidents under a safe driver motor vehicle insurance plan. Financial Services.

## The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to the property damage threshold for surchargeable incidents under a safe driver insurance plan.

*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. The first paragraph of section 183 of chapter 6 of the General Laws, as appearing  
2 in the 2008 Official Edition, is hereby amended by inserting after the word “five”, in line 13, the  
3 following words: - or a merit rating plan, as defined in 211 CMR 134.03, of an insurer filed with  
4 the commissioner of insurance”.

5

6 SECTION 2. The second paragraph of said section 183 of said chapter 6, as so appearing, is  
7 hereby further amended by inserting after the first sentence the following 2 sentences: - For  
8 motor vehicle insurance purposes, as it pertains to an at-fault accident claim, a major accident  
9 shall be an accident wherein the claim payment, exclusive of any deductible, exceeds \$3,000  
10 under either: property damage liability coverage; collision coverage; limited collision coverage;

11 or for accidents occurring on or after January 1, 2006, bodily injury liability coverage if there is  
12 neither a surchargeable property damage liability coverage claim, nor a surchargeable collision  
13 coverage claim, or as a result of the incident with the bodily injury liability coverage claim. A  
14 minor accident shall be an accident wherein the claim payment, exclusive of any deductible,  
15 exceeds \$1,000, but no more than \$3,000 under either: property damage liability coverage;  
16 collision coverage; limited collision coverage, or for accidents occurring on or after January 1,  
17 2006, bodily injury liability coverage if there is neither a surchargeable property damage liability  
18 coverage claim, nor a surchargeable collision coverage claim, or as a result of the incident with  
19 the bodily injury liability coverage claim.

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